

Mandates of the Special Rapporteur on the situation of human rights in Belarus; the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the right to privacy and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

Ref.: AL BLR 11/2025
(Please use this reference in your reply)

22 October 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights in Belarus; Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the right to privacy and Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, pursuant to Human Rights Council resolutions 58/19, 60/8, 52/9, 59/4, 55/3 and 58/14.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the expulsion from Belarus of 37 Belarusian citizens, including Mr. Yauhen Afnagel, Mr. Mikalai Dziadok, Mr. Dzmitry Kuchuk, Mr. Viachaslau Lazarau, Mr. Ihar Losik, Mr. Uladzimir Matskevich, Mr. Pavel Vinahradau, Mr. Maksim Viniarski, Mr. Andrei Voinich, Mr. Aliaksandr Mancewicz, Mr. Pavel Mazheika, Mr. Yauhen Merkis, Ms. Larysa Shchyrakova and Ms. Irina Slavnikova.**

According to the information received:

On 11 September 2025, under an agreement reached with the United States of America, Belarus released from prison and brought to the border with Lithuania 52 individuals, including 14 foreign citizens.

These individuals had not been warned about their planned release and had not consented to being transferred outside Belarus. Some of them were taken from places of detention, handcuffed and with bags over their heads, while being subjected to insults and threats by the State agents who accompanied them.

One of these persons, Mr. **Mikalai Statkevich**, protested his expulsion, walked back from the neutral zone to the Belarusian territory and subsequently disappeared.

The other 51 were expelled to Lithuania. Among them, 14 persons were not in possession of their passports, which had been confiscated by Belarusian authorities. Those include Mr. **Yauhen Afnagel, Mr. Mikalai Dziadok, Mr. Dzmitry Kuchuk, Mr. Viachaslau Lazarau, Mr. Ihar Losik, Mr. Uladzimir Matskevich, Mr. Pavel Vinahradau, Mr. Maksim Viniarski** and Mr. **Andrei Voinich**. One person was expelled with an expired passport,

and another one held an invalid passport, whose pages with visas had been torn out. Other individuals expelled included Mr. **Aliaksandr Mancewicz**, Mr. **Pavel Mazheika**, Mr. **Yauhen Merkis**, Ms. **Larysa Shchyrakova** and Ms. **Irina Slavnikova**.

The majority of those expelled had been recognized by Belarusian human rights defenders as political prisoners, including journalists, media workers and trade unionists. Some of them had been designated by the authorities as ‘extremists’. While in detention, they had been subjected to various forms of ill-treatment, including solitary confinement, incommunicado detention, psychological violence and denial of adequate medical care.

Without prejudging the accuracy of these allegations, we would like to voice our grave concern about **the reported arbitrary expulsion without due process or effective judicial safeguards from Belarus, in some cases without valid identity documents, of 37 Belarusian citizens, including Mr. Yauhen Afnagel, Mr. Mikalai Dziadok, Mr. Dzmitry Kuchuk, Mr. Viachaslau Lazarau, Mr. Ihar Losik, Mr. Uladzimir Matskevich, Mr. Pavel Vinahradau, Mr. Maksim Viniarski, Mr. Andrei Voinich, Mr. Aliaksandr Mancewicz, Mr. Pavel Mazheika, Mr. Yauhen Merkis, Ms. Larysa Shchyrakova and Ms. Irina Slavnikova.**

We would also like to reiterate our utmost [concern](#) about the enforced disappearance of Mr. **Mikalai Statkevich** following his attempted expulsion (**BLR 8/2025**). We regret that to date, his fate and whereabouts remain unknown. We call on the Government of Belarus to immediately disclose this information to Special Procedures mandate holders and to Mr. Statkevich’s family.

Of grave concern are the allegations according to which some of the expelled individuals had been deprived of liberty in retaliation for their legitimate exercise of civil and political rights and that some of them had suffered ill-treatment in detention. We remind that Special Procedures mandate holders raised concerns with your Excellency’s Government about the prolonged incommunicado detention of the journalist Mr. **Ihar Losik** (**BLR 6/2024**) and that the Working Group on Arbitrary Detentions concluded that his deprivation of liberty was arbitrary and based solely on his journalistic activity and his exercise of the freedoms of expression and of association, and called for his immediate release (**A/HRC/WGAD/2023/45**). We also recall that Special Procedures mandate holders raised concerns with your Excellency’s Government about the alleged arbitrary detention of the philosopher Mr. **Uladzimir Matskevich**, in retaliation for his public criticism of the authorities, and about the deterioration of his health in prison (**BLR 2/2022, BLR 6/2024**). We regret the lack of cooperation of your Excellency’s Government on these cases and urge it to launch independent, effective and transparent investigations into the alleged cases of arbitrary deprivation of liberty and ill-treatment.

We note that the confiscation of identity documents may constitute a violation of several human rights, including an undue interference with **the right to freedom of movement** under article 12 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Belarus on 12 November 1973, and with the right not to be subjected to **arbitrary or unlawful interference with one’s privacy, family and home** under article 17 of the Covenant.

We are extremely preoccupied that the alleged expulsions and confiscations of identity documents without legitimate purpose form part of a pattern of acts undertaken by Belarusian authorities in recent years which increase **the risk of statelessness**.

Those include 2022 constitutional amendments and 2023 legislative amendments to the Law “On Citizenship of the Republic of Belarus” (No. 242-Z), which permitted the revocation of citizenship for individuals convicted for ‘extremist’ activities or for causing ‘severe damage to the interests of Belarus’, including in cases when the citizenship was acquired by birth, provided that the affected individuals find themselves outside Belarus ([A/HRC/52/68](#), para. 51; [A/HRC/53/53](#), para. 29). Furthermore, 2022 amendments to the Criminal Procedure Code allowed for convicting *in absentia* Belarusian citizens abroad on ‘extremist’ charges without basic fair trial guarantees ([BLR 8/2024](#)). In this regard, we note with concern that some of the individuals expelled from Belarus on 11 September 2025 appear to have been included by the authorities on the official list of individuals involved in extremist activities. We would like to remind your Excellency’s Government that Special Procedures mandate holders have on multiple occasions expressed concerns about the **incompatibility of the Belarusian counter-terrorism and anti-extremism legal framework and law-enforcement practice with international human rights standards**, and have repeatedly called on your Excellency’s Government to bring domestic legislation in compliance with Belarus’s international obligations ([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](#); [BLR 1/2025](#); [BLR 2/2025](#); [BLR 3/2025](#); [BLR 4/2025](#); [BLR 5/2025](#); [BLR 7/2025](#); [BLR 8/2025](#); [BLR 9/2025](#); [A/78/327](#)). We urge once again your Excellency’s Government to take immediate steps to bring its national counterterrorism and security-related provisions, 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 addition, we recall that several mandate holders expressed concerns about the adoption of the 2023 [Presidential Decree](#) on consular services, which put an end to the issuance and extension of identity documents in Belarusian consular services. The Special Rapporteur on the situation of human rights in Belarus has received reports about obstacles encountered by Belarusians residing abroad due to this Decree, including the impossibility to obtain proof of nationality for children born outside Belarus due to the parents lacking valid identity documents.

We would like to respectfully remind your Excellency’s Government that during the last UPR cycle in 2020, Belarus accepted the recommendation to ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness ([A/HRC/46/5](#), [A/HRC/46/5/Add.1](#), 138.19). We are concerned that the above-mentioned acts and legislative amendments contradict the very purpose of the instruments to which your Excellency’s Government has committed to become a party.

We urge your Excellency’s Government to repeal the 2022 and 2023 constitutional legislative amendments, as well as the 2023 Presidential Decree on consular services, and refrain from any further measures that could increase the risk of statelessness among Belarusian citizens.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

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 about the factual and legal grounds and the procedure for the release from detention and the expulsion from Belarus of Mr. Yauhen Afnagel, Mr. Mikalai Dziadok, Mr. Dzmitry Kuchuk, Mr. Viachaslau Lazarau, Mr. Ihar Losik, Mr. Uladzimir Matskevich, Mr. Pavel Vinahradau, Mr. Maksim Viniarski, Mr. Andrei Voinich, Mr. Aliaksandr Mancewicz, Mr. Pavel Mazheika, Mr. Yauhen Merkis, Ms. Larysa Shchyraakova and Ms. Irina Slavnikova. Please detail how these measures are compatible with your Excellency's Government's obligations under international law. Please also explain what consequences await them in case of return to Belarus.
3. Please provide information about the factual and legal grounds as well as the procedure followed for withholding the passports of Mr. Yauhen Afnagel, Mr. Mikalai Dziadok, Mr. Dzmitry Kuchuk, Mr. Viachaslau Lazarau, Mr. Ihar Losik, Mr. Uladzimir Matskevich, Mr. Pavel Vinahradau, Mr. Maksim Viniarski and Mr. Andrei Voinich, and about the remedies available to them in order to obtain identity documents.
4. Please provide information about the fate, whereabouts and state of health of Mr. Mikalai Statkevich.
5. Please provide information about the follow-up measures adopted to implement the opinion of the Working Group on Arbitrary Detention A/HRC/WGAD/2023/45 and in response to the communications BLR 2/2022 and BLR 6/2024 regarding the arbitrary detention and ill-treatment of Mr. Ihar Losik and Mr. Uladzimir Matskevich.
6. Please provide information about the measures taken or envisaged by your Excellency's Government regarding the accession to 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and about the measures taken to combat statelessness among Belarusian citizens abroad.
7. Please provide information about the steps taken to repeal the category of "extremism" in national law and bring its national counterterrorism and extremism-related legal framework in line with international law.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the allegation letter and the regular procedure.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government to clarify the issues in question.

Please be informed that a copy of this letter has also been sent to the Republic of Lithuania and the United States of America.

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

Nils Muižnieks

Special Rapporteur on the situation of human rights in Belarus

Matthew Gillett

Vice-Chair on communications of the Working Group on Arbitrary Detention

Irene Khan

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Gina Romero

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Ana Brian Nougrères

Special Rapporteur on the right to privacy

Ben Saul

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

Annex

Reference to international human rights law

In connection with the above alleged facts and concerns, we would like to refer your Excellency's Government to the International Covenant on Civil and Political Rights (ICCPR), ratified by Belarus on 12 November 1973, and the Universal Declaration of Human Rights.

Prohibition of arbitrary detention

We would like to recall that under article 9 of the ICCPR, everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of their liberty except on such grounds and in accordance with such procedure as are established by law. Arrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including freedom of opinion and expression (art. 19), freedom of assembly (art. 21) and freedom of association (art. 22) (Human Rights Committee, general comment No. 35, [CCPR/C/GC/35](#), para. 17). As noted by the Human Rights Committee, “[e]nforced disappearances violate numerous substantive and procedural provisions of the Covenant and constitute a particularly aggravated form of arbitrary detention” (ibid).

Right to a nationality

Under article 15 of the Universal Declaration of Human Rights, everyone has the right to a nationality and no one shall be arbitrarily deprived of his or her nationality. As noted by the United Nations Secretary General, interferences with the enjoyment of nationality has a significant impact on the enjoyment of multiple rights (A/HRC/25/28; A/HRC/19/43). Any loss or deprivation of nationality must thus meet certain conditions to comply with the prohibition of arbitrary deprivation of nationality, namely it must serve a legitimate purpose, be the least intrusive means to achieve the desired result, and be proportional to the interest to be protected (A/HRC/13/34).

In its resolution [53/16](#) of 13 July 2023, the Human Rights Council called on States to “review their laws, policies and practices that may cause statelessness, and directly engage with affected individuals to identify challenges and find solutions” and to “ensure that effective and appropriate remedies are available to all persons [...] whose rights related to nationality have been violated, including restoration of nationality and expedient provision of documentary proof of nationality by the State responsible for the violation” (paras 10-11).

Liberty of movement and freedom to choose one's residence

We remind your Excellency's Government that according to article 13(2) of the Universal Declaration of Human Rights, everyone has the right to leave any country, including their own, and to return to their country.

Under article 12(1) of the ICCPR, everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose their residence. The Human Rights Committee has also noted that the right to enter one's own country implies the right to remain in one's country (ibid, [general comment No. 27](#), para. 19). Article 12(4) of the ICCPR prohibits arbitrary deprivation of the right to enter one's own country, which means that a State party must not, by depriving individuals of their nationality or expelling them to other countries, arbitrarily prevent those individuals from returning to their own countries (Human Rights Committee, [general comment No. 27](#)).

Furthermore, we would like to stress that acts contrary to article 12(4) of the ICCPR may under certain conditions amount to international crimes. In this regard, we refer to the pending [referral](#) by the Republic of Lithuania to the Office of the Prosecutor of the International Criminal Court, which requests the Prosecutor to investigate the crimes against humanity of deportation and persecution on political grounds allegedly committed in Belarus since 2020.

Right to privacy

Article 17(1) of the ICCPR prohibits arbitrary or unlawful interferences with a person's privacy, family, home or correspondence, and unlawful attacks on a person's honour and reputation. Article 17(2) provides that "[e]veryone has the right to the protection of the law against such interference or attacks." Any interference with the right protected under article 17 must be strictly necessary and proportionate in pursuit of a legitimate aim.

The Human Rights Committee has emphasized the duty of States "not to engage in interferences inconsistent with article 17 of the Covenant and to provide the legislative framework prohibiting such acts by natural or legal persons" (general comment No. 16, para. 9).

Freedom of expression

We would like to recall that article 19 of the ICCPR guarantees the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds". This right applies online as well as offline and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend. The right to freedom of expression includes "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" and can embrace "even expression that may be regarded as deeply offensive" (Human Rights Committee, general comment No. 34, [CCPR/C/GC/34](#), para. 11).

Offences such as "encouragement of terrorism" and "extremist activity" as well as offences of "praising", "glorifying", or "justifying" terrorism, should be clearly defined to ensure that they do not lead to unnecessary or disproportionate interference with freedom of expression ([CCPR/C/GC/34](#), paras. 11, 46).

Any restrictions imposed on this right must (i) be provided by law; (ii) pursue one of the legitimate aims for restrictions listed in paragraph 3 of article 19; and (iii) be

necessary and proportionate for those objectives. The State has the burden of proof to demonstrate in an individualized fashion that any such restrictions are compatible with the Covenant and the restrictions must be “the least intrusive instrument among those which might achieve their protective function” ([CCPR/C/GC/34](#), paras. 34 and 35).

The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression. Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that “all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims be in receipt of appropriate forms of redress” ([CCPR/C/GC/34](#), para. 23).

Freedom of association

We would like to refer your Excellency’s Government to article 22 of ICCPR, which guarantees everyone’s right to freedom of association with others. Article 22(2) provides that no restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals, or the protection of the rights and freedoms of others.

The Human Rights Committee explained the scope of article 22(2) in *Aleksander Belyatsky et al. v. Belarus* (CCPR/C/90/D/1296/2004, paragraph 7.3). It clarified that restrictions on the right to freedom of association must meet the following three requirements: (1) it must be provided by law; (2) may only be imposed to protect national security or public safety, public order (*ordre public*), public health or morals, or the rights and freedoms of others; and (3) must be ‘necessary in a democratic society’ for achieving one of these purposes. The reference to the notion of ‘democratic society’ indicates, in the Human Rights Committee’s opinion, that the existence and operation of associations, including those which peacefully promote ideas not necessarily favourably received by the government or the majority of the population, is a cornerstone of a democratic society. The State party must demonstrate that the prohibition of an association is necessary to avert a real and not only hypothetical danger to national security or democratic order, and that less intrusive measures would be insufficient to achieve the same purpose.

Misuse of anti-extremism legislation

We remind your Excellency’s Government that any measures taken to combat terrorism or violent extremism must comply with the obligations of States under international law, in particular international human rights law, refugee law and international humanitarian law.¹ Further, according to the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, “the term ‘extremism’ has no purchase in binding international legal

¹ Security Council resolutions 1373 (2001), 1456 (2003), 1566 (2004), 1624 (2005), 2178 (2014), 2242 (2015), 2341 (2017), 2354 (2017), 2368 (2017), 2370 (2017), 2395 (2017) and 2396 (2017); Human Rights Council resolution 35/34; and General Assembly resolutions 49/60, 51/210, 72/123 and 72/180, among others.

standards and, when operative as a criminal legal category, is irreconcilable with the principle of legal certainty; it is therefore per se incompatible with the exercise of certain fundamental human rights” ([A/HRC/43/46](#), para. 14).

The requirement of legal certainty under article 15(1) of the ICCPR requires that criminal laws are sufficiently precise so that it is clear what types of behaviour and conduct constitute a criminal offence and what would be the legal consequences of committing such an offence. This principle recognizes and seeks to prevent ill-defined and/or overly broad laws which are open to arbitrary application and abuse, including to target civil society on political or other unjustified grounds (A/70/371, para. 46(b)) and suppress the exercise of fundamental rights and freedoms (A/HRC/40/52).