



## Effectiveness of investigation index

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## Prohibition of torture index

-70.1

### General

- **3** death sentences
- **47** complaints to the UN CAT about torture
- Large scale arrests **during protests and torture of detainees**
- **Ineffective** investigations and refusal to prosecute torture perpetrators
- Victims of torture **are not protected**

Population - **9 379 952****Prison population (convicted) – 32 556** (as of December 2018)**In pre-trial detention** (under investigation) - **5 400** (as of 2018)**Detainees** (under administrative arrest) - no dataLaw enforcement budget **1 288.5 million BR** (penitentiary, police force and Investigative Committee combined)**There is death penalty in Belarus**

### Judgments documenting the problem of torture

Judgments and decisions of international bodies documenting the problem of torture and ill-treatment

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Judgments of Belarusian courts

No data

Judgments excluding evidence obtained under torture

No data

### 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 for torture are disproportionate to the gravity of the crime

Definition of torture consistent with international treaties

Yes

### 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

No data

Investigating body's jurisdiction

No data

Geographic coverage

Prosecutorial and Investigative Committee's offices are represented in all districts

Budget

Sufficient, covers all costs

Number of complaints of torture and ill-treatment

No data

### Ratification of relevant international treaties

Relevant conventions

Yes, except for the ECHR and the CPT

Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002)

Neither signed nor ratified

Istanbul Protocol

Partially implemented in national legislation

### Procedural guarantees

Documenting the actual detention start time

Yes, but not observed in practice

Lawyer notification at the actual detention start time

No. Lawyers get notified between 3-4 hours and up to 3 days following the detention start time

Family notification

By law, within 12 hours

Medical examination

No. Medical examination is optional. In practice, there may be a medical examination or routine questions from the police chief

### Preventive mechanisms

Independent external review mechanism

Available in all regions, but controlled by the authorities. Did not operate in 2020

Video surveillance

Continuous, incl. private areas, but not all facilities are equipped

Access to, and safekeeping of video evidence

Unsatisfactory