



**To:**

UN Special Rapporteur on the independence of judges and lawyers  
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### **LegalHub.help's input to IJL Legal Empowerment report**

In response to the call for submissions for the IJL Legal Empowerment report, [Legal Hub](#) (Belarus) hereby addresses you with information regarding new methods and forms of legal empowerment, as well as access to justice in the aftermath of the [crackdown](#) on civil society and any dissident voices, following the disputed 2020 presidential election in Belarus.

#### **General Context**

Belarus [has failed](#) to ensure the independence of its judiciary, implying that the rule of law remains unguaranteed, and human rights unprotected. After the 2020 election the situation continues to deteriorate and the toolbox of the regime's repressions against Belarusians, including [lawyers](#) defending opposition figures and protestors or speaking out about the rule of law, administration of justice, and human rights, has been expanding and creating an atmosphere of fear and intimidation. Some of the documented mass human rights violations committed in Belarus, as recently argued by the OHCHR, qualify as [crimes against humanity](#).

In addition to the harassment inflicted upon lawyers ([disbarment](#), [criminal prosecution](#)), there is a concerning trend of interference with the independence of the legal profession in Belarus and further shrinking civic space and access to justice for people in Belarus. In 2020-2023, [92](#) lawyers were deprived of the right to profession (by March 2023, the Bar lost [550 lawyers](#) and now has only 1,650 available lawyers) and only [28 new](#) lawyers were admitted to the bar. Disbarred lawyers are replaced by former law enforcement officers, prosecutors and judges who "actively demonstrated themselves" in political processes.

#### **Shortcomings of existing in Belarus judicial and other legal systems**

Since 1995, the process of radically strengthening presidential power led to the creation of the super-presidential form of government and a consolidated authoritarian regime in Belarus. Currently, [Belarusian courts](#) are not an independent branch of government and are totally dependent on the president, his administration and his secret services.

The Belarusian [legislative framework](#) effectively limits the independence of lawyers, whose activities are under excessive control of the Ministry of Justice, via the Belarusian National Bar Association. Belarusian lawyers are in fact certified not by their peers, but by the executive – which violates the fundamental principle of the separation of powers. The authorities can request ex prompt inspections of lawyers at any time. And most inspections are politically motivated. This aims at putting pressure on lawyers perceived as being critical of the Government either because of earlier statements they made in court, or because of the type of clients they defend. The fact that the state attacks lawyers to bar access to justice for those expressing dissent or criticism of the government and its policies leads lawyers to self-censorship, and adds to people's distrust in judicial institutions.

In addition, by March 2023, the Bar lost [550 lawyers](#) and now has only 1,650 available lawyers. For the entire population of Belarus, the availability of legal aid is 5,660 people per lawyer or 21 minutes of working time per person per year. In the regions the level of availability of legal aid, in general, tends to be 0.

Since the World Justice Project (WJP) began measuring the rule of law in the country, Belarus has slipped in its global rankings, from [50th place out of 102 countries in 2015](#), to [97th out of 139 countries in 2021](#). Significant trends for Belarus included a deterioration in the factors measuring Constraints on Government Powers, Absence of Corruption, Open Government, Fundamental Rights, Regulatory Enforcement, and Civil Justice. According to WJP's survey-based data, Belarus rates particularly poorly for respect for lawful transition of power, civic participation, freedom of expression, and respect for due process. Such entrenched rule of law deficits on accountable governance and human rights and continuing repression against Belarusians resulted in a situation, characterised as "the rule of no law," where people prefer to stay silent and not to question the lawfulness of Belarusian authorities' conduct both through formal appeals and direct action.

In the lead-up to and following the August 2020 presidential elections in Belarus, the government has continually and extensively utilised repressive tactics against dissenting citizens. Officials in positions of power blatantly disregard laws, causing concern among the "Belarusian legal community" who describe the current state of affairs as a "legal default," signifying the government's incapacity to enforce the rule of law. The legal evaluation of this situation has become a crucial aspect of the conflict. The Belarusian regime utilises the judicial and legislative system to intimidate critics and impede any dialogue about the current state of affairs.

### **Legal Hub as a response to mass human rights violations and lack of access to justice in Belarus and an example of legal empowerment modalities and innovations at national level**

In the context of escalating repression, persecution of lawyers, the adoption of repressive legislation, and the breakdown of the judicial system, there arose a need to implement new ways

of supporting people within Belarus and those who were forced to leave and strengthening the capacity of people to exercise their rights, either as individuals or as members of a community. In response to these challenges, the Legal Hub platform was created.

Legal Hub is a comprehensive platform that offers free legal advice to individuals who have been impacted by the actions of the Belarusian regime or those who are seeking access to legal assistance and justice. Legal Hub not only provides a space where people can seek pro bono legal help in a secure manner from various parts of the country and the world, it also provides a chance for dozens of Belarusian lawyers, disbarred on political grounds and effectively deprived of the right to profession, to continue working in their capacity. In its work, Legal Hub strives to adhere to the following principles: accessibility, anonymity, and safety, universality, free of charge, and innovation.

Mass political repressions in Belarus after the 2020 presidential election are arguably the largest on the continent and the fear for life and liberty stirred by the regime often prevents people from seeking help and justice in regular ways. Digitalizing the process of getting legal assistance on Legal Hub platforms creates a safe and user-friendly space, where without revealing your identity and subject to encryption, people feel safer voicing their concerns and getting free legal advice. The platform is a full-fledged technical development: the front-end of the platform is implemented on React/Redux, the server side - Node + Express, the database - MongoDB (Mongo Atlas). Legal Hub is a form of digital safe space and a tool of digital resistance, which minimises risks for users and lawyers and prevents Belarusian state's efforts to outlaw the work of lawyers and human rights defenders completely.

Current analyses have shown that legal Hub is a user-friendly platform built as a sustainable and secure solution to create an inclusive space for legal consultations online, while offline ones are growing increasingly dangerous, especially if the matters discussed are politically sensitive. The platform builds a pro bono culture among lawyers and beneficiaries, normalising resorting to professional legal help when faced with difficulties and doing so in a secure manner. The platform has been developed in collaboration with Belarusian top digital security and civic tech experts to make sure the solution is reliable and trust-worthy – as the growing number of users confirms.

Developing the Legal Hub platform is an important element of raising digital literacy of Belarusian society and normalising looking for professional advice on secure online platforms. Encrypted digital platforms, like Legal Hub, thus become a tool of digital resistance against the strengthening tendency towards digital authoritarianism in the region.

The project tends to be universal and answer to the requests of various categories of Belarusian citizens. It started with 36 specialisations ranging from dismissals and student rights to criminal prosecution and extremism. As of 3 May 2023, the platform has 66 specialisations. The covered topics for inquiries have been expanded and new specialisations for consumer rights protection, international protection, conscription, serving sentences, "social freeloading" issues, extradition and international wanted list, minors' rights, and more were added.

The specialisations in LegalHub, as well as client requests, change depending on what is happening in the world, seasonality, agenda in Belarus, changes in legislation, and so on. The

platform anticipates and predicts mass inquiries from Belarusians by tracking changes in legislation that affect a wide range of citizens. For example, this was the case with the "social freeloading" specialisation. Frequent changes in the regulation of this topic and periodic expansion of categories of citizens considered "social freeloaders" led to mass inquiries from Belarusians to LegalHub lawyers.

After the start of Russian full-scale aggression in Ukraine, Legal Hub received inquiries from Belarusians about what actions they need to take before leaving Belarus, what documents they need to collect and which of them need to be apostilled, and whether they can exchange their Belarusian passport abroad after its expiration or attempt to do so in Belarus. In response to such a massive exodus from the country, specialisations "Documents for those who are leaving Belarus" and "Belarusian Passport" were created. In March 2022 alone, Legal Hub received about 120 inquiries for these specialisations.

In July 2022, organisations that consult conscripts were persecuted in Belarus, and all of these organisations were liquidated. To ensure that Belarusian citizens are not left without legal assistance in the face of the upcoming/predicted mobilisation, a specialisation "Conscription" was added.

During the period from January 1, 2022 to December 31, 2022, 1526 consultations were conducted on the platform. However, during the period from January 1, 2023 to May 1, 2023, 926 consultations have already been conducted, which shows a significant increase in requests for assistance and trust in the platform, and its relevance in the conditions of limited access to legal protection in Belarus. The increase of Legal Hub's audience on Instagram from several hundreds to more than 8500 followers and the abovementioned statistics on inquiries show that the platform is an invaluable tool in times when internal political oppression intersects with aggressive politics of Russia, which effectively uses Belarusian territory as its own during the conflict.

Legal Hub pursues to defend human rights by ensuring equal access to legal assistance and justice, and strengthen legal opportunities and legal capacities of members of vulnerable social groups, territorial communities and society in Belarus. It recognises the importance and need for free legal aid as a social security guarantee and provides its stable funding through the allocated budgets from various donors.

### **Legal Hub as promising approach to partnership between lawyers and paralegals and other grassroots justice advocates**

By uniting disbarred attorneys, human rights defenders, and independent lawyers on its platform, Legal Hub created a community of like-minded professionals, who share a mission of doing pro bono work at the time of an unprecedented civil society and legal crackdown in Belarus. The platform helps create a pro bono legal culture and strengthen the community of lawyers and human rights defenders.

Apart from helping individuals seeking legal advice, Legal Hub offers NGOs and CSOs to join the platform and use it as a secure tool of continuing to deliver advice to their beneficiaries and

target groups, which would not have been otherwise possible, since the traditional platforms are too “visible” for Belarusian authorities.

Legal Hub is a new form of organising work processes and professional communities, where all professionals can interact on a horizontal level with a shared understanding of the safety and effectiveness of their work.

By May 2023, Legal Hub united 7 disbarred lawyers, 3 former in-house lawyers, 4 volunteers, and a number of human rights advocates. Such an integration of different specialists allows them to reinforce each other and provide the most comprehensive assistance based on a human rights approach.

The platform has already been joined by a separate civil society initiative that provides psychological and legal assistance to women. Thus, Legal Hub becomes an important tool for uniting grassroots activists and initiatives, which also expands the audience and groups of people who can now receive legal assistance in Belarus and beyond.

Another key goal of Legal Hub is to build strong partnerships with other organisations all over the world that share its commitment to protecting human rights. In pursuit of this goal, the Legal Hub is actively engaged in international partnership cooperation with a number of other organisations and initiatives (PILnet, ILaw Network, and TrustLaw) that tackle the barriers that prevent people from accessing justice. Through these partnerships, Legal Hub is able to access a wealth of expertise and resources that enable it to provide even better support to those in need. By working together, these organisations can pool their knowledge and resources, and leverage their collective strengths to make a real difference in the lives of those affected by human rights violations and the huge gap in access to justice. Some of the specific activities that Legal Hub engages in through its partnerships include conducting joint training sessions and workshops, collaborating on research and advocacy projects, and sharing information and best practices. By doing so, the Legal Hub and its partners are able to build a stronger, more effective human rights movement, and ensure that the voices of those who have been marginalised and oppressed are heard loud and clear.

### **Challenges experienced by Legal Hub seeking to implement legal empowerment approaches in Belarus**

Building trust among Belarusians is one of Legal Hub’s most important achievements. Compared to January-February 2022, the number of inquiries has almost doubled, which is both gratifying and challenging. Establishing trust with an anonymous online service in the context of Belarusian reality is a complex process. The Legal Hub team works with this challenge every day, increasing recognition of Legal Hub, working meticulously with all incoming requests, creating simple and accessible memos and algorithms, and providing comments to various media on the most relevant topics.

Increasing the visibility and recognition of the platform may also attract the attention of the controlling authorities in Belarus. In the conditions where access to legal assistance and justice is intentionally limited by the authorities, any human rights or humanitarian organisations are forcibly liquidated, and independent media outlets are recognized as extremist, such attention

may pose a risk of Legal Hub being recognized as an extremist service, limiting access to the website from Belarus, and also risking persecution of those who seek help on the platform.