

# Belarus 2021

## Prohibition of torture index - 92,8 ↓



### Key Challenges

Death penalty not abolished and is applied. Virtually total absence of published data. Failure to investigate blatant violations of human rights.

Population	9 302 585
Prison population	No current data (in 2018, <b>approx. 45 000</b> )
Convicted	No current data (in 2018, <b>32 556</b> convicted in penal colonies and prisons; <b>6 000 to 7 000</b> convicted in compulsory rehabilitation centers)
In pre-trial detention	No current data (in 2018, <b>5 400</b> detainees under investigation)
Detainees (under administrative arrest)	No data
Law enforcement budget	Total budget: <b>479 843 072 EUR (1 437.13 million BR)</b> . Including: Ministry of Interior - <b>342 357 262 EUR (1 025.36 million BR)</b> ; Penitentiary Service — <b>82 293 823 EUR (246.47 million BR)</b> ; Investigative Committee - <b>55 191 989 EUR</b> (165.3 million BR).
Budget per prisoner per year	No data
Number of penitentiary personnel	No data
Number of police officers	No data

### Judgments documenting the problem of torture

Judgments and decisions of international bodies documenting the problem of torture and ill-treatment	0
Judgments of Belarusian courts	No data
Number of death sentences	1

### Criminalization of torture and ill-treatment

Explicit prohibition of torture in criminal law	The norm is vague. There is no explicit prohibition.
Criminalization of acts falling within the definition of torture	Partially criminalized; sanctions disproportionate to the gravity of the crime.
Definition of torture consistent with international treaties	Consistent with relevant Conventions

### Government body investigating allegations of torture and ill-treatment

There is a body authorized to investigate torture	No separate body. Any prosecutor or investigator of the Investigative Committee can investigate torture claims.
Number of investigators	No data
Investigator workload	—
Investigating body's jurisdiction	No exclusive jurisdiction; torture cases are under 50%
Geographic coverage	All administrative units of the country
Budget	Covers minimum essential costs
Number of complaints of torture and ill-treatment	No official data. According to independent reports, more than 5 000 complaints alleging torture and ill-treatment have been filed since August 2020.
Number of criminal cases instituted	No data

### Ratification of relevant international treaties

Relevant conventions	All relevant UN conventions are in force. ECHR and CPT are not in force.
Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002)	Neither signed nor ratified
Ratification of individual complaints procedures of the UN Treaty Bodies	UN HRC Protocol
Istanbul Protocol	Partially implemented in national legislation

### Procedural guarantees

Documenting the actual detention start time	Set out in law but not respected
Lawyer notification at the actual detention start time	No. In practice, lawyers get notified between 3 hours and 3 days after the detention start time.
Family notification	By law, within 12 hours. Applied selectively in practice.
Medical examination	No. Medical examination is optional. Conducted selectively in respect of detained criminal suspects. Not conducted in respect of administrative detainees.

### Preventive mechanisms

Independent external review mechanism	Established but controlled by the authorities. During 2021, commissions visited three establishments (according to the Ministry of Justice).
Video surveillance	Some, but not all facilities are equipped. Private areas are included.
Access to, and safekeeping of video evidence	Not protected and fully accessible to officials at places of detention. No liability for tampering with the archives.