

Alternative Follow-Up Information for the Committee on the Elimination of Racial Discrimination - 118 session

Prepared by the Belarusian Helsinki Committee and Human Constanta

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20. The Committee recommends that the State party ensure that its legislation on terrorism and extremism is not applied in an indiscriminate manner that could amount to a violation of the Convention. It also recommends that the State party ensure that civil society organizations defending human rights, in particular those tackling racial discrimination, operate in an environment in which they are enabled to carry out their activities freely without undue restrictions.
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Belarus continues to apply anti-terrorism and anti-extremism legislation arbitrarily, using it as one of the principal instruments to suppress independent civil society, freedom of expression and association, rather than to combat genuine security threats. Despite a number of pardons, as a result of U.S.-Belarus negotiations, involving at least 436 individuals, this did not alter the overall pattern of repression.

Provisions relating to “extremism” and “terrorism” are embedded across multiple legal instruments, including the Laws [“On Countering Extremism”](#) and [“On Combating Terrorism,”](#) relevant articles of [the Criminal Code](#) and the [Code of Administrative Offenses](#), [the Law “On Citizenship”](#) (which allows for the deprivation of citizenship for “extremism-related offenses”). Specialized government-maintained lists track [“extremist” materials, organizations, formations, and individuals](#), as well as [registers of individuals and organisations related to “terrorist activities.”](#) The legal framework of the list of “extremist” offences, updated in 2025, allows any offences under the Special Part of the Criminal Code to be classified under this category if they are committed “on grounds of racial, national, religious enmity or discord, political or ideological enmity, as well as on grounds of enmity or discord towards any social group”, which significantly [broadens](#) the scope for classifying various forms of expression as “extremist”.

These laws [are systematically applied](#) to restrict both online and offline speech, targeting democratic activists, independent journalists, human rights defenders, and administrators of social media channels. Extra-judicial practices, such as labeling political prisoners as “prone to extremism” in detention, further extend the repressive reach of the state.

As defined in the Law “On Combating Extremism” and the Law “On Combating Terrorism,” the responsibility for combating “extremism” and “terrorism” lies solely with state authorities. No civil society actors, independent experts, or external oversight mechanisms are formally included in the system of anti-extremism enforcement. This exclusive concentration of authority in government institutions effectively excludes any independent scrutiny, participatory oversight, or external accountability, leaving counter-extremism policy entirely under the control of the executive and security apparatus.

Since 2024, the practice of designating materials, individuals and organisations as “extremist” or “terrorist” has intensified. During the first quarter of 2026 alone, courts issued 365 new decisions recognising 616 additional information resources as “extremist materials”. By 31 March 2026, the national list contained 9,875 extremist materials, including approximately 2,600 Telegram resources. [According to Human Constanta](#), more than 85% of the listed materials were designated “extremist” solely because of their political content rather than any incitement to violence. Independent media, human rights organisations, educational initiatives, trade unions, diaspora organisations, cultural and LGBTQ+ initiatives, local civic groups and independent experts continue to be targeted.

Law enforcement authorities also [interpret](#) “extremism” increasingly broadly, treating subscriptions to “extremist” resources, automatic storage of content on electronic devices, or other inadvertent interactions with designated materials as grounds for administrative liability.

The authorities continue to [arbitrarily expand](#) the official lists of persons allegedly involved in “extremist” and “terrorist” activities. By the end of June 2026, the List of Persons Involved in Extremist Activities contained 6,745 individuals, while the List of Persons Involved in Terrorist Activities included 1,628 individuals, of whom 714 Belarusian citizens had been designated on political grounds despite having no connection to terrorism.

The designation of civil society organisations as “extremist formations” or “extremist organisations” has continued to [expand](#). By June 2026, 365 formations and 8 organisations had been designated. In 2025 alone, 67 civil society organisations were recognised as “extremist formations”. Recently, 3 human rights organisations - the Belarusian Helsinki Committee, Human Constanta and Belarusian PEN - [were designated](#) as “extremist formations”, exposing staff members, volunteers, beneficiaries and anyone accused of “assisting” these organisations to criminal prosecution. Human Constanta had provided legal assistance to migrants, refugees and asylum-seekers and, for many, remained one of the few independent sources of such support.

By the decision of the Supreme Court of Belarus the European Humanities University was [designated](#) an extremist organisation. This is the first instance in which extremist organisation status has entailed consequences of such scale for people who have no “political portfolio”. It significantly expands the spheres of life now covered by the risk of prosecution - including academic publications, payment of tuition fees, and so forth.

[In 2025 alone](#) a minimum of 133 people were charged with inciting “other social enmity” (Article 130 of the Criminal Code). At least 274 people were convicted of “assisting extremist activity” (Article 361-4 of the Criminal Code). At least 102 people were sentenced for “founding or participating in an extremist formation” (Article 361-1 of the Criminal Code). At least 36 people were convicted for “financing extremist activities” (Article 361-2 of the Criminal Code).

Since 2021, access to certain jobs and professions is gradually being formally [restricted](#) for political reasons. An expanding range of professions are now subject to legal filters that exclude those who are perceived by the authorities as disloyal, including individuals with prior convictions for “extremist” offences or included in official “extremist” lists, with the majority of the latter being politically motivated. Recent examples include bans on [working with children](#) (regardless of whether the conviction has been expunged or served), loyalty requirements introduced for [tour guides and](#)

[interpreters](#), [astronauts](#) and [notaries](#), and proposed for self-employed and temporary [\(crisis\) managers](#), as well as restrictions for [state officials and diplomats](#) related to the possession of foreign documents.

Belarus' participation in the Shanghai Cooperation Organisation

On 4 July 2024, Belarus [completed its accession](#) as a full member of the Shanghai Cooperation Organisation. As a result, it became fully bound by the legal framework of the [Shanghai Convention on Combating Terrorism, Separatism and Extremism](#) and related SCO instruments. The Convention contains broadly formulated definitions of “terrorism”, “separatism” and “extremism” and establishes co-operation on the basis of mutual recognition of such acts by member states. It further provides that nothing in the Convention prejudices the application of other international treaties or national legislation that may allow for a broader interpretation of these terms. This formulation permits reliance on expansive domestic definitions in cross-border co-operation. The mutual recognition framework, combined with the possibility of broader domestic definitions, may facilitate cross-border enforcement measures (including information exchange, designation, and co-operation in criminal matters) [without sufficient alignment with international human rights standards](#), notably the principles of legality, foreseeability and proportionality

Operational co-ordination in the SCO is carried out through the Regional Anti-Terrorist Structure (RATS), which [reportedly operates](#) under conditions of near-total confidentiality. RATS maintains a database of individuals and organisations designated by member states as “terrorist”, “extremist” or “separatist”, facilitating their cross-border identification and co-operation among security agencies. However, the criteria for inclusion in this database, the evidentiary standards applied, and the procedures for challenging or removing a designation are not publicly accessible. There is no independent external oversight or appeal mechanism at the SCO level. In the absence of effective national scrutiny over executive engagement in this framework, this creates a structural accountability gap.

Belarus' participation in the SCO counter-terrorism architecture introduces an additional layer of international cooperation that is largely shielded from transparent review, raising systemic concerns regarding external oversight and human rights safeguards.

Thus, recommendation 20 of the Committee remains unimplemented.

32. The Committee urges the State party to take measures to protect the life and safety of migrants, asylum-seekers and refugees, to prevent the excessive use of force, to provide human rights training to border guards and other law enforcement officials, to continue to cooperate closely with international organizations, including the United Nations, and other stakeholders to enhance the protection of the human rights of migrants, asylum-seekers and refugees and to guarantee the availability of the asylum procedure in accordance with international standards. The Committee recommends that the State party ensure that its measures do not inadvertently constitute a risk of statelessness for certain categories of Belarusian citizens, including for members of national and other minority communities living abroad. In line with its previous recommendation, 8 the Committee encourages the State party to accelerate the process of acceding to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

Lack of protection

The recent evidence and testimonies collected by Human Constanta in the context of the humanitarian crisis at the border between Belarus and the European Union indicate that Belarus fails to take adequate measures to protect the lives and safety of migrants and asylum seekers. The personnel of the Belarusian Border Committee and other law enforcement agencies have repeatedly violated the human rights of migrants and asylum seekers, including through the use of violence, threats, and other forms of ill-treatment against transit migrants.

Following unsuccessful attempts to cross the border, many migrants become stranded in the forest without shelter, food, drinking water, or access to medical care. Numerous individuals remained trapped for prolonged periods, during which they were repeatedly subjected to abuse by Belarusian border guards, who forced them to make multiple attempts to cross into EU countries. Human Constanta recorded several accounts of migrants [being robbed](#) by Belarusian border guards and reports of people [in serious physical condition](#) stuck in forests near the border areas.

One Cuban national recounted that she and her family arrived in Belarus from Russia via the land border. According to her testimony, the Polish side of the border was heavily patrolled, making it impossible to cross. Meanwhile, Belarusian border guards repeatedly forced the family to attempt the crossing through threats and physical violence, while also depriving them of food and water.

[In an in-depth interview](#), a Syrian national explained that he travelled through Lebanon, where he obtained a Belarusian visa. Over the course of four months, he made 36 attempts to cross into Poland or Lithuania. During his last attempt, he and other migrants were apprehended by men in uniform, who, according to the interviewee, were Belarusian border guards. "They sprayed pepper spray in my face, took my money and personal belongings, even my clothes and food, and beat us. One of the officers beat me until I unlocked my phone. He began logging into apps and reading my messages."

Human Constanta also documented repeated failures by Belarusian border guards to provide timely and adequate assistance to migrants in urgent need of medical care. Many individuals found in the border areas were in life-threatening condition after spending days or weeks in forests exposed to freezing temperatures and without access to basic necessities. This negligence presumably led to numerous cases of migrants going missing or dying in these border areas. By the end of June 2026, the official number of deceased migrants found on Belarusian territory had reached 80. The number of missing migrants remains unknown. Belarusian border guards generally refrain from disclosing the reasons behind migrants' deaths, providing only limited preliminary information in some cases. As a result, at least two migrants are presumed to have died due to [hypothermia](#), one from [severe exhaustion](#), and another from the worsening of a [chronic illness](#) exacerbated by the lack of necessary medication. [Testimonies collected by Human Constanta](#) consistently identify exposure to cold weather, the lack of food and drinking water, and physical violence by border guards as the principal threats faced by migrants at the border. Interviewees also reported that border guards routinely confiscated personal belongings, including mobile phones, thereby depriving migrants of their primary means of communication, navigation, and access to emergency assistance.

Human Constanta is further concerned about the heightened vulnerability of women in an irregular migration situation, particularly pregnant women and mothers of newborn children. In one documented case, a migrant woman from Guinea who had given birth prematurely in Belarus was deported after her residence status expired while her infant daughter remained in Belarus. The child, who required prolonged medical treatment, was subsequently transferred from the hospital to a state

childcare institution, and the mother was removed from the country without her daughter. The absence of effective procedures for documenting the child and for temporarily regularizing the mother's status during the documentation process prevented timely family reunification and resulted in many months of separation. Although the family was eventually reunited following extensive legal assistance and advocacy, the case demonstrates how gaps in migration and civil registration procedures may disproportionately affect migrant women, interfere with the right to family life and the best interests of the child, and expose women in an irregular situation to deportation before effective safeguards for family unity are ensured.

Human Constanta is concerned that irregular migrants living with HIV in Belarus continue to face significant barriers in accessing life-sustaining antiretroviral treatment (ART). Although Belarusian legislation formally links possible deportation to refusal of treatment rather than to HIV status itself, irregular migrants are, in practice, often excluded from the ordinary mechanisms through which HIV treatment is provided. According to an official written response from a state healthcare institution, no effective legal mechanism guarantees uninterrupted ART for foreign nationals without regular immigration status. At the same time, attempts to access long-term HIV care through official institutions may expose such individuals to immigration enforcement measures, including detention and deportation. This creates a situation in which access to essential healthcare becomes closely intertwined with immigration control, undermining effective protection of the right to health and placing individuals at risk of serious and irreversible harm.

These concerns are further aggravated for LGBTQ+ migrants living with HIV, who may face intersecting forms of vulnerability arising from their health status, sexual orientation or gender identity, and irregular migration status. [Recent legislative developments](#), including the introduction of administrative liability for the dissemination of information deemed to promote homosexual relationships, have further narrowed the safe space for LGBTQ+ persons in Belarus. While Belarusian law formally provides access to asylum procedures, the combination of healthcare barriers, fear of immigration enforcement, and broader restrictions affecting LGBTQ+ persons may significantly discourage vulnerable individuals from approaching state authorities or effectively accessing international protection procedures.

Access to asylum procedures

Although Belarusian legislation formally guarantees all foreign nationals and stateless persons access to procedures for the examination of applications for international protection, these guarantees are not implemented in practice. Testimonies collected by Human Constanta, together with [information from UNHCR](#), indicate that access to the refugee status determination procedure (RSDP) remains severely restricted, reception capacity is insufficient, and procedural safeguards, including access to legal aid and effective remedies, are largely illusory. [Extensive use of the “safe third country” concept](#) without adequate safeguards, prolonged delays in registering applications, and the near-total ineffectiveness of judicial review collectively undermine protection against *refoulement* and render the international protection system in Belarus largely ineffective in practice.

Human Constanta has documented the routine refusal of the Citizenship and Migration (DCM) divisions to register asylum applications, frequently without written decisions or legal justification, including where individuals expressly indicated a fear of return. Delays in registration and in conducting asylum interviews often leave applicants without legal status, exposing them to detention, administrative sanctions, and deportation. Monitoring also documented arbitrary refusals affecting

certain nationalities, including Cuban nationals, as well as intimidation by migration authorities, which discourages individuals from seeking international protection. In several cases, applicants were pressured into signing "voluntary return" documents without being informed of their content or legal consequences, effectively depriving them of access to asylum.

Human Constanta documented cases in which individuals explicitly expressed an intention to seek asylum but were deported before any application could be registered. In 2024, [an Afghan national](#) stated his wish to apply for international protection while in detention; although UNHCR representatives later visited him following a request from foreign journalists, no effective steps were taken to secure access to the asylum procedure, and the individual was ultimately deported. He later reported that he had never been given a real opportunity to submit an application.

These deficiencies are compounded by the authorities' broad application of the "safe third country" concept. [Belarusian legislation](#) allows access to international protection to be restricted on the basis that an applicant can avail themselves of protection in a third country, including where Belarusian authorities consider that the applicant arrived from a so-called safe third country. Following restrictions on the number of direct flights from Iran and Iraq to Belarus in 2021, [many migrants began traveling through Russian territory](#). Because no border control checkpoints operate along the Belarus–Russia land border, many enter Belarus without formal registration and consequently remain in an irregular situation, lacking legal status, access to medical insurance, and, in practice, effective access to asylum procedures.

Human Constanta has documented the systematic rejection of applications submitted by individuals who had resided in or transited through Russia prior to arriving in Belarus. In these cases, the DCM concluded that Russia constituted a safe third country without conducting an individualised assessment of the applicant's circumstances or the availability of effective protection in Russia. Instead, decisions relied on generalised assumptions and evidence of limited probative value. The consequences of this approach are illustrated by [the case of a Somali asylum seeker](#) who, after encountering prolonged procedural obstacles in Belarus, attempted to reach Finland via Russia in 2023. He was detained by the Russian authorities, threatened with deportation, and coerced into signing a contract with the Russian military to avoid removal. Although Russian human rights defenders later prevented his deployment, they were unable to prevent his eventual deportation to Somalia, where he faced a serious risk of persecution.

In 2024, Belarus further intensified immigration enforcement measures, resulting in a significant increase in the detention and removal of foreign nationals. This escalation coincided with the Collective Security Treaty Organisation operation [“Illegal Migrant-2024”](#) and the period preceding the January 2025 presidential elections. Migration control measures were explicitly expanded to target transit migrants, including Afghan and Iranian nationals arriving from Russia with the intention of crossing into the EU. These individuals were detained and deported on the formal grounds of lacking valid Belarusian visas, without any assessment of risks related to armed conflict, political repression, or persecution in their countries of origin. Deportations were carried out both forcibly and through the “voluntary return” scheme, which in practice often involved coercion. Migrants reported being pressured to purchase tickets and agree to leave Belarus under threat of prolonged detention in facilities intended only for short-term administrative arrests.

Alongside formal deportation procedures, Belarusian authorities also carry out [informal removals to the Russian Federation](#) under the pretext of readmission, particularly in relation to migrants lacking

identity documents or holding expired Russian visas. These transfers take place without formal decisions, documentation, or access to legal remedies.

Statelessness risks

Despite Belarus's repeated official statements announcing the initiation of the process of joining the two UN Conventions – the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness – Belarus has yet to accede to either instrument.

On 4 September 2023, [Annex 2 to Presidential Decree No. 278 “On the Procedure for Issuing Documents and Performing Actions”](#) entered into force. The amendment eliminated the competence of Belarusian diplomatic and consular missions abroad to issue, renew, or extend passports and national identity cards. As of 7 September 2023, Belarusian citizens, including those lawfully residing outside the country, may obtain or exchange passports exclusively on the territory of Belarus. For many such individuals, returning to Belarus is not a realistic option due to the risk of persecution and politically motivated reprisals. Consequently, they may be effectively deprived of access to valid identity and travel documents and face significant obstacles in obtaining Belarusian documentation for children born abroad. In practice, some children may remain without passports or identity documents serving as [official proof of Belarusian nationality](#), resulting in prolonged legal uncertainty and, in certain cases, creating a risk of de facto statelessness.

The consequences extend beyond access to documentation and directly impair the enjoyment of fundamental rights. Human Constanta has documented cases in which Belarusian newborns lacking recognised identity documents faced obstacles in accessing international travel, healthcare, and other essential services across several European countries. These barriers disproportionately affect Belarusian families living abroad and undermine the effective enjoyment of the rights to nationality and legal identity.

Thus, the multi-component obligation under Recommendation 32 is only partially complied with, with vast systemic risks being overlooked by the authorities.

34. The Committee recommends that the State party accelerate its efforts to design and conduct specific training programmes and educational activities on the Convention for lawyers, judges, prosecutors, law enforcement officials, border guards and other State officials.

There is no information indicating that the State party is making efforts to design and conduct specific training programmes and educational activities on the Convention. On the contrary, the violations and practices described above point to a lack of effective training and insufficient attention to the State's obligations under the Convention. Moreover, in recent years state ideology is being imposed on the population [with growing intensity](#), including in the [field of education](#), and there is a growing trend of involving employees of state bodies and state-controlled organizations, including law enforcement bodies and the [Bar](#) in ideological events and the promotion of state narratives, the latter of which continue to sustain the overall climate of repression and impunity.