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Belarus's state-diaspora relations since 2020: Overview of major changes

In this issue of CMR Spotlight, Andrei Yeliseyeu describes the dramatic changes of relations of the Belarusian state with its diaspora members after the 2020 rigged presidential elections. Various new regulations complicate the rules of exit and return for nationals of Belarus. The Belarusian diaspora in Western countries is harassed through tax regulations and public degrading on state-owned media, whereas prominent dissenters are subject to court trials in absentia and may face the revocation of their Belarusian citizenship.

The next issue of CMR Spotlight (May 2023) will be devoted to the Belarusian diaspora in Poland – coming soon!



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Belarus’s state-diaspora relations since 2020: Overview of major changes

Andrei Yelisseyeu

On 31 August 2020, Archbishop Tadeusz Kondrusiewicz, the then Head of the Roman Catholic Church in Belarus who publicly condemned unfolding state repressions, was coming back to Belarus after a brief visit to Poland. Although a Belarusian national, Kondrusiewicz was refused entry and had to temporarily stay in Poland for over three months until the Vatican's successful intervention with Minsk reopened the door into Belarus for him. This case of refusing entry to the country of citizenship – what’s more, to a church leader – was one of the early indications that Belarusian migration policies and state-diaspora relations were taking a more restrictive and unpredictable turn after the highly questioned August 2020 presidential elections and large-scale civil unrest across Belarus which followed.

The dramatic changes that state-diaspora relations of Belarus have undergone since then tend to support the suggestion made by [\(Tsourapas, 2020\)](#) that domestic shifts towards harsher authoritarianism alter the state’s approach to diaspora policymaking. He comparatively examines state-diaspora relations in five authoritarian states in the Middle East and proposes three tiers of diaspora engagement policies, broken down based on separate stages of mobility. First, policies of exit-regulating aspects related to emigration. Second, diaspora engagement

policies, which determine the relationship with their diaspora living abroad (‘overseas policies’). Third, return policies, determining the rules and processes of homecoming from abroad. This article follows this multi-tier design to briefly review the major shifts in Belarus’s diaspora policies since 2020.

Policies of exit: Greater control and more restrictions

Limitations to cross-border mobility. In December 2020, the [ordinance](#) of the Belarusian government severely restricted the rules of exit through land-border crossing points with Ukraine, Poland, Lithuania, and Latvia. Exiting Belarus through land borders was only possible for specific categories of citizens, including international transport drivers, members of official delegations, employees travelling on a business trip, or for humanitarian and extraordinary reasons. Individuals who intended to leave Belarus for work abroad could cross land borders just once in six months. The official reason, linked to the prevention of Covid-19, did not seem credible, particularly given that Belarus’s response to the pandemic was one of the weakest globally. These restrictions were removed in April 2022.

However, occasional thorough border and customs controls continued, which may [reportedly](#) include the inspection of personal communication and the online activity on

travellers' personal mobile phones. It should be noted that until 2020, Belarusians enjoyed a relatively permissive exit policy. Belarus was the global leader in Schengen visas per capita and few hurdles were in place to control citizens' emigration.

Informal processes hindering emigration. In March 2022, as the number of Belarusians considering emigration increased following Russia's large-scale invasion of Ukraine, state agencies [interrupted](#) the provision of apostille services for almost two weeks. Apostille certifies the authenticity of official documents, such as birth and marriage certificates, diplomas and court verdicts, and is often required to legalise documents in a foreign country.

Tariffs for apostille services in Belarus were [raised](#) manifold. For instance, the fee for a notary certification of withdrawal from Belarusian citizenship was increased by 10 times from about USD 4 to USD 40. Nevertheless, demand for notary services continued to greatly exceed their supply and customers often additionally paid USD 150-300 to notary agencies to accelerate procedures. Record high demand for notary services due to increased out-migration [resulted](#) in long queues – in July 2022, the earliest registration date for notary services in the Belarusian Ministry of Foreign Affairs (MFA) was for March 2023. The Belarusian MFA refused to streamline the process and its Consular Department in Minsk continued to serve just around 50 people per day.

Restrictions on travel based on relation to military service. Amid the Russo-Ukrainian war,

the country-wide “verification of registration data of Belarusian military reservists” was announced in late 2022. The Belarusian regime repeatedly denied that individuals who fail to be timely verified in the military enlistment offices will be barred from exiting, although cases which might suggest otherwise [were reported](#). A measure was introduced requiring conscripts and citizens under 27 who are in the army reserve for health reasons to receive permission from the military enlistment office to move abroad for permanent residence. Furthermore, the bill abolishing the postponement from army service for Belarusian students studying in foreign universities [was proposed](#) in 2022 and is likely to be enforced later in 2023.

Diaspora engagement policies: Harassment and financial punishment

Financial extraction through taxation or other means. The vaguely formulated law of January 2023 [regulates](#) the confiscation of property “on the grounds of public necessity” from the people who are involved in the “unfriendly actions” of foreign countries. The main goal seems to be to dissuade diaspora members from any activities associated with the introduction of Western sanctions against Belarus.

The March 2022 [amendments](#) to the controversial presidential decree, originally aimed at punishing “social parasitism”, transformed it into a piece of legislation financially punishing emigrants located in Western countries. Belarusian nationals who own property in Belarus and stay abroad beyond the Eurasian Economic Union countries

(Armenia, Kazakhstan, Kyrgyzstan, and Russia) are supposed to pay higher tariffs for gas, heating, and hot water, as opposed to reduced, state-subsidised costs.

Furthermore, the March 2022 presidential decree №93 [proposed](#) halting agreements on avoidance of double taxation with “unfriendly countries”, as retribution for their sanctions policy. As of March 2023, no such agreements have been denounced. Yet, in case this measure is eventually taken, Belarusians residing in a foreign country in question might face extra tax demands in Belarus, in addition to their taxation obligations abroad.

Intimidation of citizens residing abroad. Those who left Belarus for political reasons after 2020 are frequently attacked in official communication. State-controlled media use various degrading and dehumanising descriptions such as “rats” and “parasites”. The weekly program “Order of Judas” on STV TV channel presented dissenting activists, journalists, and athletes [with a noose](#). Since 2020, state propagandists and pro-regime public figures (e.g. [Sergei Gaudukevich](#)) have publicly said that the kidnapping of central political opposition figures and bloggers from abroad would be reasonable. As a result of the diversion of the [Ryanair Flight 4978](#) on 23 May 2021, activists Raman Pratasevich and Sofia Sapega were arrested. Later on, Sapega was sentenced to six years in prison for “inciting social hatred”, whereas the court trial against Pratasevich continued as of April 2023.

Court trials in absentia of outstanding dissenters located abroad. In 2022, the Belarusian regime introduced the legal practice of “trials in absentia” of key dissenters staying abroad. On 6 March 2023, pro-democracy leader Sviatlana Tsikhanouskaya was convicted in absentia to 15 years in prison for “treason” and “conspiracy to seize power.”

Removal of out-of-country voting provisions. The Central Election Commission [announced](#) in October 2022 that out-of-country voting will no longer be organised. Officials cited dubious reasons behind this decision – low numbers of voters abroad, risks resulting from Covid-19, and decreased numbers of diplomatic workers in foreign countries.

Return policies: Extra level of control

Denationalisation of dissenters. The [January 2023](#) amendments to the law on citizenship introduced the legal ground for the revocation of Belarusian citizenship from “extremists”. Individuals convicted for politically motivated actions, such as “preparation for mass disorder” or “defamation of the president” are understood as extremists. It was reported in the same month that, to address the problem which Belarusian activists with invalid Belarusian passports are facing, including those potentially affected by the above-mentioned piece of legislation in the future, the Polish Ministry of Interior and Administration offered to use the Polish travel documents instead. The final legal solution in Poland and the EU as a whole

concerning the problem of identification documents for Belarusian activists continued to be discussed as of March 2023.

Tighter regulations concerning holders of foreign residence permits. The recently amended law on citizenship also introduced a requirement for Belarusian citizens to inform the Ministry of Interior about the receipt of another foreign citizenship, foreign residence permit or the Pole's Card. Holders of the Pole's Card are entitled to work in Poland, access the simplified procedure for obtaining a permanent residence permit, to financial assistance and other benefits. By 2022, over 160,000 Pole's Cards [were issued](#) in Belarus.

Return upon thorough examination by a state commission and public repentance. The February 2023 presidential decree [established](#) a peculiar mechanism of return for dissenters. To be specific, it speaks of Belarusians who since January 2020 committed "crimes of protesting character" and are fearful of returning to Belarus because of being "possible accomplices in committing this type of violation of law." Such persons can address a state commission consisting of high-ranking officials of law-enforcement agencies, state propagandists, and members of the key state government-organised NGOs, explaining the reasons for leaving Belarus and activities that may make them liable to be charged with an administrative or criminal offence.

The necessary element of the proposed procedure is, according to the decree, public repentance and readiness of an applicant to repair the inflicted damage and to respect state symbols and national traditions. The state

commission is to inform applicants about the presence or absence of criminal proceedings against them and about the opportunity to close them or soften the charges, on specific terms. Each applicant, [according](#) to the deputy head of the Prosecutor's Office, will be "scanned with a legal X-ray." The decree is, however, not to bring an "era of universal mercy," he urged. Indeed, it follows from official statements that only relatively minor "offenders" are subject to the said decree, while the most outstanding dissenters are not. Regardless, the return initiative was met with broad distrust among the diaspora. According to [official data](#), the commission received 23 applications in the first month of its work, most of which "did not meet criteria". Independent media [reported](#) that Belarusian police reached the Belarus-located family members of activists living abroad and called them to influence their relatives to submit return applications.

Conclusion

Since 2020, a number of measures have been introduced in Belarus which seriously complicated the rules of exit and return. The diaspora engagement policies have also hardened over the past three years, including through the introduction of legal grounds for the denationalisation of dissenters and the launching of court trials in absentia over them. Furthermore, mechanisms of financial extraction were put in place, such as confiscation of property from political opponents and imposing higher costs of housing utility services for Belarusian property owners residing in Western countries. Belarus's case of state-diaspora relations contributes to

the research of variations of diaspora policies in autocratic countries. The evolution of the political regime in Belarus towards a more centralised and militarist dictatorship over the past years has brought a significant effect on the regime's approach towards cross-border mobility and diaspora policies.

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