



## 3.2. Administration of justice

### 3.2.1. Court system and prosecution practices

The court system in Belarus comprises the Constitutional Court and universal jurisdiction courts, which consist of the Supreme Court, *oblast* courts, Minsk city court, town courts, economic courts for Minsk and *oblasts*.[336](#) While the Constitution formally grants judges independence, [337](#) in practice, the judiciary is controlled by the executive branch and the presidency.[338](#) Judges of the Supreme Court and the Constitutional Court are appointed and dismissed by the ABPA on the recommendation of the President, while all other judges are appointed and dismissed directly by the President.[339](#)

As a result, the judiciary – along with law enforcement agencies and prosecutors[340](#) – has become a tool of political repression, used to suppress political opponents and persons expressing dissent through criminal and administrative prosecutions[341](#) and to contribute to ‘human rights violations and crimes against humanity.’[342](#) Judges frequently align with the penalties sought by prosecutors.[343](#) As noted by a human rights specialist, operative officers within law enforcement bodies, such as the Minister of the Interior and the KGB, play a decisive role in determining who will be prosecuted, while courts tend to largely endorse decisions made at earlier stages.[344](#)

Most of politically motivated trials are held behind closed doors, which makes it difficult for human rights organisations to access how proceedings are conducted in practice. The penalty is usually a prison sentence, and often includes financial compensation, effectively leading to property seizure.[345](#) At the same time, acquittals ‘are almost non-existent’; therefore, the main area of judicial discretion is often limited to determining the exact length of the prison sentence.[346](#)

Since 2020, a pattern of repeated prosecutions for the same offense has been reported, with individuals tried multiple times for exercising their rights to freedom of expression, association, and assembly. In some cases, they were convicted ‘three or even four times’, first on administrative charges, followed by criminal charges.[347](#)

- [336](#)

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