

**Mandates of the Special Rapporteur on the situation of human rights in Belarus; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the right to education; the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism**

Ref.: OL BLR 1/2025  
(Please use this reference in your reply)

25 February 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights in Belarus; Special Rapporteur in the field of cultural rights; Special Rapporteur on the right to education; Special Rapporteur on the independence of judges and lawyers and Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, pursuant to Human Rights Council resolutions 55/27, 55/5, 53/7, 53/12 and 49/10.

In this connection, we would like to write to you concerning **information we have received about restrictions on the right to work proposed in the draft law “On Amendments to Laws on Ensuring Children's Rights”**.

According to the information received:

On 7 February 2025, the House of Representatives of the National Assembly of the Republic of Belarus adopted in the first reading the draft law “On Amendments to Laws on Ensuring Children's Rights”.

Article 16 of the draft law broadens the categories of individuals prohibited from engaging in “pedagogical activity” or “pedagogical activity in the field of physical education and sports”, to “hold positions associated with the exercise of educational functions” or other positions “associated with regular work with children”. Under the bill, such prohibition would be expanded to persons convicted of “crimes of extremist nature” and to persons convicted under provisions of the Criminal Code related to drug trafficking.

This prohibition would apply regardless of whether the conviction has been removed or expunged, or whether the criminal prosecution has been terminated due to the expiration of the statute of limitations or under amnesty.

We would like to recall that Special Procedures have on multiple occasions raised concerns about the vagueness of the Belarusian anti-extremism legal framework and its incompatibility with international human rights standards ([BLR 2/2021](#), [BLR 3/2022](#), [BLR 3/2023](#), [BLR 4/2023](#), [BLR 9/2023](#), [BLR 10/2023](#), [BLR 12/2023](#), [BLR 5/2024](#), [BLR 6/2024](#); [BLR 8/2024](#); [BLR 9/2024](#)). In particular, we recall that the vague and overbroad term of “extremism” has no basis in binding international law standards and, when operating as a criminal category, is irreconcilable with the principle of legal certainty under article 15 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Belarus on 12 November 1973. Vague preparatory offences relating to “extremism” or extremist organizations, including incitement,

further infringe legality and enable misuse against the legitimate exercise of fundamental rights and freedoms. We recall that in the past, we have expressed concerns about the multiple allegations of violations of fair trial guarantees in trials leading to convictions under extremist charges, including *in absentia* trials ([BLR 8/2024](#)). We reiterate our call to your Excellency's Government to bring the Belarusian legislation on countering terrorism and extremism and the related Criminal Code provisions into compliance with international law, including international human rights law standards.

In view of the vagueness of the national anti-extremist legislative framework, the proposed restrictions on the right to work proposed in the draft law "On Amendments to Laws on Ensuring Children's Rights" appear unnecessary and disproportionate under international human rights law. We recall that Special Procedures mandate-holders have consistently expressed concerns about the alleged misuse of the anti-extremist legislation in Belarus to prosecute members of political opposition, human rights defenders, media workers, civic activists and other individuals for their actual or perceived dissent with the authorities ([A/78/327](#); see also [BLR 3/2023](#), [BLR 4/2023](#), [BLR 9/2023](#), [BLR 9/2024](#), [BLR 10/2023](#)).

We observe that, should the bill be adopted, it would grant excessive discretion to the executive authorities, which could lead to violations of the right of everyone to have the opportunity to gain their living by work which they freely choose under article 6 of the International Covenant on Economic, Social and Cultural Rights (CESCR), ratified by Belarus on 12 November 1973, and constitute prohibited discrimination based on political or other opinion under article 2(2) of CESCR and article 26 of ICCPR.

Furthermore, we would like to caution that excluding individuals who express critical views of State policies is susceptible to affect the national educational system. It would undermine the very purposes of education stated in article 13 of CESCR, such as ensuring "the full development of the human personality and the sense of its dignity", "strengthen[ing] the respect for human rights and fundamental freedoms" and enabling "all persons to participate effectively in a free society". In addition, it would also violate the right of everyone to participate in cultural life stated in article 15 of the CESCR, and the related commitments to protect and promote cultural diversity.

**In connection with the above-mentioned observations, we respectfully encourage your Excellency's Government to review and reconsider the draft law "On Amendments to Laws on Ensuring Children's Rights" to ensure that it complies with Belarus' international human rights law obligations.**

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on measures your Excellency's Government has taken, or is planning to take, to ensure the compliance of the bill with

Belarus' obligations under international human rights law, including articles 2(2), 6 and 13 of CESCR and article 26 of ICCPR.

3. Please indicate whether your Excellency's Government is planning to withdraw the bill or whether it is or has taken steps to amend it to remove all reference to "crimes of extremist nature".
4. Please explain whether the vague definition of "extremism" under Belarus' law and related offences will be amended to comply with the requirement of legality under international human rights law.

While awaiting a reply, we respectfully urge that measures be taken to review that bill, to ensure that the observations made in this communication are carefully considered, and not to rush the process of promulgating the draft law.

This communication, as a comment on pending or recently adopted legislation, regulations or policies, and any response received from your Excellency's Government will be made public via the communications reporting [website](#) after 48 hours. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

Nils Muižnieks  
Special Rapporteur on the situation of human rights in Belarus

Alexandra Xanthaki  
Special Rapporteur in the field of cultural rights

Farida Shaheed  
Special Rapporteur on the right to education

Margaret Satterthwaite  
Special Rapporteur on the independence of judges and lawyers

Ben Saul  
Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism