

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 rights to freedom of peaceful assembly and of association; the Special Rapporteur on the right to privacy; the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the Working Group on discrimination against women and girls

Ref.: OL BLR 4/2026
(Please use this reference in your reply)

10 June 2026

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 rights to freedom of peaceful assembly and of association; Special Rapporteur on the right to privacy; Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 61/26, 55/5, 53/7, 59/4, 55/3, 58/14 and 59/14.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **excessive restrictions on the right to work proposed in the draft [Resolution](#) of the Council of Ministers of the Republic of Belarus "On the register of natural persons carrying out independent professional activities in child education"** and the contained therein **Regulation "On the procedure for forming and maintaining a register of natural persons who carry out independent professional activities to educate children"** that will apply, inter alia, to persons who have been convicted on "extremism-related" charges. The draft Resolution and the draft Regulation appear to expand restrictions that have come into force on 17 January 2026 by virtue of the **Law "On Amendments to Laws on Ensuring Children's Rights"** that, inter alia, **amended article 27-1 of the Law of the Republic of Belarus "On the Rights of the Child"** (see [BLR 1/2025](#)).

According to the information received:

On 22 May 2026, the Ministry of Education of the Republic of Belarus [published](#) for public consultation on [the Belarusian Legal Forum](#) (a government platform for public consultations on draft normative legal acts) a draft [Resolution](#) of the Council of Ministers of the Republic of Belarus "On the register of natural persons carrying out independent professional activities in child education". The Resolution would introduce the mandatory prior inclusion of persons in a State register as a precondition for engaging in tutoring and other independent professional educational activity involving children, making private educational activities by non-registered persons illegal.

The Resolution would also promulgate a **Regulation "On the procedure for forming and maintaining a register of natural persons who carry out independent professional activities to educate children"** stating that the register would be established and maintained by the Department of Quality

Control of Education of the Ministry of Education. The register would be publicly accessible for the purported aim of ensuring “openness and accessibility” of information regarding tutors “for public information/viewing.”

Public online consultations on the draft Resolution and the contained therein Regulation ended on 1 June 2026, thereby providing only 10 calendar days for public participation. Once adopted, these legal acts will come into force three months after their publication and the Minister of Education will be tasked to enforce the proposed new rules.

The following individuals involved in private educational activities would be required to submit to the relevant Department of the Ministry of Education a notification for enlisting into the register: persons teaching how to work with gadgets and computer skills; persons teaching visual art, playing music instruments, dances, choreography, vocal signing, public speaking, private tutoring of academic disciplines, including assistance in preparation for centralized graduation exams; services of teachers-defectologists (including speech therapists, typists, surpedagogues, oligophrenopedagogues).

Paragraphs 7 and 8 of the draft Regulation **directly incorporate and operationalize in the sphere of independent tutoring and private educational activities the restrictions that have come into force as of 17 January 2026** through an amended article 27-1 of the Law of the Republic of Belarus of 19 November 1993 No. 2570-XII “**On the Rights of the Child**”. These paragraphs state that an applicant for the register shall not be subject to any restrictions to working with children that are provided for in article 27-1, paragraph 1, of the Law “On the Rights of the Child”. This article 27-1 of the Law “On the Rights of the Child” **established restrictions on working with children for persons convicted of a broad range of offences, including so-called “crimes of extremist orientation,” 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.** The article specifically states that persons convicted of such offences may not engage in pedagogical activities, positions involving educational or education-related functions, or other forms of permanent work with children.

Upon receipt of notifications for inclusion into the register, the Ministry of Education’s relevant Department would send requests within three working days to the internal affairs authorities to obtain information on the existence (or absence) of such restrictions on an individual working with children.

The accompanying [Justification Note](#) for the draft Resolution and Regulation explicitly states that one of the aims of the Regulation is to “minimize the possibility” that persons convicted of “extremist” offences engage in independent educational activities involving children. It further states that the Regulation is necessary to protect minors, ensure “social security,” and preserve the “spiritual and moral values of the Belarusian people.”

While the process is referred to as a notification procedure, de facto it appears to be a permit-based system: the draft Regulation would require private tutors to submit extensive personal data, including full name, previous names, date and place of birth, identification number, residential address, and contact information, as well as information concerning educational background with the confirmation of a relevant diploma.

With reference to the text of the draft Resolution and the attached draft Regulation, we would like to remind your Excellency's Government of our concerns raised in [BLR 1/2025](#) related to the amended article 27-1 of the Law "On the Rights of the Child". We regret that our joint communication was not responded to by your Excellency's Government and that the amendments came into force notwithstanding their direct contradiction to Belarus' international human rights obligations.

In light of the pending draft legal acts addressed in the current communication, we are extremely preoccupied by the fact that, while article 27-1 of the Law "On the Rights of the Child" (in its own standing being incompatible with international human rights law) focused primarily on formal employment and hired pedagogical work, the draft Resolution and the draft Regulation appear to extend the related prohibition even further and would apply to independent professional educational activities, including private tutoring, artistic instruction, music lessons, speech therapy, and related services provided outside formal employment relationships. It further purports to introduce a centralized State-controlled register and mandatory background verification mechanisms involving the Ministry of Internal Affairs.

Concerns relating to the underlying "extremist" laws and offences

We are concerned that the extension of the restrictions contained in article 27-1 of the Law "On the Rights of the Child" into the sphere of independent tutoring and educational activities may contribute to further exclusion, stigmatization and economic marginalization of persons perceived as politically disloyal as a result of their convictions for so-called "extremist" offences. Where the underlying "extremist" convictions results from the legitimate exercise of freedom of expression, civic activism, journalism, cultural activities, or freedoms of association and peaceful assembly, imposing lifelong prohibitions for such persons to be engaged in professional activities involving children would amount to unlawful punishment for exercising protected rights.

We are extremely alarmed that the proposed norms may result in violations of the rights to freedom of expression, association, participation in public affairs and non-discrimination under articles 2, 19, 22, 25, 26 of the International Covenant on Civil and Political Rights ([ICCPR](#)) ratified by Belarus on 12 November 1973. We recall that the Human Rights Committee has emphasized in its [general comment No. 34](#) that restrictions on freedom of expression must be necessary and proportionate and may not be invoked to penalize individuals for peaceful political dissent (para. 22). In this regard, Special Procedures mandate holders have repeatedly raised concerns with your Excellency's Government regarding the overly broad and arbitrary use of "extremism" legislation against persons for their actual or perceived dissent with the authorities and for the legitimate exercise of freedom of expression, association and peaceful participation in public affairs ([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](#); [BLR 11/2025](#); [BLR 12/2025](#); [BLR 1/2026](#); [BLR 2/2026](#), [BLR 3/2026](#), [A/78/327](#), [A/HRC/59/59](#)).

The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism has equally repeatedly warned against the misuse of vague and overbroad “extremism” definitions to restrict civic space and economic rights. We recall that the vague and overbroad term of “extremism” has no basis in binding international law standards, is irreconcilable with the requirement of legal certainty under article 15 of the ICCPR, and must be avoided in the context of criminal liabilities or administrative restrictions. In her 2025 report, the Special Rapporteur on freedom of peaceful assembly and association similarly highlighted the threats posed by the stigmatizations of groups or individuals resulting from such legislation. We remain utterly concerned about the overall vagueness of the Belarusian anti-extremism legal framework and reiterate our calls on 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.

It is our profound concern that automatic and indefinite exclusion from occupational opportunities may amount to prohibited discrimination based on political or other opinion under articles 2 and 26 of the ICCPR, especially if “extremist” provisions are selectively or politically enforced. In this regard we recall that the Human Rights Committee has clarified that distinctions in treatment are compatible with the ICCPR only where they are based on reasonable and objective criteria and pursue a legitimate aim under the ICCPR ([general comment No. 18](#), para. 13).

Furthermore, we are concerned that the proposed restrictions would apply irrespective of rehabilitation, expungement of conviction, or the nature and circumstances of the alleged conduct. Such blanket and automatic prohibitions on access to employment and professional activities imposed without individualized assessment, independent review, effective legal remedies, temporal limitation, or meaningful possibility of rehabilitation may also raise serious concerns under articles 2, 14, 19, 22 and 26 of the ICCPR. The Human Rights Committee has consistently held that restrictions affecting ICCPR-protected rights must comply with the principles of necessity and proportionality to a legitimate aim, must not be overbroad, and shall be based on individualized assessment. Therefore, blanket bans imposed automatically, regardless of the gravity of the offence, the time elapsed, evidence of rehabilitation, actual risk posed to children, or the circumstances of the conduct, are highly vulnerable to being arbitrary and disproportionate.

We are also concerned that the proposed norms may interfere arbitrarily with the affected individuals’ private lives and social reintegration thereby encroaching on their right to privacy and reputation in violation of article 17 of the ICCPR. The lifelong professional bans, irrespective of rehabilitation or expungement of convictions, may also contradict article 10(3) of the ICCPR that states that “the penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation.”

Further, in view of the vagueness of the national anti-extremist legislative framework, the proposed administrative restrictions appear unnecessary and disproportionate under international human rights law. In this regard, we refer your Excellency's Government to the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism setting out a rights-compliant framework for the use of administrative measures ([A/80/284](#)). In particular, practice 1 sets out necessary grounds and safeguards to ensure that administrative measures are compliant with international human rights law, while practices 2 and 3 set out best practices concerning procedural rights and remedies, and oversight and accountability.

It is equally important to note that the proposed restrictions may result in a form of economic exclusion and social punishment extending beyond criminal sanctions, contrary to article 2(2) and 6 of the International Covenant on Economic, Social and Cultural Rights ([ICESCR](#)), ratified by Belarus on 12 November 1973, protecting the right to work, including the right of everyone to gain a living by work freely chosen or accepted. The Committee on Economic, Social and Cultural Rights in its [general comments No. 18](#) emphasized that restrictions on access to employment must be compatible with human dignity, non-discrimination, and proportionality, and that the right to work is essential for realizing other human rights and that States must refrain from denying or limiting equal access to decent work for all persons, especially disadvantaged and marginalized individuals and groups (paras. 1 and 23).

Furthermore, we would like to caution that banning individuals who express critical views about State policies from performing private educational activities is susceptible to affect the right to education, by undermining 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 under article 15 of the CESCR, and the related commitments to protect and promote cultural diversity.

Other concerns about the draft Regulation and proposed measures

Apart from the above-listed specific concerns related to the impact of the proposed legal acts on persons convicted for “extremist” offences, we would also like to draw your attention to other generally problematic aspects of the proposed legal acts.

We observe that the draft Regulation would grant excessive discretion to the executive authorities and would introduce cumbersome administrative de facto permit-based system for all persons seeking independent employment opportunities through the delivery of independent educational activities – a right enshrined in article 6 of the ICESCR. The draft Regulation provides that a single employee of the Department of the Ministry of Education responsible for maintaining the register may decide on inclusion or refusal. The Regulation does not appear to establish independent review mechanisms, meaningful appeal procedures, judicial oversight, or clear criteria limiting discretionary decision-making. This apparent lack of procedural safeguards and protection against arbitrariness in the functioning of the proposed register raises serious

concern related to due process, the requirement of legal certainty and access to an effective remedy.

We are additionally concerned that the mandatory public register and the extensive collection and publication of personal information may amount to arbitrary or unlawful interference with privacy, contrary to article 17 of the ICCPR. The Human Rights Committee has emphasized that the gathering and holding of personal information by public authorities must be regulated by law and protected by effective safeguards against abuse, including measures ensuring that information concerning an individual's private life does not reach persons not authorized by law to receive, process or use it ([general comment No. 16](#) on the right to respect of privacy, family, home and correspondence, and protection of honour and reputation, paras. 10-11). The Committee has further clarified that even interferences provided for by law must not be arbitrary, but must be reasonable in the particular circumstances and consistent with the provisions, aims and objectives of the Covenant ([general comment No. 16](#), paras. 3-4), a requirement that has been interpreted in the Committee's jurisprudence as incorporating principles of necessity and proportionality (inter alia, in *Toonen v. Australia*, CCPR/C/50/D/488/1992, para. 8.3).

We are convinced that the open publication in online access of tutors' identities and professional activities does not appear necessary or proportionate to the stated aim of protecting children, particularly given the availability of less intrusive measures, such as confidential safeguarding checks or targeted licensing requirements limited to specific categories of work involving children. We are concerned that the proposed register may facilitate surveillance, stigmatization, harassment, or reprisals against tutors, particularly those perceived as politically disloyal.

We are additionally concerned by references in the Justification Note to the need to protect "spiritual and moral values of the Belarusian people." The Human Rights Committee has clarified in its [general comment No. 34](#) that restrictions based on "morals" must derive from principles not based exclusively on a single tradition and must not be used to discriminate against individuals or suppress pluralism and diversity of opinions (para. 32). We fear that vague references to "moral values" may be used to justify politically motivated exclusions or ideological control over education-related activities.

In this context, we believe that the draft Regulation may interfere with parents' rights and children's rights in the field of education. We recall that article 13 of the ICESCR protects the liberty of parents to choose educational arrangements for their children consistent with their convictions, while article 29 of the Convention on the Rights of the Child ([CRC](#)), which Belarus ratified on 1 October 1990, emphasizes that education should promote the development of the child's personality, talents and mental and physical abilities to their fullest potential. Excessive State control over private educational support and tutoring may undermine educational pluralism and limit access to independent educational assistance, particularly for children requiring specialized support, such as children with disabilities.

The Special Rapporteur in the field of cultural rights has emphasized that cultural participation, artistic freedom, scientific freedom and educational spaces must respect diversity, pluralism and independent intellectual activity, and has warned

against excessive State control that may undermine cultural and intellectual freedoms ([A/HRC/23/34](#), [A/HRC/20/26](#)).

The Special Rapporteur on the right to education has [stressed](#) that academic freedom, educational pluralism and independent critical inquiry are essential components of the right to education and has warned that excessive political or ideological interference by States may undermine educational freedom and democratic values.

The Special Rapporteur on the rights to freedom of peaceful assembly and of association has warned that burdensome registration requirements and administrative restrictions may have a chilling effect on civil society participation and may interfere with the exercise of freedom of association, including through independent professional activity ([A/HRC/23/39](#)).

We are additionally concerned that the draft Regulation may disproportionately affect women and thereby result in indirect discrimination contrary to articles 2 and 11 of the UN Convention on the Elimination of All Forms of Discrimination against Women ([CEDAW](#)). Reportedly, many women engaged in childcare responsibilities rely on tutoring and other flexible educational work as a source of income. Cumbersome administrative requirements for access to tutoring activities, particularly through politically motivated or arbitrary exclusions from the register, may therefore disproportionately interfere with women's economic opportunities and financial independence. The [CEDAW](#) Committee has called on Belarus to eliminate structural barriers to women's participation in economic life and to ensure equal access to employment without discrimination.

We also wish to express concern regarding the public consultation process itself. According to the Government's Regulation on Public Discussion of Draft Normative Legal Acts from 2019, 10 days consultation period constitutes merely the minimum permissible consultation period. Given the significant implications of the draft Regulation for the rights to effective remedies, privacy, work, freedom of expression and association, non-discrimination, education and participation in public affairs, such a limited consultation period appears insufficient to ensure meaningful public engagement by tutors, parents, educational professionals, civil society organizations, and other affected stakeholders.

According to the OHCHR [Guidelines](#) for States on the effective implementation of the right to participate in public affairs, participation processes should be transparent, inclusive, accessible, and allow sufficient time for meaningful engagement by affected persons and civil society organizations. The Guidelines emphasize that participation must take place early in decision-making processes and that States should ensure adequate access to information and realistic timeframes for public consultations.

The Human Rights Committee has stressed in its [general comment No. 25](#) that citizens should have a genuine opportunity to participate in the conduct of public affairs. A consultation period of only 10 days for a draft Regulation introducing significant new restrictions and surveillance mechanisms affecting a broad category of workers and families does not appear sufficient to enable meaningful participation and informed public debate. In this regard we would like to stress that the recommendation to “*expand*

the participation of civil society organizations in decision-making processes in accordance with national legislation” stemming from the fourth cycle of the [Universal Periodic Review](#) of Belarus in November 2025 was supported by your Excellency’s Government.

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 analysis.
2. Please provide information on measures your Excellency’s Government has taken, or is planning to take, to ensure the compliance of national legislation related to children’s rights protection with Belarus’ obligations under international human rights law, including under the ICCPR, ICESCR and CRC.
3. Please indicate whether your Excellency's Government is planning to refrain from adopting the proposed Resolution and the Regulation and whether it is or has taken steps to amend the Law “On the Rights of the Child” with the view to removing from it all references 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.

In connection with the above-mentioned observations, while awaiting a reply, we respectfully encourage your Excellency's Government to refrain from adopting the draft [Resolution](#) of the Council of Ministers of the Republic of Belarus “On the register of natural persons carrying out independent professional activities in child education” and the contained therein Regulation “On the procedure for forming and maintaining a register of natural persons who carry out independent professional activities to educate children” until your Excellency’s Government has carefully reviewed and taken into account observations contained herein. We also urge your Excellency’s Government to review the Law “On the Rights of the Child” taking into account our 2025 concerns with the view to ensuring that it complies with Belarus’ international human rights law obligations.

We would also like to use this opportunity to reiterate our call to your Excellency’s Government to bring the Belarusian legislation on countering terrorism and extremism and the related legislative acts and law-enforcement practices into compliance with international law, including international human rights law standards to address the concerns we previously expressed including in [BLR 8/2024](#) and [BLR 3/2026](#).

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.

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