



2.2. Use of the legal system against government critics

2.2.1. Scope of politically motivated prosecutions

The authorities use the justice system as a tool to suppress dissent,[169](#) employing politically motivated charges and court trials against critics of the government, often leading to their imprisonment or forced exile.[170](#) Following the 2020 protests, legislation was amended to introduce new criminal and administrative offences.[171](#) Since then, national security and extremism-related legislation have been used to silence opposition figures, journalists, human rights defenders, lawyers, members of civil society organisations and trade unions, and citizens expressing opinions perceived by the authorities as hostile.[172](#)

Between May 2020 to 31 March 2026, according to the data of the human rights centre Viasna, at least 9 594 individuals have faced politically motivated criminal prosecution, with at least 8 304 individuals convicted, including convictions *in absentia*.[173](#) In 2025, at least 2 384 individuals faced criminal or administrative prosecution, including arrests, searches, and interrogations.[174](#) As of 28 February 2026, 1 141 political prisoners were held in detention.[175](#) Minors also have faced convictions, with 43 minors convicted on politically motivated charges in 2024[176](#) and 40 in 2025.[177](#) In both years, the highest number of convictions was related to the participation in protests (29 in 2024 and 16 in 2025).[178](#)

To prosecute individuals for activities perceived as dissent, the authorities have relied on several articles of the Criminal Code, including but not limited to:

- Article 130 ‘Incitement of social hatred’[179](#)
- Article 342 ‘Organisation and preparation of actions that grossly violate public order, or active participation in them’[180](#)
- Article 367 ‘Defamation of the President of the Republic of Belarus’
- Article 369 ‘Insulting a government official’
- Article 391 ‘Insulting a judge or a people’s assessor’[181](#)

- Article 361-1 'Creation of an extremist formation or participation in it'
- Article 361-2 'Financing extremist activity'
- Article 361-4 'Facilitating, promoting, or aiding and abetting extremist activity'.[182](#)
- The authorities perceive criticism as an action undermining the authority of the government, therefore individuals expressing criticism are punished under articles related to 'defamation' and 'insult'.[183](#) Criticism directed at the President is 'punished especially harshly', with prison sentences 'imposed almost automatically.' In contrast, criticism of other officials, including judges, results more often in sentences of 'restricted freedom with or without placement in an open-type facility.' The severity of the sentence also depends 'on the number of episodes and the nature of the comments', which means that investigating and court officials have in practice freedom to 'determine the level of punishment based on political expediency rather than legal reasoning.'[184](#)

As noted by a representative of Viasna Human Rights Center in an interview with EUAA, sentences under extremism-related articles vary depending on the specific charges but often involve the maximum penalties allowed by law. Individuals can receive sentences of up to 10-15 years in prison for activities that are not violent. Some people receive shorter sentences such as three years in prison or one year of home arrest.[185](#)

After mass protests subsided in late 2020, the authorities shifted repression to the digital space.[186](#) Already by 2021, a large number of criminal cases had been initiated to punish critical opinions expressed on social media.[187](#) After 2023, the authorities started using Articles 361-1, 361-2, and 361-4 of the Criminal Code to punish a wide range of digital interactions, such as administering or subscribing to social media channels, turning the internet 'into a space where any word, photo, or reaction can become grounds of prosecution.' As of December 2025, around 2 800 individuals faced criminal prosecution for social media posts, comments, and messages.[188](#)

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