

EVALUATION REPORT

BELARUS

Third evaluation round

Access to justice and effective remedies for victims of trafficking in human beings

G R E T A
Group of Experts
on Action against
Trafficking
in Human Beings

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Preamble

The Group of Experts on Action against Trafficking in Human Beings (GRETA) was established pursuant to Article 36 of the Council of Europe Convention on Action against Trafficking in Human Beings ("the Convention"), which entered into force on 1 February 2008. GRETA is responsible for monitoring the implementation of the Convention by the parties and for drawing up reports evaluating the measures taken by each party.

In accordance with Article 38, paragraph 1, of the Convention, GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions of the Convention on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by State Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings, the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking.

GRETA has decided that the third evaluation round of the Convention will focus on trafficking victims' access to justice and effective remedies, which is essential for victims' rehabilitation and reinstatement of rights, and reflects a victim-centred and human-rights based approach to the fight against human trafficking. A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic, in particular articles 12, 15, 23, 26, 27, 28, 29, 30 and 32.

Access to justice and effective remedies is contingent on the fulfilment of a number of preconditions, including prompt and accurate identification of victims of trafficking, the provision of a recovery and reflection period, the availability of material, psychological, medical and legal assistance, access to translation and interpretation, when appropriate, regularisation of the victim's stay, the right to seek and enjoy asylum, and full respect for the principle of *non-refoulement*. These preconditions, corresponding to various provisions of the Convention, have been examined at length during the first and second evaluation rounds of monitoring of the Convention. Consequently, GRETA has decided to ask each State Party for an update on the implementation of GRETA's previous recommendations on selected topics through a separate country-specific part of the questionnaire. GRETA's findings and analysis of these topics are presented in a separate chapter.

Executive summary

Since the second evaluation round of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, the Belarusian authorities have adopted several legislative changes which have relevance to action against human trafficking. In February 2025, amendments were made to the Criminal Code concerning several offences related to human trafficking, mitigating the sanctions by adding alternative types of punishment. Further, a regulation on child-friendly interrogation rooms was approved, and amendments were made to the Criminal Procedure Code and other legal acts to provide for the legal basis for the use of child-friendly rooms and the evidence obtained in them.

Belarus is primarily a country of origin for trafficked persons, but is also to some extent a country of transit and destination. According to data of the Ministry of Internal Affairs, the number of possible victims of trafficking in human beings and related crimes was 1 341 in the period 2022-2025, and the number of formally identified victims was 1 161. Children accounted for 59% of the identified victims and women represented 40% of the identified victims. The overwhelming majority of the victims (96.6%) were subjected to sexual exploitation. Some 86% of the identified victims were exploited within Belarus.

There has been no dedicated national action plan to combat human trafficking in Belarus since 2013. Measures to combat human trafficking are included in national action plans and programmes for ensuring gender equality, for combating crime and corruption, and for protecting children from violence and exploitation. GRETA considers that the Belarusian authorities should adopt a separate national action plan to combat human trafficking and commission an independent evaluation of its implementation.

Nothing that civil society plays an important role in the implementation of the Convention, GRETA once again urges the Belarusian authorities to review any legislation which may impede the work of specialised anti-trafficking NGOs, to ensure that such NGOs have effective access to adequate funding and are enabled to participate in the prevention of trafficking, identification of victims and their protection and assistance, and to build strategic partnerships with civil society actors with the aim of achieving the purpose of the Convention.

The focus of the third evaluation round of the Convention being on trafficking victims' access to justice and effective remedies, the report analyses in detail the implementation of provisions of the Convention establishing substantive and procedural obligations relevant to this topic.

The report notes that, despite the existence of legal provisions on the rights of victims, there is a shortage of information materials for victims of trafficking explaining their rights in an accessible manner. GRETA urges the Belarusian authorities to ensure that possible victims of trafficking are provided with accessible information on their rights and the services available to them, and to train law enforcement officers and other authorities in contact with victims of trafficking on how to properly explain to victims their rights, taking into account their age, maturity, intellectual and emotional capacity, literacy and any mental, physical, or other disabilities which may affect their ability to understand the information provided.

Despite the existence of legal provisions guaranteeing the right of victims of trafficking to legal assistance, no victims of trafficking have been provided with free legal assistance by professional lawyers. GRETA urges the Belarusian authorities to ensure that victims of trafficking have access to lawyers with specialised knowledge on human trafficking cases to provide them with legal assistance and representation in the relevant legal proceedings, and to ensure that lawyers can carry out their professional activities without interference and fear of reprisals. GRETA also considers that the Bar Association should encourage training and specialisation of lawyers to provide legal assistance to victims of trafficking.

Although the relevant legal framework for compensation from the perpetrators is in place, only two victims of trafficking have been awarded compensation during the reporting period. GRETA considers the Belarusian authorities should ensure that victims of trafficking are systematically informed in a language that they can understand of the right to seek compensation and the procedures to be followed, and are

provided with effective access to free legal assistance to seek compensation. Further, the authorities should make full use of the legislation on the seizure and confiscation of criminal assets to secure compensation to victims, and include compensation into existing training programmes for law enforcement officials, prosecutors and the judiciary. There is still no provision in Belarus for state compensation to victims of violent crimes, including victims of trafficking, and GRETA calls on the authorities to establish a state compensation scheme accessible to victims of trafficking.

Only one case was adjudicated as trafficking in human beings in Belarus in 2022-2024. There appears to be a high evidential threshold for the application of Article 181 of the CC, which criminalises trafficking in human beings, and cases that fall within the international definition of trafficking are qualified as other offences, leading to more lenient sanctions. GRETA once again urges the Belarusian authorities to bring the definition of human trafficking in the Criminal Code fully in line with Article 4 of the Convention by including "abuse of a position of vulnerability" as one of the means for committing trafficking and removing the requirement of "prior knowledge" that the person is a child. Further, GRETA calls on the Belarusian authorities to strengthen efforts to investigate, prosecute and convict perpetrators of human trafficking for the purpose of labour exploitation, and ensuring that the use of pre-trial co-operation agreements in human trafficking cases is subject to appropriate safeguards and the agreement is not in any way detrimental to the rights of the victims, including their access to compensation.

GRETA remains concerned by the lack of a specific provision on the non-punishment of victims of trafficking in the criminal legislation of Belarus. In GRETA's view, the possibility to apply the general criminal law provisions on "necessary defence" or "extreme necessity" cannot be considered as an appropriate response because they are narrower in scope than the non-punishment principle enshrined in the Convention and apply after the victim has been prosecuted and punished. Consequently, GRETA once again urges the Belarusian authorities to take additional measures to ensure compliance with the non-punishment provision, through the adoption of a specific criminal law provision, and the development of guidance and training for police officers and prosecutors on its application.

GRETA welcomes the increase in the availability of child-friendly rooms and the use of trained psychologists to interview child victims. At the same time, GRETA urges the Belarusian authorities to ensure that child-sensitive procedures are consistently used when investigating, prosecuting and adjudicating cases of trafficking and related crimes involving children (i.e. all persons up to the age of 18), in the presence of trained child psychologists.

The report also examines progress made on the implementation of previous GRETA recommendations on selected topics. Despite the fact that tens of thousands of migrants have arrived in Belarus since 2021 and attempted to cross the border with Poland, Lithuania or Latvia, the absence of identified victims amongst migrants and asylum seekers suggests that there is lack of proactive screening for human trafficking among foreign nationals. As a result, migrants remain without the necessary protection and support, finding themselves in conditions of increased vulnerability to exploitation and violence. GRETA once again urges the Belarusian authorities to implement their international obligations under Article 7 of the Convention and improve the identification of victims of trafficking among foreign nationals, asylum seekers and persons in irregular migration situations, including through the provision of training and clear, binding procedures to be followed by staff of the State Border Committee and other relevant bodies. Furthermore, GRETA calls on the authorities to ensure that pre-removal risk assessments prior to all forced removals Belarus assess the risks of trafficking or re-trafficking on return, in compliance with the obligation of *non-refoulement*.

The increase in migrant workers in Belarus and been accompanied by the adoption of new legislation and regulation. However, GRETA is concerned that the Belarusian legal framework creates complete dependence of migrant workers on a specific employer, making them extremely vulnerable in the event of any changes in labour relations, risking a loss of legal status and deportation. GRETA urges the Belarusian authorities to review the legislative framework on the employment of migrant workers, to strengthen the supervision of recruitment agencies, and to provide labour inspectors with training and

adequate financial and technical means so that they can be proactively engaged in the prevention and detection of trafficking in all sectors of the economy.

The formal identification of victims of trafficking continues to be is carried out by law enforcement agencies. GRETA once again urges the Belarusian authorities to ensure that, in practice, the identification as a victim of trafficking does not depend on the opening of a criminal investigation or the presence of elements to prove a criminal offence of human trafficking or related offence, and to promote a multi-agency involvement in the decision-making process leading to the identification of victims. Further, noting the very low number of identified victims of labour exploitation, GRETA stresses that labour inspectors should be included among the actors responsible for the identification of trafficking victims, and ensure that they have the necessary training, human and financial resources to carry out this task efficiently.

GRETA welcomes the adoption of the National Mechanism for providing assistance to children who have suffered from sexual violence and exploitation, which is important for improving the effectiveness of state policy in the field of combating human trafficking. At the same time, GRETA considers that the Belarusian authorities should adopt a specific procedure for the identification of child victims of trafficking, and ensure that relevant actors take a proactive approach and increase their outreach work to identify child victims, by paying particular attention to unaccompanied and separated foreign children.

Moreover, GRETA urges the Belarusian authorities to ensure that all victims of trafficking can receive adequate support and assistance, having regard to their individual needs, for as long as required, to ensure adequate funding to specialised organisations providing assistance to victims of trafficking, and to provide regular training to all professionals responsible for implementing assistance measures for victims of trafficking.

Finally, GRETA urges the Belarusian authorities to enshrine in law the recovery and reflection period as provided for in Article 13 of the Convention.

I. Introduction

1. The Council of Europe Convention on Action against Trafficking in Human Beings ("the Convention") entered into force for Belarus on 1 March 2014 GRETA's first evaluation report on Belarus was published on 3 July 2017,[1] and the second evaluation report on 27 October 2022.[2]

2. On the basis of GRETA's second report, on 25 November 2022 the Committee of the Parties to the Convention adopted a recommendation to the Belarusian authorities, requesting them to inform the Committee within a one-year period of measures taken to comply with the recommendation.[3] The report submitted by the Belarusian authorities was considered at the meeting of the Committee of the Parties on 15 December 2023 and was made public.[4]

3. On 2 March 2022, at their 1427th meeting, the Council of Europe's Ministers' Deputies condemned the active participation of Belarus in the aggression against Ukraine and invited the Secretary General to submit proposals on possible steps to be taken with regard to relations between the Council of Europe and Belarus. Subsequently, on 17 March 2022, at their 1429th meeting, the Ministers' Deputies decided to suspend all co-operation with the Belarusian authorities. In addition, at their 1445th meeting held on 5 October 2022, the Ministers' Deputies adopted a decision on the "Modalities for the participation of Belarus in open conventions" (CM/Del/Dec(2022)1445/10.4), inviting each body representing all the Parties of treaties to which Belarus is a Party, to decide, on the basis of its rules of procedure, on the modalities of participation of Belarus in the respective body and to consider possible restrictions on the participation of Belarus in meetings or in the adoption of decisions and the right to vote. On 16 June 2023, the Committee of the Parties to the Convention decided to amend its Rules of Procedure by introducing a new Rule 3.1 "Restriction of participation of a Party" and to apply this rule to Belarus with immediate effect. Pursuant to this decision, Belarus was restricted from attending meetings of the Committee of the Parties, while retaining access to documents related to the monitoring of its own implementation of the Convention, and the ability to provide comments in writing and information and explanations regarding its compliance with the obligations under the Convention. The restriction of the participation in the Committee of the Parties in no way prejudices the rights and obligations that stem from the Convention for the Parties.[5]

4. On 23 January 2025, GRETA launched the third round of evaluation of the Convention in respect of Belarus by sending the questionnaire for this round to the Belarusian authorities. The deadline for submitting the reply to the questionnaire was 23 May 2025. The Belarusian authorities' reply was received on 11 June 2025.[6]

5. As a result of the suspension of co-operation between the Council of Europe and Belarus, GRETA was not in a position to carry out a country visit to Belarus, which is an essential part of GRETA's evaluations, providing the opportunity to examine the situation on the ground and to collect information from a range of sources. With a view to supplementing the information provided by the Belarusian authorities in their reply to the questionnaire, GRETA decided to organise online meetings with relevant officials and organisations. These meetings were conducted by:

- Ms Tatiana Catana, member of GRETA;
- Ms Ia Dadunashvili, member of GRETA;
- Ms Petya Nestorova, Executive Secretary of the Convention;

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1 Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Belarus – first evaluation round, GRETA(2017)16, available at: https://rm.coe.int/greta-2017-16-fgr-byr-en/168072f2bf

2 Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Belarus – second evaluation round, GRETA(2022)10, available at: https://rm.coe.int/greta-evaluation-report-on-belarus-2nd-evaluation-round/1680a8bc61

3 https://rm.coe.int/recommendation-cp-rec-2022-07-on-the-implementation-of-the-council-of-/1680a929b8

4 https://rm.coe.int/report-submitted-by-the-authorities-of-belarus-on-measures-taken-to-co/1680aeb3d7

5 https://rm.coe.int/report-of-the-32nd-meeting-of-the-committee-of-the-parties-to-the-coun/1680ad08a3

6 https://rm.coe.int/greta-2018-26-byr-q3-en/4880286d59

- Mr Elvin Aliev, Administrator in the Secretariat of the Convention.

6. On 19 November 2025, online meetings were held with officials from the Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Foreign Affairs, the Prosecutor General's Office, the Investigative Committee, the State Border Committee and the Supreme Court. GRETA is grateful for the additional information and clarifications provided by them.

7. GRETA wishes to place on record the co-operation provided by the contact person appointed by the Belarusian authorities to liaise with GRETA, Ms Dziyana Kankalovich, Senior Inspector at the International Law Unit of the Department for International Co-operation of the Ministry of the Interior.

8. In addition to the online meetings with Belarusian officials, online meetings and written exchanges were held with civil society organisations and international organisations in order to collect additional information relevant for the evaluation. GRETA is grateful for the information provided by them.

9. GRETA would like to stress that, despite its efforts to collect as much as information as possible, the findings and conclusions in this report are limited by the fact that GRETA could not carry out a country visit to Belarus, visit establishments where victims of THB are accommodated and assisted, and have confidential discussions with victims and survivors of THB. These limitations concern in particular the assessment of the practical implementation of the legal provisions concerning victims' access to assistance, protection and redress, and the non-punishment provision.

10. The draft version of the present report was approved by GRETA at its 56th meeting (2-6 March 2026) and was submitted to the Belarusian authorities for comments. The authorities' comments were received on 12 May 2026 and were taken into account by GRETA when adopting the final report at its 57th meeting (22-26 June 2026). GRETA notes with regret that, on numerous occasions, the Belarussian authorities' comments contested GRETA's assessment and the references to information provided by other international organisations and civil society organisations, as well as failing to provide information in response to some of GRETA's requests made in the draft report. As stressed in GRETA's 14th General report, GRETA's role is not to rubberstamp the information provided by the national authorities, but to analyse all aspects and draw conclusions which reflect the information received from all stakeholders.[7] GRETA deeply regrets that the Belarussian authorities have repeatedly ignored its concerns and recommendations, which raises doubts about their willingness to abide by the principles and obligations set out in the Convention.

11. This report covers the situation up to 26 June 2026; developments since that date are not taken into account in the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 1.

[7] 14th General report on GRETA's activities (2025), paragraph 71, available at: https://rm.coe.int/14th-general-report-of-greta-prems-067125-gbr-2578-14th-general-report/1680b638e3

II. Overview of the current situation and trends in the area of trafficking in human beings in Belarus

12. Belarus is primarily a country of origin for trafficked persons, but is also to some extent a country of transit and destination. According to information provided by the Belarusians authorities in their reply to GRETA's questionnaire, in the period 2022-2024, a total of 1 190 possible victims of trafficking in human beings and related crimes[8] (including 669 children) were identified by state bodies, public associations and international and foreign organisations. Of these, 816 persons (including 562 children) were officially recognised as victims of human trafficking during the identification procedure carried out by law enforcement agencies (see paragraph 183). The authorities indicated that most of the victims were female, had Belarusian citizenship, and were sexually exploited within the country. No victims of THB were identified as part of the asylum procedure. Further, according to publicly available data on the site of the Ministry of Internal Affairs,[9] the number of possible victims was 260 in 2022, 450 in 2023, 233 in 2024 and 398 in 2025 (a total 1 341 persons). The number of formally identified victims was 210 in 2022, 381 in 2023, 225 in 2024 and 345 in 2025 (a total of 1 161 persons).[10] Over the period 2022-2025, children accounted for 59% of the identified victims (459 girls and 226 boys), and women represented 40% of the identified victims. The overwhelming majority of the identified victims were subjected to sexual exploitation (1 122 persons, or 96.6% of all victims). The number of formally identified victims of other forms of exploitation (labour exploitation, removal of organs and tissues, etc.) was 39, of whom 2 were identified in 2022 and 37 identified in 2025. Some 86% of the identified victims were exploited within Belarus.

13. The Belarusian authorities have indicated that, as a result of the widespread use of information and communication technologies (ICT), there has been an increase in the production and distribution of pornographic materials or objects of a pornographic nature with the image of a child, committed through communication on the Internet or via other means of digital communication. Further, there has been an increase in the digitalisation of trafficking chains exploiting women in prostitution, with all relevant criminal actions - from recruitment to organising the arrival of the victim in the destination country - being carried out from the territory of another state.

14. GRETA notes that, given the hidden nature of human trafficking, the official figures in paragraph 12 probably do not reflect the real scale of the phenomenon of THB in Belarus. Despite the growing number of migrant workers in Belarus (see paragraph 164) and the risks of exploitation that they face, the number of identified victims of trafficking for the purpose of labour exploitation remains extremely low. Further, the absence of identified victims amongst migrants and asylum seekers – despite the fact that tens of thousands of them have arrived in Belarus since 2021 and attempted to cross the border with Poland, Lithuania or Latvia (see paragraph 151 and following) – suggests that there is lack of proactive screening for human trafficking among foreign nationals.

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8 Pursuant to the 2012 Law "On Combating Trafficking in Human Beings", victims of the following criminal offences listed in the Criminal Code of Belarus are identified as victims of trafficking: Article 181 ("trafficking in human beings"), Article 181-1 ("using slave labour"), paragraph 4 of Part 2 of Article 182 ("abduction"), Article 171 ("exploitation or facilitation of prostitution"), Article 171-1 ("involving in prostitution or forcing to continue practicing prostitution"), Article 187 ("illegal acts to provide employment abroad") and Parts 2 and 3 of Article 343-1 ("production and distribution of pornographic material or items depicting a child"). The Belarusian authorities do not provide a breakdown of the identified victims per article.

9 Количественные сведения в сфере противодействия торговле людьми; accessed on 25 June 2026.

10 By way of comparison, in the period 2017-2021, there were 753 formally identified victims.

III. Developments in the legal, institutional and policy framework for action against human trafficking

15. There have been no changes to the criminalisation of trafficking in human beings in Article 181 of the Criminal Code (CC) of Belarus. Neither have there been changes to Government Decree No. 485 of 11 June 2015 "On approval of the regulations on identification of victims of trafficking in human beings, completing the identification form for possible victims of trafficking in human beings and related offences, and the handling of information contained therein", which establishes a National Referral Mechanism (hereinafter “Victim Identification Regulation”). As regards the 2012 Law on Combating Trafficking in Human Beings, several minor amendments were made in the reporting period. In May 2022, Article 17, paragraph 1.1, was amended to stipulate that persons convicted under Article 181 of the CC, as well as crimes related to human trafficking (in the previous version of the law, the specific articles of the CC were listed), are prohibited from engaging in teaching activities, holding positions related to educational functions, or other positions, professions or jobs involving regular work with children. In December 2023, editorial amendments were made to Articles 14, 15 and 16 concerning the licensing of activities related to employment abroad. In January 2024, minor changes were made to Articles 16 and 17 regarding the placement (distribution) of advertisements about employment and training outside Belarus.

16. Several other legislative developments which have relevance to action against THB have taken place since the second GRETA evaluation. In order to improve the quality of interviews and minimise the traumatisation of child victims during criminal proceedings, a regulation on child-friendly interrogation rooms was approved by Council of Ministers Resolution No. 539 of 17 August 2023. Further, amendments were made to the Criminal Procedure Code (CPC) and other legal acts to provide for the legal basis for the use of child-friendly rooms and the evidence obtained in them (see also paragraph 138). Moreover, an instruction on the procedure for the actions of teaching staff to prevent and detect violence and exploitation against children was approved by the Minister of Education on 23 August 2024. In their comments on the draft GRETA report, the authorities also referred to the Regulation on the procedure for involving a teacher and psychologist in criminal proceedings, approved by Council of Ministers Resolution No. 676 of 26 November 2025, as well as the Regulation on psychological interviews, approved by Council of Ministers Resolution No. 706 of 5 December 2025. Moreover, Law No. 61-З of 17 February 2025 "On Amending Codes on Criminal Liability Issues" introduced a number of amendments to the CPC concerning the conduct of certain investigative actions involving child victims and witnesses.

17. In February 2025, amendments were made to the CC concerning several offences related to THB, mitigating the sanctions by adding alternative types of punishment, such as restriction of freedom, to the existing sanctions in Article 171 (“exploitation or facilitation of prostitution”), Article 171-1 (“involving in prostitution or forcing to continue practicing prostitution”), Article 181-1 (“using slave labour”) and Article 187 (“illegal acts to provide employment abroad”).

18. The institutional framework for action against THB has not undergone changes since the first evaluation by GRETA. Pursuant to Article 12, paragraph 2, of the Law on Combating Trafficking in Human Beings, the Ministry of the Interior is responsible for the co-ordination of the relevant public authorities and other organisations in identifying victims of THB. It is also in charge of co-ordinating the identification of victims of THB and their referral for assistance, protection and rehabilitation. The Ministry’s Main Department for Drug Control and Combating Trafficking in Human Beings is the lead law enforcement agency on action against THB, with divisions at regional, city and district levels.

19. The Prosecutor General’s Office is responsible for the co-ordination of law enforcement activities in the field of action against THB and leads this work through the National Co-ordination Meeting on Combating Crime and Corruption, which was set up pursuant to Presidential Decree No. 644 of 17 December 2017. It includes participants from the Ministry of the Interior, the State Security Committee, the State Border Committee and the Investigative Committee.

20. Article 26 of the Law on Combating THB designates the Minister of the Interior as National Anti-trafficking Rapporteur, whose role is defined in the law as studying and analysing the application of anti-trafficking legislation, providing information to other countries and international organisations, engaging in international co-operation, and submitting to the Council of Ministers an annual report on the effectiveness of the anti-trafficking measures taken with recommendations for legislative amendments. In its second report, GRETA considered that the Belarusian authorities should examine the possibility of establishing an independent National Rapporteur for monitoring the anti-trafficking activities of State institutions and making recommendations to persons and institutions concerned (see Article 29, paragraph 4, of the Convention and paragraph 298 of the Explanatory Report). In their reply to the Committee of the Parties' recommendation, submitted on 4 December 2023, the Belarusian authorities stated that the creation of an independent national rapporteur is considered as "inappropriate, since the current system of government bodies and non-governmental organisations in the country allows for effective monitoring and timely adoption of the necessary decisions". GRETA stresses that Article 29 of the Convention makes a clear distinction between National Co-ordination and National Rapporteur. The key features of National Rapporteurs' mechanisms, in the sense of Article 29, paragraph 4, of the Convention,[11] should be the ability to critically monitor the efforts and effectiveness of all state institutions, including national co-ordinators, and to that end maintain a constant exchange with civil society, the research community and other relevant stakeholders. The human rights-based approach to anti-trafficking policies advocated by the Convention requires adequate monitoring and evaluation. A structural separation between monitoring and executive functions enables an objective evaluation of the implementation of anti-human trafficking legislation, policy and activities, identification of lacunae and shortcomings, and the formulation of comprehensive legal and policy recommendations. In this context, GRETA also refers to the Issue Brief recently published by the Organization for Security and Co-operation in Europe (OSCE), which highlights the differences between National Co-ordinator, National Rapporteur, and multi-agency Anti-Trafficking Commission (task force).[12]

21. There has been no dedicated National Action Plan to combat THB in Belarus since 2013. In their reply to GRETA's questionnaire, the Belarusian authorities referred to the National Action Plan to Ensure Gender Equality for 2021-2025, Section IV of which, entitled "Combating Domestic Violence and Human Trafficking", includes measures to strengthen the national referral mechanism for victims of trafficking and the activities of the regional multi-disciplinary anti-trafficking groups, to raise awareness among young people on combating THB and to develop information materials for children and parents. Measures to combat human trafficking are also included in the Programme to Combat Crime and Corruption for 2023-2025, in particular to analyse the criminal legislation of other countries in the field of human trafficking and related crimes in order to develop proposals for improving the criminal law of Belarus, and to provide training on THB in co-operation with other countries. In their comments on the draft GRETA report, the Belarusian authorities indicated that the Comprehensive Plan for Combating Crime and Corruption for 2026-2028, which covers trafficking in human beings, was approved by decision of the Republican Co-ordination Meeting on Combating Crime and Corruption of 30 December 2025. Further, on 19 November 2025, the National Council on Gender Policy approved the National Action Plan for the Implementation of the Provisions of the Convention on the Elimination of All Forms of Discrimination against Women for 2026-2030, which contains a special section IV "Improving the Effectiveness of the System for Preventing Trafficking in Human Beings, Domestic Violence, and Supporting Victims". Annex 1 to the National Plan includes, among other things, measures to strengthen the national referral mechanism for victims of THB and support the activities of regional multi-disciplinary groups (see paragraph 25); improve the qualifications of various categories of specialists in the social protection, education, health and internal affairs systems whose competence includes issues of providing assistance to persons affected by domestic violence and THB; raise public awareness and cover in the media issues related to the prevention of domestic violence, as well as examples of detecting and suppressing cases

11 "Each Party shall consider appointing National Rapporteurs or other mechanisms for monitoring the anti-trafficking activities of State institutions and the implementation of national legislation requirements."

12 OSCE, Issue Brief "National Anti-Trafficking Co-ordinator: A leading role in State's anti-trafficking response", available at: https://cthb.osce.org/sites/default/files/documents/official_documents/2026/01/CTHB_IssueBrief_screen_260113.pdf

of THB and related crimes; publish up-to-date statistical and other information on combating THB and identifying victims on the website of the Ministry of Internal Affairs.

22. The Belarusian authorities have also referred to the National Action Plan to Improve the Situation of Children and Protect Their Rights for 2022-2026, which includes measures aimed at improving the system of protection of children from violence and strengthening interdepartmental co-operation, conducting information campaigns and educational events, and improving the emergency assistance services for children who have suffered violence and abuse, including a network of helplines and hotlines. Of relevance also are the Plans for the Protection of Children from Sexual Violence and Exploitation for 2023-2024 and 2025-2026. Further, a National Mechanism for Assistance to Children Victims of Sexual Violence was set up in April 2024 (see paragraph 198).

23. The Belarusian authorities indicated that annual reports on the implementation of the National Action Plan for Ensuring Gender Equality for 2021-2025 were submitted to the Government and considered at meetings of the National Council on Gender Policy. However, GRETA notes that an independent assessment of the above-mentioned national action plans, conducted by an external entity and meeting international standards of evaluability and transparency, was not conducted during the reporting period.

24. GRETA recalls that, to be effective, national action against human trafficking must be comprehensive and multi-sectoral, taking on board the required multidisciplinary expertise. While there is no provision in the Convention specifically on National Action Plans, the purposes of the Convention (Article 1), which include designing a comprehensive framework for the protection and assistance of victims and witnesses, the requirement to develop effective policies and programmes to prevent THB (Article 5 of the Convention), and the requirement of co-ordinated action (Article 29(2) of the Convention), can only be met if State Parties adopt comprehensive policies, in the form of a strategy, action plan or some other policy document, against trafficking in human beings, covering prevention, protection of victims, prosecution of traffickers, and partnerships. GRETA considers that the Belarusian authorities should adopt a separate national action plan to combat THB and commission an independent evaluation of its implementation.

25. GRETA considers that one notable drawback of the anti-trafficking institutional framework of Belarus is the limited involvement of civil society. As noted in GRETA's first report on Belarus in 2017, civil society played a key role in the field of action against THB in Belarus and the Law on Combating Trafficking in Human Beings envisaging their participation in information campaigns, the identification of victims of human trafficking and the provision of legal and other protection and assistance. Since August 2020, the liquidation of over 1 000 civil society organisations[13] and new restrictive requirements for their (re)registration,[14] criminalisation of unregistered or liquidated organisations under charges of extremist activities, and severe reprisals against them, including detention, forced exile and heightened surveillance, have resulted a shrinking civic space, including in the area of combating THB. The International Public Association "Gender Perspectives", specialised in combating THB and domestic violences and the direct provision of assistance to victims, was liquidated by decision of the Supreme Court for violations of the national legislation. The Public Association "Business Women's Club" has continued functioning, running a hotline for safe migration and anti-trafficking[15] and providing assistance to victims of THB. According to its report for 2023, the funding of these activities was covered by foreign and international organisations (IOM, UNESCO). The Belarusian Red Cross Society also continues its work on anti-trafficking and has reportedly referred possible victims of THB for formal identification. GRETA notes that civil society organisations are not represented at the National Co-ordination Meeting on Combating Crime and Corruption. They were represented in some of the regional multi-disciplinary groups (MDGs), set up upon the initiative of the Belarusian Red Cross in 2011, with the support and participation of IOM, to co-ordinate

13 In Belarus, NGOs are referred to as "public associations".

14 Law No. 251-З of 14 February 2023 "On amendments to laws on the activities of political parties and other public associations" and Law No. 250-З of 14 February 2023 "On the foundations of civil society".

15 Главная | ОО «Клуб деловых женщин» Противодействие торговле людьми в Республике Беларусь

anti-trafficking action and the exchange of information at regional level.[16] In their comments on the draft GRETA report, the Belarusian authorities stated that MDGs had been established in all regions of the country, within the framework of an IOM project (however, see paragraph 193 concerning the termination of the IOM project in 2025). The MDGs include representatives of the departments of education, health, labour inspectorates, employment and social protection of regional executive committees, departments for drug control and combating trafficking in human beings, departments for citizenship and migration of regional internal affairs bodies, regional courts, regional prosecutor's offices, regional border groups, regional investigative committee departments, regional bar associations and regional organisations of the Belarusian Red Cross Society. The MDGs reportedly meet once a year and their meetings include representatives of NGOs, such as "Business Women's Club" in Brest region and "Workshop of Innovative Technologies" in Gomel region.

26. GRETA recalls that civil society plays an important role in the implementation of the Convention, through awareness raising, research, training, detecting victims of trafficking, providing them with accommodation and other assistance, and supporting them through the criminal justice process and in order to claim compensation. Pursuant to Article 35 of the Convention, Parties shall encourage state authorities and public officials to co-operate with non-governmental organisations, other relevant organisations and members of civil society, in establishing strategic partnerships with the aim of achieving the purpose of the Convention. GRETA once again urges the Belarusian authorities to review any legislation which may impede the work of specialised anti-trafficking NGOs, to ensure that such NGOs have effective access to adequate funding and are enabled to participate in the prevention of THB, identification of victims and their protection and assistance, as envisaged in Articles 5, 10 and 12 of the Convention, and to build strategic partnerships with civil society actors with the aim of achieving the purpose of the Convention.

IV. Access to justice and effective remedies for victims of human trafficking

1. Introduction

27. Victims of human trafficking, by virtue of their status as victims of crime and victims of human rights violations, have the right to access to justice and effective remedies for any harm committed against them. These rights must be guaranteed, in a gender- and age-sensitive manner, to all victims of trafficking subject to the jurisdiction of parties to the Convention, irrespective of their immigration status or presence on the national territory, and notwithstanding their capacity or willingness to co-operate in any criminal investigation.

28. The right to effective remedies is a reflection of the human rights-based approach underpinning the Convention. Regardless of whether a State is implicated in the trafficking or directly responsible for the harm, the positive obligations arising from international human rights law require States to facilitate and guarantee effective access to remedies if they have failed to take reasonable steps to prevent human trafficking, protect potential or actual victims of THB, and effectively investigate trafficking offences.[17]

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16 See GRETA's first report on Belarus, paragraph 28. At the time of GRETA's first visit in 2016, there were MDGs in the country's six regions: Brest, Gomel, Grodno, Minsk, Mogilev and Vitebsk) as well as in Minsk municipality.

17 *Rantsev v. Cyprus and Russia*, application no. 25965/04, judgment of 7 January 2010; *L.E. v. Greece*, application No. 71545/12, judgment of 21 January 2016; *Chowdury and Others v. Greece*, application No. 21884/15, judgment 30 March 2017.

29. According to the Basic Principles on the Right to an Effective Remedy for Victims of Trafficking in Persons,[18] the right to an effective remedy is considered to include restitution,[19] compensation,[20] rehabilitation,[21] satisfaction[22] and guarantees of non-repetition.[23] All victims of trafficking require access to appropriate and effective remedies, starting with access to justice. The provision of effective remedies serves multiple purposes. The remedy of compensation, for instance, for any injury, loss or harm sustained, can provide critical support in victims' recovery and empowerment, help their social inclusion and prevent re-victimisation. The remedy of rehabilitation can similarly help in the victims' recovery, as well as social inclusion. Of relevance in this respect is also the 1985 United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the Council of Europe Committee of Ministers Recommendation CM/Rec(2023)2 on rights, services and support for victims of crime,[24] which outline the main steps to be taken to improve access to justice, and fair treatment, restitution, compensation and social assistance for victims of crime.[25]

30. The Convention provides specifically for the substantive right of victims of trafficking to compensation and legal redress, as well as for a number of procedural rights necessary to ensure access to these entitlements. These include the rights to be identified as a victim of trafficking, to be granted a recovery and reflection period, as well as a residence permit (to enable a victim to remain in the country and seek access to remedies), and to receive counselling, information, legal assistance and free legal aid. Another important procedural right is provided by the non-punishment provision of the Convention (Article 26), according to which victims of human trafficking must not be subjected to penalties for their involvement in unlawful activities that they have been compelled to commit. Further, the Convention requires State Parties to enable the seizure and confiscation of the assets of traffickers, which could be used to fund State compensation schemes for victims.

31. Children need special support to access remedies, the best interests of the child being the primary consideration in all actions concerning trafficked children. The appointment of legal guardians to represent unaccompanied or separated children plays a vital role in enabling child victims of trafficking to access justice and remedies. Further, facilitating family reunification can be an important element of restitution.[26]

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18 UN General Assembly, Basic principles on the right to an effective remedy for victims of trafficking in persons, Annex to the Report by the Special Rapporteur on trafficking in persons, especially women and children, 28 July 2014, A/69/33797.

19 Restitution includes restoration of liberty, including release of the victim from detention; enjoyment of human rights and family life, including reunification and contact with family members; safe and voluntary repatriation; temporary or permanent residence status, refugee status, complementary/subsidiary protection or third-country resettlement; recognition of the victim's legal identity and citizenship; restoration of the victim's employment; assistance and support to facilitate social integration or reintegration; return of property, such as identity and travel documents and other personal belongings.

20 Compensation may cover damages for physical or mental harm; damages for lost opportunities, including employment, education and social benefits; reimbursement of costs of necessary transportation, child care or temporary housing; material damages and loss of earnings; moral or non-material damages; reimbursement of legal fees and other costs relating to the participation of the victim in the criminal justice process; reimbursement of costs incurred for legal, medical or other assistance.

21 Rehabilitation includes medical and psychological care, legal and social services, shelter, counselling and linguistic support, independently of the capacity or willingness of the victims to co-operate in legal proceedings.

22 Satisfaction includes effective measures aimed at the cessation of continuing violations; verification of the facts and full and public disclosure of the truth to the extent that such disclosure does not cause further harm or threaten the safety, privacy and other interests of the victims of their families; an official declaration or a judicial decision restoring the dignity, reputation and rights of the victim; public apologies; judicial and administrative sanction against the perpetrators.

23 Guarantees of non-repetition include ensuring the effective investigation, prosecution and sanctioning of traffickers; all measures necessary to protect victims from re-trafficking; providing or strengthening training of relevant officials; strengthening the independence of the judiciary; modifying practices that cause, sustain or promote tolerance to trafficking, including gender-based discrimination and situations of conflict and post-conflict; effectively addressing the root causes of trafficking; promoting codes of conduct and ethical norms for public and private actors; protecting legal, medical and other professionals and human rights defenders who assist victims.

24 Recommendation CM/Rec(2023)2 of the, Committee of Ministers to member States on rights, services and support for victims of crime, and its Explanatory report: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=0900001680aa8263

25 United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, Adopted by General Assembly resolution 40/34 of 29 November 1985, available at: https://www.unicef-irc.org/portfolios/documents/472_un-declaration-crime.htm

26 UNODC, ICAT Issue Paper, Providing Effective Remedies for Victims of Trafficking in Persons, 2016, pp. 7-8. Available at: http://icat.network/sites/default/files/publications/documents/Ebook%20ENG_0.pdf

32. Civil society, including NGOs, trade unions, diaspora organisations and employer organisations, plays a vital role in enabling victims of THB to claim compensation and other remedies.[27] In this context, reference should be made to the international projects COMP.ACT - European Action on Compensation for Trafficked Persons[28] and Justice at Last - European Action for Compensation of Victims of Crime,[29] which aim to enhance access to compensation for trafficked persons.

33. The private sector should also play a role in enabling access to, as well as providing, remedies to trafficked persons, in accordance with the UN 'Protect, Respect and Remedy' Framework and the United Nations Guiding Principles on Business and Human Rights.[30] The role of businesses includes steps to ensure that their supply chains are free of trafficked labour, as well as the adoption and implementation of measures to facilitate victims' access to remedies for any harm that occurs. Further, businesses have the potential to help trafficked persons regain economic autonomy.[31] States should therefore ensure that business enterprises implicated in human trafficking are held responsible and take steps to reduce barriers that could lead to a denial of access to remedies.

34. Because human trafficking is often a transnational crime, effective international co-operation is essential for fulfilling the obligations with regard to the right to justice and effective remedies. This includes co-operation in tracing and seizing criminal assets, and in returning confiscated proceeds for the purpose of compensation.

2. Right to information (Articles 12 and 15)

35. Victims who are no longer under their traffickers' control generally find themselves in a position of great insecurity and vulnerability. Two common features of victims' situation are helplessness and submissiveness to the traffickers, due to fear and lack of information about how to address their situation. Article 12, paragraph 1, sub-paragraph d, of the Convention provides that victims are to be given counselling and information, in particular as regards their legal rights and the services available to them, in a language that they understand. Further, pursuant to Article 15, paragraph 1, of the Convention, Parties must ensure that victims have access, as from their first contact with the competent authorities, to information on relevant judicial and administrative proceedings, in a language they can understand.

36. The information that victims of trafficking must be provided with deals with essential matters, including availability of protection and assistance arrangements, the various options open to the victim, the risks they run, the requirements for legalising their presence in the Party's territory, the various possible forms of legal redress, how the criminal-law system operates (including the consequences of an investigation or trial, the length of a trial, witnesses' duties, the possibilities of obtaining compensation from persons found guilty of offences or from other persons or entities, and the chances of a judgment being fully and effectively enforced). The information and counselling should enable victims to evaluate their situation and make an informed choice from the various possibilities open to them.[32]

37. Many victims do not speak, or barely speak, the language of the country they have been brought to for exploitation. Ignorance of the language adds to their isolation and is one of the factors preventing them from claiming their rights. The provision of translation and interpretation, where needed, is an essential measure for guaranteeing access to rights, which is a prerequisite for access to justice. GRETA has stressed the need for ensuring the availability, quality and independence of interpreters.[33]

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27 OSCE Compensation for Trafficked and Exploited Persons in the OSCE Region, 2008, pp. 48-53.

28 COMP.ACT – European Action for Compensation for Trafficked Persons - La strada International

29 http://lastradainternational.org/about-lsi/projects/justice-at-last

30 United Nations Guiding Principles on Business and Human Rights, implementing the UN 'Protect, Respect and Remedy' Framework, Doc. A/HRC/17/31 (2011).

31 UNODC, ICAT Issue Paper, Providing Effective Remedies for Victims of Trafficking in Persons, 2016, pp. 8-9.

32 See Explanatory Report on the Convention, paragraphs 160-162.

33 See 8th General Report on GRETA's activities, paragraphs 168-169.

38. The CPC of Belarus grants all participants in the criminal proceedings, including victims of THB, the right to receive information about the progress of the proceedings and the criminal case. This includes the right to participate in court hearings, to receive notifications from the body conducting the criminal proceedings about decisions affecting their rights and interests, and, at their request, to receive copies of these decisions free of charge. Further, the right of persons participating in criminal, civil or other proceedings who do not speak sufficiently well the language of the proceedings to use the services of an interpreter free of charge and to have documents translated is provided for in the Code on the Judicial System and the Status of Judges, the CPC, the Procedural-Executive Code of Administrative Offences and the Civil Procedure Code. In their comments on the draft GRETA report, the Belarusian authorities indicated that, when hearing a case, if a victim of trafficking in human beings does not speak the language of the proceedings, the court summons an interpreter from a specialised institution (translation bureau or other organisation). The court verifies that the interpreter possesses the appropriate qualifications and is not interested in the outcome of the case. The competence of the interpreter, in addition to oral interpretation, also includes the translation of written documents. The costs associated with the participation of an interpreter in criminal proceedings are borne by the state. The appointment of an interpreter is formalised by a decision (ruling) of the body conducting the criminal proceedings.

39. According to paragraph 7 of the Victim Identification Regulation, when identifying a person who may have suffered from human trafficking or related crimes, the state bodies specified in paragraph 3 of the Regulation (internal affairs agencies, state security agencies, border service agencies, Prosecutor's Offices, Investigative Committee) should inform the person concerned of his/her right to receive protection and rehabilitation measures for a period of 30 days from the date of filling out the identification questionnaire, regardless of his/her consent to undergo the procedure for identifying victims of human trafficking or to participate in criminal proceedings. The protection and rehabilitation measures, envisaged in paragraph 18 of the Law on Combating Trafficking in Human Beings, include temporary accommodation, food, medical, psychological legal, social and financial assistance. The identification of victims of THB may also be initiated by diplomatic or consular missions of Belarus, social and labour protection offices, educational establishments, health-care establishments, all of whom should also inform victims of the rights to protection and rehabilitation measures (paragraph 12 of the Victim Identification Regulation).

40. The Belarusian authorities have provided GRETA with samples of information materials developed for victims of human trafficking. However, GRETA notes that these materials are not intended to inform victims of trafficking on their rights, but are rather meant for persons planning to seek work abroad, warning them of risks and advising them how to avoid these risks, where to seek assistance and how to protect their rights. These materials have not been translated into foreign languages as, according to the authorities, the overwhelming majority of victims of human trafficking are citizens of Belarus or other Russian-speaking countries, and a person who does not speak the national languages is provided with the services of an interpreter if necessary.

41. Some information for victims of THB is available (in Russian only) on the website of the Public Association "Business Women's Club".[34] Rather than informing victims of their rights, it explains what assistance can be provided by the Public Association, namely meeting victims upon their return in the country, assistance in organising return, facilitating confidential medical examinations and treatment, temporary shelter, assistance to find work and professional training, psychological and legal counselling, and consultations concerning hearings, submission of complaints or representation in court. Information can also be received through the hotline, which is available every day from 8 am to 8 pm, or by submitting a question online.[35]

42. Pursuant to the Victim Identification Regulation, the different bodies carrying out victim identification should determine whether the person needs the services of an interpreter and provide such services if necessary.

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34 Если Ваши права были нарушены, мы Вам поможем

35 Hotline number: 8-801-201-5555, www.bpwbrest.by

43. GRETA urges the Belarusian authorities to ensure that possible victims of human trafficking are provided with accessible information on their rights and the services available to them, and in particular to:

- develop specific information materials on the rights of victims of THB (including the right to claim compensation, to receive a recovery and reflection period, and to be granted a residence permit), available in a range of foreign languages, which are given to all possible victims as soon as they come into contact with a competent authority, prior to being formally identified as victims of THB;

- train and instruct law enforcement officers and other authorities in contact with victims of trafficking on how to properly explain to victims of THB their rights, taking into account their age, maturity, intellectual and emotional capacity, literacy and any mental, physical, or other disabilities which may affect their ability to understand the information provided;

- sensitise interpreters who may come into contact with victims of human trafficking to the issue of human trafficking and the vulnerabilities of victims.

3. Legal assistance and free legal aid (Article 15)

44. Article 15(2) of the Convention obliges Parties to provide in their internal law for the right of victims of trafficking to legal assistance and free legal aid. As court and administrative procedure is often very complex, legal assistance is necessary for victims to be able to claim their rights. It is for each Party to decide the requirements for obtaining such free legal aid. Parties must have regard not only to Article 15(2) of the Convention, but also to Article 6 of the ECHR. Even though Article 6, paragraph 3.c of the ECHR provides for free assistance from an officially appointed lawyer only in criminal proceedings, European Court of Human Rights case-law[36] also recognises, in certain circumstances, the right to free legal assistance in a civil matter on the basis of Article 6(1) of the ECHR. Thus, even in the absence of legislation granting free legal assistance in a civil matter, it is for the courts to assess whether, in the interest of justice, an applicant who is without financial means should be granted legal assistance if unable to afford a lawyer.

45. GRETA's reports highlight the value of a lawyer being appointed as soon as there are reasonable grounds for believing that a person is a victim of trafficking, before the person makes an official statement and/or decides whether to co-operate with the authorities. Early access to legal assistance is also important to enable victims to take civil actions for compensation and redress.[37]

46. In Belarus, pursuant to Article 20, paragraph 1, subparagraph 1.2., of the Law on Combating Trafficking in Human Beings, victims of THB are entitled to legal assistance (including explanation of their rights and obligations stipulated by law) and free legal assistance provided by the Bar Association. The Belarusian authorities indicated that all suspected victims of human trafficking have access to legal assistance, regardless of citizenship, immigration status or type of exploitation.

47. Pursuant to Law No. 334 of 30 December 2011 "On Advocacy and Advocacy Activity in the Republic of Belarus " (hereinafter "Law on Advocacy"), any person on the territory of the country, regardless of citizenship and immigration status, has the right to seek legal assistance from a lawyer (Article 6, paragraph 2). However, GRETA notes that Article 28 of the Law specifies that "legal assistance on issues of social protection and rehabilitation is provided to victims of human trafficking, and in the case of those under 14 years of age – to their legal representatives, [..] at the expense of the republican budget." This implies that legal assistance is limited to social protection and rehabilitation and, as a result, Belarusian

36 *Airey v. Ireland*, no. 6289/73, 9 October 1979.
37 See 8th General report on GRETA's activities, paragraph 167.

legislation does not contain clear and explicit provisions guaranteeing victims of human trafficking the right to free legal assistance in criminal and other legal proceedings in which they are involved.

48. Pursuant to Article 50, paragraph 1, point 21, of the CPC and Article 53, paragraph 1, point 17 of the CPC, injured parties and civil plaintiffs within criminal proceedings have the right to be represented, including by a lawyer. According to Article 59 of the CPC, the representative of the injured party or civil plaintiff is entitled to participate in investigative actions and other procedural measures; submit evidence; file objections and motions, including requests for measures to ensure the safety of the represented person and their family members; participate in court hearings, including the examination of evidence and relevant circumstances; lodge complaints against actions and decisions of the criminal investigation body; appeal the judgment and other final court decisions. Further, according to Article 60, paragraph 6.3, of the CPC, a witness has the right to invite a lawyer to provide legal assistance during proceedings involving him or her. Under Article 60, paragraph 1, of the CPC, the rights of a witness's lawyer consist of providing legal assistance during procedural actions involving the witness, asking questions to the witness, raising objections to the participation of an interpreter during the witness's examination, and reviewing the relevant records in the summary protocol and the court hearing transcript concerning the witness's testimony. However, the legislation does not provide for the witness's lawyer broader procedural rights, such as the right to file a civil claim on behalf of the witness, to participate fully in the judicial examination of the case (including questioning the defendant, experts and other witnesses, or examining other evidence), or to challenge the court's judgment. GRETA notes that if victims of THB and related crimes are treated as witnesses and not as injured parties or civil plaintiffs in criminal proceedings, the legal assistance provided to them is limited. In their comments on the draft report, the Belarusian authorities stated that, based on judicial practice, victims of trafficking in human beings are recognised by the body conducting the criminal proceedings as victims, i.e. persons who have suffered physical, property or moral harm from a socially dangerous act. A witness has the right to appeal the actions and decisions of the body conducting the criminal proceedings that refused to recognise him or her as victims or civil claimant. Representatives of victims may be lawyers who have the rights provided for in Article 59 of the CPC (including the right to ask questions of the accused, expert, witnesses, participate in the examination of evidence in the case, appeal the verdict or other court decision). Thus, the authorities consider that there are no grounds for amending Article 60-1 of the CPC to expand the rights of a witness's lawyer.

49. The Belarusian authorities have stated that victims of human trafficking are exempt from paying for legal assistance provided in connection with criminal proceedings, namely consultations and explanations on issues of social protection and rehabilitation, as well as representation before bodies conducting criminal proceedings.

50. According to the authorities, legal assistance is provided by lawyers in the required volume without restrictions from the moment the victim applies or a request for legal assistance is received from a competent authority. Every lawyer who is a member of the Bar Association has the right to provide any type of legal assistance, including to victims of human trafficking. The costs of paying the fees of lawyers are reimbursed from the state budget in accordance with paragraph 2 of Article 28 of the Law on Advocacy. The procedure for their reimbursement is regulated by Resolution of the Council of Ministers No. 707 of 5 December 2025 "On the procedure for reimbursement of the expenses for the payment of lawyers' fees for providing legal assistance to victims of trafficking and victims of acts of terrorism". According to it, the work of lawyers is reimbursed at a rate of 100% for representing a victim at the Supreme Court, regional courts and Minsk city court, and 75% for representing victims at district courts. Expenses for the provision of legal assistance are reimbursed by the Ministry of Justice through the main justice departments of the relevant regional and Minsk city executive committees at the expense of the state budget.

51. GRETA refers to the report of the Group of Independent Experts on the Situation of Human Rights in Belarus, according to which "in Belarus, the State severely threatens the free exercise of the legal profession since 1 May 2020. Punitive prosecution, convictions, disbarment and the revocation of the license of lawyers [..] are on the rise. [..]"[38] In a statement made on 24 January 2025, the UN Special Rapporteur on the independence of judges and lawyers and the UN Special Rapporteur on the situation of human rights in Belarus highlighted that "through restrictive legislation, deprivation of the independence required for effective bar associations, and direct persecution, the Government of Belarus has systematically undermined the ability of lawyers to carry out their essential role in defending human rights and upholding the rule of law, as well as placed them at personal risk. Many lawyers have been disbarred, imprisoned or forced into exile simply for doing their jobs".[39] The number of lawyers in Belarus reportedly decreased from 2 200 in January 2020 to 1 602 in January 2024; there is now only one lawyer per 5 700 residents, which has an impact on the capacity of people to obtain legal assistance.[40] The National Bar Association of Belarus is state-owned and decisions on the continued practice of lawyers is made by the Ministry of Justice rather than by an independent entity. As stressed by UN experts, "the undue interference and restrictions placed on the legal profession in Belarus may open the door to systematic violations of the right to a fair trial and to equality before the law. [..]."[41] In their comments on the draft GRETA report, the Belarusian authorities stated that the mandate of the Group of Independent Experts on the Situation of Human rights in Belarus is not recognised by the Government of Belarus and its assessment is not considered by them as credible. Furthermore, according to the authorities, the decrease in the number of lawyers is associated with the reform of the Bar in 2021, when law offices and individual practice were abolished, which influenced the decision of some lawyers to leave the Bar.

52. According to information provided to the Belarusian Republican Bar Association based on information from territorial bar associations, since 2022, lawyers have not provided free legal assistance to victims of human trafficking due to the lack of requests.

53. The NGO Human Constanta, which was liquidated in Belarus in 2021 and has since been operating from exile, runs a free legal office for the protection of the rights of foreign citizens and stateless persons (online through various messaging apps and via a helpline offering an anonymous platform for legal consultations). Since 2021, many of the clients have been migrants transiting Belarus to reach the EU and foreign migrant workers. There are also some clients who are Ukrainian refugees in Belarus and Belarusian labour migrants in other countries. Indications that migrant workers are misled as to the conditions of their work in Belarus and had not been paid salaries. According to its 2024 annual report, legal assistance was provided to 254 persons from 45 countries. A significant number of inquiries were related to international protection procedures in Poland and Belarus.[42]

54. GRETA notes with concern that, despite the existence of legal provisions guaranteeing the right of victims of THB to legal assistance, no victims of THB have been provided with free legal assistance by professional lawyers. The lack of independence of the legal profession, the intimidation of lawyers and the low number of available lawyers are impediments to ensuring trafficking victims' access to justice.

38 Human Rights Council, Closing the accountability gap for human rights violations and related crimes in Belarus, A/HRC/60/CRP.1. 4 September 2025.

39 UN Experts: Lawyers in Belarus face unprecedented repression in a climate of terror

40 Ibidem.

41 UN experts urge Belarus to stop interfering in the legal profession | OHCHR

42 Free legal office for the rights of foreign citizens and stateless persons: annual report for 2024

55. GRETA urges the Belarusian authorities to take further steps to guarantee trafficking victims' access to legal assistance and free legal aid, in particular by:

- ensuring that victims of THB have access to lawyers with specialised knowledge on THB cases to provide them with legal assistance and representation in the relevant legal proceedings;
- ensuring that lawyers can carry out their professional activities without interference and fear of reprisals.

56. GRETA also considers that the Bar Association should encourage training and specialisation of lawyers to provide legal assistance to victims of trafficking.

4. Psychological assistance (Article 12)

57. Human trafficking and exploitation may have serious psychological and physical consequences for the victims, including mental health problems and loss of self-esteem. Psychological assistance is needed to help victims of trafficking deal with the trauma they have been through, and to achieve a sustained recovery and social inclusion. Some victims require long-term therapeutic intervention due to the violence they have suffered. Every victim of trafficking should have a clinical assessment tailored to include an evaluation of their particular readiness for therapy, conducted by an experienced clinician.[43] In the case of trafficked children, specialist child psychologists should be employed.

58. In Belarus, victims of trafficking are entitled to psychological assistance and counselling pursuant to Articles 18 to 20 of the Law on Combating Trafficking in Human Beings which set out the protection and assistance measures for victims of THB and related offences. These measures are applicable to persons who are in the process of being identified as victims of THB, which may last up to 30 days, as well as formally identified victims. Since September 2025, a 24-hour free emergency psychological helpline has been operating at number 133 for the entire population. In addition, a 24-hour free helpline for children operates at number 8 801 100 16 11. The authorities have indicated that psychological assistance and counselling for potential and identified victims of trafficking in human beings can be obtained free-of-charge from state organisations providing psychiatric care.

59. In their reply to GRETA's questionnaire, the Belarusian authorities stated that in addition to temporary shelter, which is provided to victims of THB at territorial centres for social services and crisis rooms (see paragraph 192), victims are provided with psychological services. During the first evaluation (in 2016), GRETA was informed that the Belarusian Red Cross had been contracted by the municipality of Lida to provide socio-psychological assistance to victims of THB and victims of domestic violence (the municipality covering 25% of the salary of a psychologist working with such victims). In their comments on the draft GRETA report, the authorities stated that all 146 territorial social service centres employ psychologists who provide socio-psychological services to victims of domestic violence and victims of trafficking in human beings; however, no victims of trafficking sought assistance in 2025. State health-care organisations are also ready to provide psychological assistance in a timely manner if necessary; however, the Ministry of Health reported that during the reporting period, no victims of trafficking in human beings sought psychological assistance from health-care organisations.

60. GRETA considers that the Belarusian authorities should take further steps to guarantee access of victims of trafficking to psychological assistance and ensure that it is provided for as long as their individual situation requires, in order to help them overcome their trauma and achieve a sustained recovery and social inclusion.

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43 See OSCE, *Trafficking in Human Beings Amounting to Torture and Other Forms of Ill-Treatment* (2013), Vienna, p.115.

5. Access to work, vocational training and education (Article 12)

61. The Law on Combating Trafficking in Human Beings stipulates that victims of THB are entitled to assistance in finding employment. However, this provision has not been developed in subordinate legislation, and therefore victims of THB can register with the employment service, receive unemployment benefits, undergo vocational training and receive advice from specialists on employment issues on the same terms as other citizens. The Law of 15 June 2006 "On Employment of the Population of the Republic of Belarus" (hereafter "Employment Law") determines state policy in the field of promoting employment. Employment legislation is applied to citizens of Belarus as well as to foreign citizens and stateless persons applying for refugee status or additional protection and who have been granted such protection. In accordance with Article 11 of the Employment Law, the state provides additional guarantees in the field of promoting employment for persons who are especially in need of social protection and are not able to compete on equal terms in the labour market. GRETA notes that victims of human trafficking are not mentioned amongst the categories of such persons.

62. The Belarusian authorities indicated that the State Programme "Labour Market and Employment Promotion" 2021-2025 contains measures to stimulate employment, professional training and retraining, assistance in the resettlement of the unemployed and members of their families, and assistance in organising business activities. The State Programme also provides for measures aimed at supporting youth employment. In order to create additional incentives for citizens and employers, work is underway to improve information about current issues of the labour market and employment through the introduction of digital technologies into the work of the Information Portal of the State Employment Service.

63. In their reply to GRETA's questionnaire, the Belarusian authorities indicated that in the period 2022-2024, victims of THB did not contact labour, employment and social protection agencies or centres.

64. GRETA considers that the Belarusian authorities should strengthen effective access to, and/or reintegration of, the labour market for victims of THB and their economic and social inclusion through the provision of vocational training and job placement, raising awareness amongst employers, and the promotion of micro-businesses, social enterprises and public-private partnerships, including through state supported employment.

6. Compensation (Article 15)

65. Article 15(3) of the Convention establishes a right of victims to compensation. The compensation is pecuniary and covers both material injury (such as the cost of medical treatment) and non-material damage (the suffering experienced). However, even though it is the trafficker who is liable to compensate the victim, in practice there is rarely full compensation whether because the trafficker has not been found, has disappeared or has declared him/herself bankrupt. Article 15(4) therefore requires that Parties take steps to guarantee compensation of victims. The means of guaranteeing compensation are left to the Parties, which are responsible for establishing the legal basis of compensation, the administrative framework and the operational arrangements for compensation schemes. In this connection, Article 15(4) suggests setting up a compensation fund or introducing measures or programmes for social assistance to, and social integration of, victims that could be funded by assets of criminal origin. Of relevance in this respect is the European Convention on the Compensation of Victims of Violent Crimes, pursuant to which, when compensation is not fully available from other sources, the State shall contribute to compensate those who have sustained serious bodily injury or impairment of health directly attributable to an intentional crime of violence, as well as the dependents of persons who have died as a result of such crime, even if the offender cannot be prosecuted or punished.

66. Compensation fulfils multiple purposes: payment of reparation for injury, loss or harm caused by the offender, access to justice, empowerment of victims, as well as being seen as a form of punishment and deterrence of traffickers. As such, compensation plays a crucial role in the fight against human trafficking, not only as an instrument of restorative justice, but also by way of prevention and recognition by States of their failure to meet their human rights obligations.

67. Victims often leave the country where they were exploited at the end of the criminal proceedings. This creates obstacles to making civil claims for compensation, which in addition are associated with a number of other barriers, such as high costs, unavailability of free legal aid and victim-support services, as well as the claimant bearing the burden of proof of the amount of the damage. State parties should therefore consider adopting a procedure through which victims are entitled to obtain a decision on compensation by the offender as part of the criminal trial, within a reasonable time.

68. Pursuant to Article 149, paragraph 1, of the CPC of Belarus, victims of criminal offences may be awarded compensation for physical, property and moral damage if they file a civil claim in the framework of criminal proceedings. Prosecutors also have the right to file a civil lawsuit in cases where it is necessary to protect the rights of citizens, legal entities, state and public enterprises. A civil claim in criminal proceedings is considered by the court together with the criminal case. Further, pursuant to paragraph 8 of Article 149 of the CPC, if a civil claim has not been filed, the court, when passing a sentence, has the right on its own initiative to resolve the issue of compensation for harm caused by the crime. If it is impossible to make a detailed calculation of a civil claim without postponing the hearing of the criminal case, the court may recognize the civil plaintiff's right to satisfy the claim and refer the issue of its amount for consideration in accordance with the civil procedure (Article 155, paragraph 2, of the CPC). Failure to file a civil claim in criminal proceedings does not deprive victims from independently filing a claim in civil proceedings. The injured party making a civil claim is exempt from state fees.

69. Article 152 of the Civil Code provides that when determining the amount of compensation for moral damage,[44] the court takes into account the degree of the perpetrator's fault and other relevant circumstances, and the extent of physical and emotional suffering related to the individual characteristics of the injured party. Resolution No. 7 of 28 September 2000 of the Plenum of the Supreme Court "On the practice of courts applying legislation regulating compensation for moral damage" provides for two main criteria for determining compensation for moral damage - reasonableness and fairness - and clarifies the concept of "physical suffering." Property damage is understood as actual damage, namely expenses that the person whose right has been violated has incurred or will have to incur to restore the violated right (Articles 951 and 952 of the Civil Code). There is also a Resolution of the Plenum of the Supreme Court on the “Consideration of Civil Claims in Criminal Proceedings” which outlines the procedure for examining specific cases. GRETA was informed that the Supreme Court and regional courts summarize the practice of handling civil claims, outlining general criteria and approaches for determining compensation for moral harm. Expert assessments of moral damage are not conducted, and the victim is not obliged to provide such expert reports. Victims have the right to appeal the court's decision, including the part regarding the amount of moral damage compensation, either in an appellate or supervisory procedure.

[44] Article 152, part 1, of the Civil Code defines “moral damage” as “the physical and/or moral suffering experienced by a person. Physical suffering refers to physical pain, functional disorders of the body, changes in the emotional and volitional sphere, and other deviations from the normal state of health that result from actions (or inaction) that infringe on a citizen's intangible benefits or property rights. Moral suffering is generally expressed in feelings of fear, shame, humiliation, as well as in other psychologically unfavourable experiences related to the loss of loved ones, job loss, disclosure of medical secrecy, inability to continue an active social life, limitations or deprivation of certain citizen rights, and so on.” (unofficial translation).

70. In their reply to GRETA's questionnaire, the authorities indicated that victims of human trafficking have the right to file claims for the recovery of wages, in the consideration of which the court applies the provisions of the Civil Code or the Labour Code. Articles 952 and 14 of the Civil Code provide for the right to compensation for lost profit. While there is no possibility in law to claim compensation for loss of income through exploitation in prostitution, GRETA was informed by the authorities that these circumstances may be taken into account by the court when determining the amount of compensation for moral damage, as the loss of income is effectively covered by the overall assessment of the suffering and adverse consequences experienced by the victim.

71. Victims of THB do not have to pay court costs or other expenses. The compensation awarded by the court in favour of victims of THB is not subject to state duty. Receipt of compensation does not affect access to social security or other benefits. Accordingly, appellate and supervisory complaints are also not subject to state duty.

72. In their reply to GRETA's questionnaire, the Belarusian authorities indicated that in 2022-2024, only one criminal case was adjudicated under Articles 181 (trafficking in human beings) and 181-1 (using slave labour) of the CC (see paragraph 91) by the Sovetsky District Court of Minsk on 26 December 2022. In this case, two civil claims were filed, both of which were fully granted. Each victim was awarded 25 000 Belarusian roubles in moral damage (approximately 6 800 euros). In their comments on the draft GRETA report, the Belarusian authorities indicated that, as on 9 April 2026, the materials had been transferred to the enforcement authorities for the collection of the debt in favour of each victim. During the online meeting with representatives of the Supreme Court, GRETA was also informed of a recent case of THB, with a first-instance verdict of the Court of the Zavodskoy District of Minsk dated 29 October 2025 (see paragraph 92). In their comments on the draft GRETA report, the authorities indicated that the question of compensation was not resolved by this verdict. The Belarusian authorities also indicated that civil claims were filed in criminal cases under Article 171 (organisation and/or use of prostitution or creating conditions for prostitution). A total of 16 civil claims were considered, amounting to 50 700 Belarusian roubles (approximately 13 000 euros).

73. The CPC provides for the possibility of concluding a pre-trial co-operation agreement between the suspect (accused) and the prosecutor (see also paragraph 95). Such an agreement may include an obligation to compensate victims for property damage, pay for income obtained by criminal means, and other actions aimed at making amends for the damage caused by the crime. The fulfilment of the obligations stipulated in the agreement results in a reduction of the punishment. During the online meeting with representatives of the Prosecutor General's Office, GRETA was informed that the accused has the right, on their own initiative, to take other measures to make amends for the harm caused, including in the absence of any claims, for example, by transferring money as compensation to the victim. Based on the amount voluntarily given by the accused, the victim assesses whether the moral harm suffered has been fully compensated or not. If the victim believes that their right to material compensation for the harm caused has not been restored, they have the right to apply to the court with a claim in civil proceedings. According to the authorities, the pre-trial co-operation agreement creates additional guarantees for victims of human trafficking to restore their violated rights.

74. Measures related to the seizure and confiscation of criminal assets are defined in Articles 96, 98 and 132 of the CPC and Article 46-1 of the CC. Article 132, paragraph 1, of the CPC stipulates that in order to ensure compensation, the body conducting the criminal proceedings has the right to seize the property of the suspect, the accused or persons legally liable for their actions. Property means any things, including cash and documentary securities, non-cash funds in accounts, deposits in banks and (or) non-bank credit and financial institutions, uncertificated securities; electronic money; cryptocurrency; property rights, as well as exclusive rights to the results of intellectual activity. Seizure may also be imposed on property owned by other persons if there are sufficient grounds to believe that this property was alienated by the suspect or accused of the purpose of concealing the ownership or sources of origin of such property. The Belarusian authorities indicated that if the convicted person does not voluntarily

compensate the damage caused to the victim, the sentence in the part of the satisfied civil claim is executed in the manner established by the legislation on enforcement proceedings.

75. Pursuant to Article 156 of the CPC, the prosecution authorities are obliged to take measures to secure the civil action by identifying the property which may be seized and freezing and safeguarding it until the conclusion of the criminal case. If measures to secure a civil claim and the execution of a sentence in terms of special confiscation of property were not taken at the stage of preliminary investigation, the court has the right, before the sentence or ruling comes into legal force, to order the adoption of these measures or to oblige the criminal prosecution body to take the necessary measures (Article 156, paragraph 2, and Article 284 of the CPC).

76. The Plenum of the Supreme Court adopted Resolution No. 1 of 29 June 2023 "On the application of special confiscation by the courts".[45] According to paragraph 13 of this Resolution, courts should take into account that in cases where a crime causes harm to the victim or another person, money and other material assets acquired by criminal means are used to compensate victims for the damage from the crime, and the remaining part is subject to special confiscation. Therefore, according to the Belarusian authorities, compensation to the victim is carried out on a priority basis.

77. In their reply to GRETA's questionnaire, the Belarusian authorities provided information about the training provided to investigators, prosecutors and judges (see paragraph 122) , but is it not indicated whether and how this training covered specifically the issue of victim compensation.

78. There is still no provision in Belarus for State compensation to victims of violent crimes, including victims of THB. During the second evaluation by GRETA, the Belarusian authorities expressed the view that the establishment of a state compensation scheme for victims of THB would violate the principle of equality since victims of other crimes are deprived of this opportunity. The authorities have referred to Article 20, paragraph 4, of the Law on Combating Human Trafficking, according to which victims of human trafficking may be provided with financial support in accordance with the law and have stressed that this financial support does not depend on the outcome of the criminal case and on the impossibility of receiving compensation from the criminals. However, GRETA notes that this provision specifies that compensation is awarded "in accordance with the legislation of the Republic of Belarus", which seems to imply the existence of another legal norm as a pre-requisite. The Belarusian authorities have provided no examples of the use of this provision to provide compensation to victims of THB.

79. In this respect, GRETA notes that, in practice, there is rarely full compensation of trafficking victims from the perpetrators because the trafficker has not been found, has disappeared or has declared him/herself bankrupt. That is why Article 15(4) of the Convention requires that Parties take steps to guarantee compensation to victims, for example by setting up a compensation fund or introducing measures or programmes for social assistance to, and social integration of, victims that could be funded by assets of criminal origin.

80. GRETA notes with concern that, although the relevant legal framework for compensation from the perpetrators is in place, only two victims of trafficking have been awarded compensation during the reporting period. GRETA considers the Belarusian authorities to take additional measures to facilitate and guarantee access to compensation for victims of trafficking, in particular by:

- ensuring that victims of trafficking are systematically informed in a language that they can understand of the right to seek compensation and the procedures to be followed, and are provided with effective access to free legal assistance;

[45] Article 46-1 of the CC provides for special confiscation by the state of property obtained by criminal means, income received from the use of this property, as well as objects of the crime, if they are not subject to return to the victim or another person. The decision to apply special confiscation is made by the court when rendering a guilty verdict or when terminating criminal proceedings.

- ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain of the perpetrator from the exploitation of the victim, is part of the criminal investigations with a view to supporting compensation claims in court;
- ensuring that prosecutors apply in practice the right to file a civil lawsuit and claim compensation on behalf of victims in the course of the criminal trial;
- making full use of the legislation on the seizure and confiscation of criminal assets to secure compensation to victims of THB;
- enabling victims of trafficking to exercise their right to compensation, by building the capacity of legal practitioners to support victims to claim compensation and including compensation into existing training programmes for law enforcement officials, prosecutors and the judiciary.

81. Further, GRETA urges the Belarusian authorities to establish a state compensation scheme accessible to victims of THB, regardless of their citizenship and residence status.

7. Investigations, prosecutions, sanctions and measures (Articles 22, 23 and 27)

82. One of the purposes of the Convention is to ensure the effective investigation and prosecution of THB. Article 27(1) of the Convention establishes that the investigation or prosecution of THB offences must not depend on victims' reports. The aim is to avoid traffickers' subjecting victims to pressure and threats in attempts to deter them from complaining to the authorities. Pursuant to Article 27(2), if the competent authority with which the complaint has been lodged decides that it does not itself have jurisdiction in the matter, then it must forward the complaint without delay to the competent authority of the Party in whose territory the offence was committed. Further, under Article 27(3), each Party shall ensure to non-governmental organisations and other associations which aim at fighting trafficking in human beings or protection of human rights, the possibility to assist and/or support the victim with his or her consent during criminal proceedings concerning the offence of trafficking in human beings.

83. Article 23 requires Parties to match their action to the seriousness of the offences and lay down criminal penalties which are "effective, proportionate and dissuasive". Further, paragraph 3 of Article 23 places a general obligation on Parties to adopt appropriate legal instruments enabling them to confiscate or otherwise deprive offenders (e.g., by so-called "civil" confiscation) of the instrumentalities and proceeds of human trafficking criminal offences. As trafficking in human beings is nearly always engaged in for financial profit, measures depriving offenders of assets linked to or resulting from the offence are an effective anti-crime weapon. The confiscation of criminal assets is crucial for reinforcing the effect of the penalty, as well as ensuring the payment of compensation to the victim. It requires as a prerequisite to detect, identify and seize the illegal assets at the time of the criminal investigations and to have adequate procedures to do so. The identified, seized and confiscated illegal profits of trafficking should be used to compensate victims of trafficking, directly or through a victim compensation fund.

84. Further, Article 22 of the Convention requires Parties to ensure that legal persons can be held liable for human trafficking offences committed for their benefit by any natural person, acting either individually or as part of an organ of the legal person who has a leading position within the legal person. Liability under this article may be criminal, civil or administrative.

85. In its second report, GRETA urged the Belarusian authorities to align the national definition of THB to the one in the Convention by including the concept of "abuse of position of vulnerability" and removing the requirement of prior knowledge that the person is a child from Articles 181(2)9 and 181(3) of the CC.

86. There have been no changes as regards the criminalisation of THB in Article 181 of the CC of Belarus. In their reply to GRETA's third-round questionnaire, the Belarusian authorities have maintained their previously stated position that the inclusion of the concept of "abuse of position of vulnerability" in Article 181 would not be appropriate. [46] They have once again referred to the Explanatory Note to Article 181 of the CC, which defines "exploitation" and contains the wording "if for reasons beyond his control, the person cannot refuse to perform the work of services", which according to them is similar to the concept of "abuse of position of vulnerability". According to the Prosecutor General's Office, "vulnerability" is an element of the victim's dependence on traffickers and one of the conditions that allows for their exploitation, and in practice, it is taken into account when qualifying the act of human trafficking. Further, according to the Ministry of Internal Affairs, the methods for committing THB already included in Article 181 – in particular "deception" and "abuse of trust" – presuppose and cover the abuse of a position of vulnerability. The verdict in the recent case of THB (see paragraph 92) provides an example of taking into account the abuse of the victims' vulnerability. Furthermore, the authorities maintain their previous position that removing the requirement of prior knowledge that the person is a child is unacceptable because it would introduce the concept of objective criminal liability and would contradict the fundamental principles of the criminal legislation of Belarus.[47]

87. As regards GRETA's recommendation to expressly state in Article 181 of the CC that the consent on the part of the victim is irrelevant when any abusive means have been used, the Belarusian authorities have once again affirmed that the irrelevance of the victim's consent is already reflected in the Explanatory Note to Article 181 of the CC, which defines exploitation as "unlawful coercion of a person to perform work or provide services... if, for reasons beyond his control, he cannot refuse to perform the work (services)..". The Prosecutor General's Office has stated that the consent of a victim to the exploitation is not recognised as a basis excluding or mitigating the criminal liability of offenders.

88. In its second report, GRETA considered that the Belarusian authorities should conduct a thorough assessment of the criminal law provisions concerning THB and related offences, with a view to clarifying the differences between them. In their reply to GRETA's third-round questionnaire, the authorities stated that such an assessment, conducted in the context of the practical activities of the Ministry of Internal Affairs' Chief Department on Drug Control and Combating THB, demonstrated the effectiveness of the criminal law provisions. According to the authorities, the difference between human trafficking and the offences relating to organising and facilitating prostitution (Article 171 and 171-1 of the CC) is that in the case of human trafficking, the victim cannot refuse to perform the work or services for reasons beyond his/her control, whereas in the case of organising and facilitating prostitution, the victim is not deprived of full freedom of action. The second difference, according to the authorities, is that in the case of organising or facilitation prostitution and illegal employment abroad, the actions are carried out with the consent of the victim and that deception, abuse of trust or violence are not used, or only individual elements of them are present, which is insufficient to qualify the offender's actions as human trafficking. In this respect, GRETA notes that Article 171-1, paragraph 2, of the CC refers to the use of force or threats in order to involve a person in prostitution or compel them to continue practicing prostitution, which is practically identical to human trafficking. In their comments on the draft GRETA report, the Belarusian authorities stated that the formal difference between human trafficking (Article 181 of the CC) and involvement in prostitution or coercion thereto, committed with the use of force or threats of its use (Article 171-1, paragraph 2, of the CC), is the variability of the criminal intent (which in the first case can be aimed at any form of exploitation of a person, and in the second - exclusively at the beginning or continuation of prostitution) and the means of influence used for this (which in the first case can be not only violence or the threat of its use, but also deception or abuse of trust).

46 See GRETA's second report on Belarus, paragraph 158.

47 See GRETA's second report on Belarus, paragraph 160.

89. According to data provided by the Belarusian authorities, in 2022-2024, 799 cases of human trafficking and related crimes were registered, of which 798 were related to sexual exploitation (including four cases of THB, in 2022, 233 cases of organising and using prostitution, involving or forcing someone to it, and 561 cases of producing and distributing pornography depicting children), which affected 815 officially identified victims of human trafficking and related crimes (including 562 children), and one case of labour exploitation ("using slave labour"), which affected two adult victims. During the online meeting, representatives of the Ministry of Internal Affairs indicated that among the latest detected crimes are cases of human trafficking for the purpose of coercion into organ donation, but no further information was provided in this respect.

90. According to information provided by the Supreme Court of Belarus, in 2022, four persons (one man and three women) were convicted of human trafficking (Article 181 of the CC) and two persons (one man and one woman) of using slave labour (Article 181-1 of the CC). In 2023-2024, no one was convicted under these articles. All convicted persons were citizens of Belarus, with the exception of one person, who was a citizen of Ukraine. The courts imposed imprisonment as the main punishment and a fine as an additional punishment. In addition, special confiscation was applied to one person in accordance with Article 46-1 of the CC.

91. GRETA was provided with the judgment in the single case of THB adjudicated since 2022. In this case, by the verdict of the Sovetsky District Court of Minsk from 26 December 2022, four defendants were found guilty of committing crimes under Article 181 (trafficking in human beings) and Article 181-1 (using slave labour) of the CC, as well as other crimes, including rape, sexual assault and indecent acts. The court imposed imprisonment sentences ranging from 13 to 19 years, and fines ranging from 4 800 to 19 200 Belarusian roubles (approximately 1 300 to 5 230 euros). With this verdict, the court satisfied the legal representative's claims to recover from the first defendant in favour of the two victims material compensation for moral damage caused by the crime in the amount of 25 000 Belarusian roubles each (approximately 6 800 euros).

92. During the online meeting with representatives of the Supreme Court, GRETA was provided with information about a recent case considered by the Zavodsky District Court of Minsk under Article 181, paragraph 2, of the CC, namely for human trafficking for the purpose of forced labour with respect to two or more people. In the introductory part of the verdict dated 29 October 2025, it is stated that the accused lured two elderly victims who were in a dependent position relative to him, by means of deception under the pretext of providing housing, food, alcoholic beverages and other assistance, and forced them to engage in begging. The perpetrator took the money they received, placing them in a vulnerable position through deception and abuse of trust.

93. As regards crimes related to THB, GRETA was informed that in the period 2022-2024, 88 criminal cases were considered and verdicts were passed under Article 171 of the CC (organisation and/ or use of prostitution or creation of conditions for prostitution), Article 171-1 (involvement in prostitution or coercion to continue prostitution) and Article 182 (kidnapping). These crimes were committed against 36 children (28 in 2022, 5 in 2023, 3 in 2024) and 227 women (129 in 2022, 35 in 2023, 63 in 2024).

94. According to the Belarusian authorities, there have been no cases of officials being involved in THB during the reporting period. Further, there have been no prosecutions of legal persons for involvement in THB.

95. As already noted in paragraph 73, Article 468 of the CPC provides for the possibility of concluding a pre-trial co-operation agreement (plea agreement) between the suspect (accused) and the prosecutor. Such an agreement cannot be concluded with persons who have committed a socially dangerous act in a state of insanity, as well as in criminal cases of accelerated proceedings. The CPC does not provide for any other restrictions and consequently, pre-trial co-operation agreements can be used in cases of THB. The CPC does not require notifying the victim about the conclusion of a plea agreement or obtaining their consent in any way; however, the victim has the right to review the materials of the criminal case and

thus, information about the conclusion of a plea agreement is accessible to the victim. The fact of concluding a pre-trial agreement does not affect the victim's right to compensation (see paragraph 73). According to the authorities, the pre-trial co-operation agreement creates additional guarantees for victims to restore their violated rights. When the defendant fulfils the obligations stipulated by a pre-trial co-operation agreement, the term or amount of punishment may not exceed half of the maximum term or amount of the type of primary punishment chosen by the court, stipulated by the relevant article of the CC, and in the event that a person has committed a serious or especially serious crime, two-thirds of the maximum term or amount of the type of primary punishment chosen by the court, stipulated by the relevant article of the CC.

96. GRETA was informed that the Prosecutor General's Office checks the correctness of the qualification of cases throughout the criminal process (both at the stage of the preliminary investigation and at the stage of the trial). During the court proceedings, public prosecutors have the right to completely or partially withdraw the charges or to bring new charges. The General Prosecutor's Office analyses the judicial practice and issues circulars (information letters) which draw attention to issues of qualification. These circulars are binding for prosecutors and some of them have specifically concerned human trafficking cases.

97. Representatives of the Supreme Court of Belarus indicated that a postponement of the execution of a sentence and the conditional non-application of a penalty are, in principle, permissible for crimes under Article 181, paragraph 1 (trafficking in human beings without aggravating circumstances), Article 181-1, paragraph 1 (using forced labour without aggravating circumstances), and Article 171, paragraph 1 (organisation or use of prostitution without aggravating circumstances) of the CC since these crimes are not considered serious. According to Supreme Court representatives, statistical data indicate that courts in practice apply a suspension of the sentence or a conditional non-application of punishment in such cases. Courts have the ability to apply Article 70 of the CC, which provides for the possibility of imposing a sentence below the minimum or assigning a milder type of punishment to human trafficking, kidnapping and the use of forced labour. Such a decision is made in the presence of exceptional circumstances related to the role of the individual, the personality of the offender and the presence of mitigating circumstances.

98. Regarding the time period for the consideration of the criminal case related to human trafficking described in paragraph 91, the Belarusian authorities informed GRETA that the case was considered in the court of first instance for 174 days, of which there was an interruption of 14 days due to the illness of one of the defendants. The case in question was particularly complex, involving several defendants and a number of episodes of offending, which accounted for its lengthy consideration. According to information received from the Supreme Court, as regards the other 88 criminal cases related to human trafficking (see paragraph 93), 60 cases (80%) were considered by courts within two months, and the remaining 18 cases (20%) – over two months. The authorities indicated that pursuant to Resolution of the Plenum of the Supreme Court No. 6 of 26 September 2002 “On Certain Issues of the Application of the Criminal Procedure Law in the Court of First Instance,” courts must keep in mind that, having begun to consider a criminal case, the court does not have the right to consider other cases during the working day until a verdict is issued, the trial is postponed or proceedings on the criminal case are suspended.

99. GRETA notes that only one case was adjudicated as THB in Belarus in 2022-2024. There appears to be a high evidential threshold for the application of Article 181 of the CC and cases that fall within the international definition of THB are qualified as other offences, leading to more lenient sanctions. This is a matter of concern, taking into account the 2025 amendments to the CC mitigating the sanctions for offences under Article 171, Article 171-1, Article 181-1 and Article 187 (see paragraph 17).

100. GRETA once again urges the Belarusian authorities to bring the definition of THB in the Criminal Code fully in line with Article 4 of the Convention by including “abuse of a position of vulnerability” as one of the means for committing THB and removing the requirement of “prior knowledge” that the person is a child.

101. Further, GRETA urges the Belarusian authorities to take further measures to ensure that THB offences are investigated and prosecuted effectively, leading to proportionate and dissuasive sanctions, in particular by:

- gathering material, documental, financial and digital evidence in order not to rely exclusively on testimony by victims or witnesses;
- ensuring that human trafficking offences are classified as such every time the circumstances of a case allow it, and are not qualified as other offences;
- strengthening efforts to investigate, prosecute and convict perpetrators of human trafficking for the purpose of labour exploitation;
- ensuring that the use of pre-trial co-operation agreements in human trafficking cases is subject to appropriate safeguards and the agreement is not in any way detrimental to the rights of the victims, including their access to compensation.

102. GRETA also considers that the Belarusian authorities should keep under review the application of the legal provisions concerning corporate liability for THB with a view to ensuring that they are effectively applied in practice.

103. There is still no provision in Belarusian law criminalising the use of services of victims of THB, with the knowledge that the person is a victim of THB. As noted in GRETA's second report,[48] the authorities consider that a person who knowingly use the services of a trafficking victim can be prosecuted as an accomplice and there is no need to amend the CC. GRETA once again considers that the Belarusian authorities should adopt legislative measures to criminalise the use of services with the knowledge that the person is a victim of THB, as stipulated by Article 19 of the Convention.

8. Non-punishment provision (Article 26)

104. Pursuant to Article 26 of the Convention, Parties must provide for the possibility of not imposing penalties upon victims of THB for their involvement in unlawful activities, to the extent that they have been compelled to do so. As previously stressed by GRETA, the criminalisation of victims of THB not only contravenes the state's obligation to provide services and assistance to victims, but also discourages victims from coming forward and co-operating with law enforcement agencies, thereby also interfering with the state's obligation to investigate and prosecute those responsible for THB.[49] Furthermore, GRETA has noted that the absence of a specific provision on the non-punishment of victims of trafficking entails a risk of differential treatment, depending on the prosecutor in charge of the case.

105. In Belarus, victims of THB are exempt from administrative liability pursuant to Article 8.8 of the Code of Administrative Offences, which provides that "a person who has committed an administrative offence due to circumstances caused by the commission in respect of him/her of acts entailing responsibility under Article 181 of the CC or acts aimed at his/her use for the purpose of sexual or other exploitation the responsibility for which is provided by Articles 171, 171-1, 181-1, 182, 187 of the CC, is exempt from administrative liability." Prostitution is an administrative offence and if it is established that a person engaged in prostitution is a victim of trafficking in human beings and related crimes, he/she would be exempted from administrative liability.

48 See paragraph 165 of GRETA's second evaluation report on Belarus.
49 See 2nd General Report on GRETA's activities, paragraph 58.

106. As regards the application of the non-punishment provision of the Convention to criminal offences, the Belarusian authorities have once again referred to the general provisions of the CC on necessary defence (Article 34)[50] and extreme necessity (Article 36).[51] Further, the authorities have made reference to Article 69, paragraph 1, of the CC on co-operation with the authorities, which limits the punishment of persons who co-operate with the authorities on the basis of a pre-trial agreement. Moreover, the authorities have indicated that a victim of human trafficking who has committed a crime is not subject to criminal liability due to the presence of circumstances that exclude the criminality of the act, provided for in Chapter 6 of the CC, as well as in accordance with the general rules of exemption from criminal liability (Articles 86, 87, 88, 89, 118 of the CC).

107. In their reply to GRETA's questionnaire, the Belarusian authorities (Supreme Court) indicated that during the reporting period, there was one case of exemption from administrative liability of a victim of human trafficking, in 2022, in accordance with Article 8, paragraph 8, of the Code of Administrative Offences. Further, the authorities stated that children who produced and distributed pornographic materials containing their own images as a result of influence exerted on them by other persons have been recognised as victims of human trafficking and did not bear criminal liability for these actions.

108. GRETA remains concerned that the lack of a specific provision on the non-punishment of victims of trafficking in the criminal legislation of Belarus may expose many victims of trafficking to prosecution, conviction and detention for unlawful activities they were compelled to commit by their traffickers. In GRETA's view, the possibility to apply the above-mentioned general criminal law provisions on "necessary defence" or "extreme necessity" cannot be considered as an appropriate response because they are narrower in scope than the non-punishment principle enshrined in the Convention and apply after the victim has been prosecuted and punished. GRETA considers that the absence of a specific provision on the non-punishment of victims of trafficking entails a risk of differential treatment, depending on the prosecutor in charge of the case. The likelihood that victims will be punished for offences they committed even when it is clear that they were victims of trafficking reduces their trust in the criminal justice system and deters them from contacting the authorities and/or specialised organisations, as well as from co-operating with the investigations.

109. GRETA once again urges the Belarusian authorities to take additional measures to ensure compliance with the provision on the non-punishment of victims of THB for their involvement in unlawful activities, to the extent that they were compelled to do so, in pursuance to Article 26 of the Convention. Such measures should include the adoption of a specific criminal law provision, the development of guidance for police officers and prosecutors on the non-punishment provision, and the provision of training on its application.

9. Protection of victims and witnesses (Articles 28 and 30)

110. Under Article 28 of the Convention, Parties must take the necessary measures to provide effective and appropriate protection from potential retaliation or intimidation to victims and witnesses of human trafficking, as well as to members of civil society organisations supporting victims during criminal proceedings and, where appropriate, to victims' family members. Intimidation of victims and witnesses is nearly always aimed at suppressing evidence against defendants. Effective protection can be of various

[50] Article 34 (Necessary defence): "1. Every person has the right to protection against socially dangerous encroachment. This right belongs to the person regardless of ability to avoid infringement or seek the assistance of other persons or authorities. 2. No action committed in a state of necessary defence is a crime, that is when protecting the life, health, rights of the defendant or another person, the interests of society or the state against the socially dangerous encroachments by injuring the attacker, if the limits of necessary defence were not exceeded" (unofficial translation).

[51] Article 36 (Extreme necessity): "1. No action committed in a state of extreme necessity is a crime, that is to prevent or eliminate a direct danger to the life, rights and legitimate interests of the person or others, the interests of society or the state, if the danger in these circumstances could not be eliminated by other means and if the harm caused is less than the prevented. 2. The state of extreme necessity is also recognised in case the actions taken to prevent danger did not reach its target and harm occurred despite the efforts of a person, who in good faith meant to prevent it" (unofficial translation).

types (physical protection, relocation, identity change…) and depends on the assessment of the risks that victims and witnesses run. In addition, Article 28(3) provides that a child victim shall be afforded special protection measures, taking into account the best interests of the child. Regarding the period during which the protection measures are to be provided, the Convention aims in a non-exhaustive manner at the period of investigation and of the proceedings or the period following them. The period in which protection measures have to be provided depends on the threats to the persons concerned. Moreover, because trafficking in human beings is often international and some countries are small, Article 28(5) encourages Parties to enter into agreements or arrangements with other countries so as to implement Article 28.

111. Further, Article 30 of the Convention requires Parties to adapt their judicial procedure so as to protect victims' privacy and ensure their safety, including special protection measures for child victims. While the measures provided for in Article 28 address extra-judicial protection, the measures referred to in Article 30 are concerned with the procedural measures to be introduced. The following means can be used, in accordance with the European Convention on Human Rights and the case-law of the European Court of Human Rights, to achieve the objectives of Article 30: non-public hearings, audio-visual technology, recordings of testimony, and anonymous testimony.

112. In their reply to GRETA's questionnaire, the Belarusian authorities have provided detailed information on the victim and witness protection measures envisaged by Chapter 8 of the CPC. In particular, Article 66, paragraph 1, of the CPC provides that the following procedural measures may be applied by the court: non-disclosure of personal information; exemption from appearing at a court hearing; closed court session. Other measures include the use of technical means of control; wiretapping of conversations conducted using technical means of communication and other conversations; personal security, protection of housing and property; changing the details of an identity document and replacing documents; a ban on the issuance of information (Article 66, paragraph 2, of the CPC). In addition, in accordance with Article 333, paragraph 1, sub-paragraphs 2 and 2-1 of the CPC, it is allowed at the discretion of the court or at the request of the parties to read out the testimony of the victim and witness given during pre-trial proceedings, as well as play back a sound recording of their testimony, video recording or filming of the interrogation in the absence of the victim or witness at the court hearing for reasons that exclude the possibility of their appearance, or if the victim or witness has not reached 14 years of age. The decision to apply protection measures is made by the body conducting the criminal proceedings: at the pre-trial stage, this is the investigative body, and at the trial stage, the court. It is not necessary for the witness or victim to request security measures: the body conducting the criminal proceedings can independently and proactively make such a decision if it has information indicating a threat to safety or a risk of harm to the victim or witness from the accused or their associates.

113. According to Article 67, paragraph 2, of the CPC, the questioning of a protected person in a court session can take place out of the view of other persons, including those in the courtroom, or using measures to ensure the unrecognizability of the protected person. Courts provide for the installation of a special room for a protected witness. Protected witness premises are available in 23 courts of general jurisdiction: the Supreme Court, the regional (Minsk City) courts and 15 district courts.

114. In June 2021 the CC was supplemented with Articles 203-1 and 203-2 establishing criminal liability for non-compliance with measures to ensure the protection of personal data. Article 38, paragraph 1.2-1 of the Law "On the Mass Media" prohibits the dissemination of information about a child who has suffered as a result of illegal actions. Rules for the protection of personal data are also contained in Chapter 7 of the Law "On Information, Informatization and Information Protection".

115. There is no information regarding the number of victims of trafficking who have benefited from protection measures within or outside of criminal proceedings during the reporting period. During the online meeting with representatives of the Prosecutor General's Office, GRETA was informed that criminal cases related to sexual exploitation (i.e. human trafficking, involvement in prostitution, coercion into prostitution) are considered crimes where the object of investigation is, to a certain extent, the intimate aspect of the life of the victim or witness. For such criminal cases, Article 23 of the CPC explicitly prescribes

that closed court sessions must be conducted. GRETA was informed that all criminal cases in 2022-2024 were considered by the courts in closed sessions. The measure of non-disclosure of personal data of victims is also commonly used, according to the Prosecutor General's Office.

116. As regards the protection of children in criminal proceedings, see paragraphs 135-140.

117. GRETA considers that the Belarusian authorities should make full use of the measures available in law to protect victims and witnesses of THB and to prevent intimidation and secondary victimisation during the investigation, as well as during and after court proceedings.

10. Specialised authorities and co-ordinating bodies (Article 29)

118. Under Article 29(1) of the Convention, Parties have to adopt the necessary measures to promote specialisation of persons or entities in anti-human-trafficking action and victim protection. Each country must have anti-trafficking specialists in sufficient numbers and endowed with appropriate resources. The staff of specialised authorities and coordinating bodies should, as far as possible, be composed of both women and men. To combat trafficking effectively and protect its victims, it is essential that proper training is provided to relevant officials.

119. As noted in the previous GRETA reports on Belarus, the Ministry of Internal Affairs Main Department for Drug Control and Combating Trafficking in Human Beings has territorial subdivisions which have criminal police officers specialised in combating human trafficking. The Belarusian authorities indicated that the number of officers in the Department for Drug Control and Combating Trafficking and its territorial divisions is classified information. Further, within the framework of the system of the State Control Committee, there is the Department of Financial Investigations, with territorial divisions, as well as the Department of Financial Monitoring, which carries out activities to prevent the legalisation of proceeds from crime, the financing of terrorist activities and the financing of the proliferation of weapons of mass destruction.

120. Representatives of the Prosecutor General's Office stated that due to the small number of criminal cases related to human trafficking, the prosecution system does not have prosecutors who specialise in this category of cases. At the same time, prosecutors with extensive professional experience and significant tenure are involved in representing the state in such cases. In the only criminal case concerning human trafficking during the specified period, the state was represented by a highly qualified and experienced prosecutor from the General Prosecutor's Office. A similar approach is applied at the regional level: the representation of the state is entrusted to prosecutors based on their experience and professional competence.

121. GRETA refers to the report of the Group of Independent Experts on the Situation of Human Rights in Belarus, according to which "the independence and impartiality of the Belarusian judiciary is severely undermined by the President's role in, and control over, the selection, appointment, reappointment, remuneration, promotion and dismissal of judges and prosecutors."[52] GRETA stresses that improper interference in the work and decision-making of prosecutors and judges by more senior officials of the executive goes against the obligation in Article 29, paragraph 1, of the Convention, which provides that "each Party shall adopt such measures as may be necessary to ensure that persons or entities are specialised in the fight against trafficking and the protection of victims. Such persons or entities shall have the necessary independence in accordance with the fundamental principles of the legal system of the Party, in order for them to be able to carry out their functions effectively and free from any undue pressure."

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52 Human Rights Council, Closing the accountability gap for human rights violations and related crimes in Belarus, A/HRC/60/CRP.1. 4 September 2025.

122. Judges and prosecutors improve their qualifications at the Institute for Retraining and Advanced Training of Judges, Prosecutor's Office Employees, Courts and Justice Institutions of the Belarusian State University. Employees of the Ministry of Internal Affairs are trained at the International Training Centre on Migration and Combating Trafficking in Human Beings within the Academy of the Ministry of Internal Affairs and within the framework of joint projects of the Ministry of Internal Affairs with public associations, international and foreign organisations operating in the area of combating human trafficking. In their reply to GRETA's questionnaire, the Belarusian authorities have provided details on the different training activities organised during the reporting period.[53] By way of example, in September 2023, the International Training Centre organised a four-day training seminar for employees of anti-trafficking units on the topic "Modern methods for identifying persons of operational interest using software tools that are publicly available on the Internet" (for 43 participants). On 11-15 April 2022, 11-18 November 2022 and 10-14 April 2023, advanced training courses were organised for employees of citizenship and migration units of the Department of Citizenship and Migration of the Ministry of Internal Affairs on the topic of "Migration management: separation of migration flows, protection of refugees" (respectively, for 29 participants, 29 participants and 38 participants). On 25-26 May 2023, a training took place for employees of the citizenship and migration departments of the Department of Citizenship and Migration of the Ministry of Internal Affairs on the topic "Effective management of labour migration with an emphasis on remittances and protection of the rights of labour migrants". with the participation of IOM experts (for 41 participants). Further, the Republican Institute for Advanced Training and Retraining of Workers of the Ministry of Labour and Social Protection, within the framework of advanced training courses "Current approaches to social adaptation and rehabilitation" and "Modern theories and technologies for providing psychological assistance", covered issues of combating human trafficking and providing support to victims (53 participants).

123. GRETA considers that the Belarusian authorities should continue to develop the knowledge and specialisation of police officers, prosecutors and judges to deal with THB cases, and expand the range of professionals covered by training to include labour inspectors, health-care staff and educational professionals.

11. International co-operation (Article 32)

124. Article 32 of the Convention requires Parties to co-operate to the widest extent possible to prevent and combat THB, to protect and to provide assistance to victims, and to investigate and prosecute cases of THB. International co-operation between State Parties to the Convention is also essential for enabling access to effective remedies for victims of trafficking. Parties must co-operate with one another "to the widest extent possible". This principle requires them to provide extensive co-operation to one another and to minimise impediments to the smooth and rapid flow of information and evidence internationally. As regards international co-operation in criminal matters for the purposes of investigations or proceedings, the provisions of the Convention neither cancel nor replace the provisions of relevant international or regional instruments[54] on mutual legal assistance and extradition, reciprocal arrangements between Parties to such instruments and relevant provisions of domestic law concerning international co-operation.

125. International co-operation in human trafficking cases is ensured in accordance with international treaties that Belarus is a party to or on the basis of the principle of reciprocity in accordance with the CPC (Article 2 of Law No. 284 "On International Legal Assistance in Criminal Cases"). The main form of international co-operation in criminal cases applied by Belarusian courts is the sending and consideration of requests for international legal assistance (for the delivery of documents, videoconferencing, enforcement of a foreign court decision in a criminal case). In addition, sentences (decisions) of foreign courts on the recovery of damages caused by a crime are recognised.

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53 https://rm.coe.int/greta-2018-26-byr-q3-en/4880286d59

54 For example, the European Convention on Extradition, the European Convention on Mutual Assistance in Criminal Matters and its protocols, Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member states, the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime.

126. The Ministry of Internal Affairs indicated that exchanges of information on human trafficking and related crimes (including for the purpose of sexual exploitation through online recruitment and exploitation of children) takes place on an ongoing basis with law enforcement agencies of other countries within the framework of bilateral agreements and through INTERPOL. For child victims, the capabilities of the INTERPOL International Child Sexual Exploitation Database are also used.

127. According to information provided by the Belarusian authorities, in the last 10 years, the Chief Department for Drug Control and Combating Human Trafficking of the Ministry of Internal Affairs and the territorial units for drug control and combating human trafficking conducted two joint international operations into transnational criminal groups involved in trafficking women from Belarus and the Russian Federation for sexual exploitation in Israel. Belarusian citizens were recognised as victims in these cases, returned to Belarus, and provided with necessary assistance. In 2023, the Prosecutor General's Office received a request from Israel to provide legal assistance in a criminal case investigated under articles of the Israeli criminal law similar to Article 171(2) and Article 181(2) of the CC of Belarus, which was executed.

128. In the reporting period, the Prosecutor General's Office of Belarus sent 19 requests for legal assistance to the Prosecutor General's Office of the Russian Federation (8 in 2022, 7 in 2023, 4 in 2024) in criminal cases investigated under Article 171 and Article 171-1 of the CC, of which 16 were executed. Requests for legal assistance were also sent to the Prosecutor General's Office of Kazakhstan,[55] the United Arab Emirates[56] and the United States of America.[57] According to information provided by the Investigative Committee, in 2022-2024, 69 requests for legal assistance in criminal cases related to human trafficking (Articles 171, 171-1 and 343-1 of the CC) were sent to foreign states.

129. GRETA considers that the Belarusian authorities should continue and strengthen their participation in international co-operation related to combating THB, with a view to preventing THB, identifying and assisting victims, and prosecuting offences.

12. Cross-cutting issues

a. gender-sensitive criminal, civil, labour and administrative proceedings

130. As noted in CEDAW General recommendation No. 33 on women's access to justice, discrimination against women, based on gender stereotypes, stigma, harmful and patriarchal cultural norms and gender-based violence, which affects women in particular, has an adverse impact on the ability of women to gain access to justice on an equal basis with men.[58] The Council of Europe Gender Equality Strategy 2018-2023 notes that while accessing justice might be difficult for everyone, it is even more so for women, due to gender inequality in society and in the justice system, and therefore one of the objectives of the Strategy is to ensure the equal access of women to justice.[59] GRETA notes that in the case of trafficking in human beings, gender stereotypes, prejudices, cultural barriers, fear and shame impact women's access to justice, and these barriers may persist during investigations and trials. This is particularly true for some groups of women, such as victims of gender-based violence, migrant, refugee and asylum-seeking women, ethnic minority women and women with disabilities. On the socio-economic level the obstacles include lack of awareness of one's legal rights and legal procedures or of how to access legal aid, which can stem from gender differences in educational levels, and access to information. A further obstacle may be the lack of financial resources, including the means to pay for legal representation, legal fees, judicial taxes,

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55 In an investigation under Article 343-1 of the CC, which was executed.

56 In a criminal case investigated under Article 171 of the CC.

57 In a criminal case investigated under Articles 172(2) and Article 343-1 of the CC.

58 CEDAW General recommendation No. 33 on women's access to justice, paragraph 8, CEDAW/C/GC/33 of 3 August 2015: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GC/33&Lang=en

59 Council of Europe Gender Equality Strategy 2018-2023, pp.24-26, https://rm.coe.int/prems-093618-gbr-gender-equality-strategy-2023-web-a5/16808b47e1

transportation to courts or child care.[60] Such obstacles, and remedies to them, are listed in a Council of Europe training manual for judges and prosecutors on ensuring women's access to justice, as well as in the publication "Women's Access to Justice: Guide for Legal Professionals".[61]

131. In their reply to GRETA's questionnaire, the Belarusian authorities referred to Articles 22 and 32 of the Constitution of the Republic of Belarus, which state that everyone is equal before the law and has the right to equal protection of rights and legitimate interests without any discrimination. This constitutional principle is reflected in provisions in the CC, the Code of Administrative Offences and the Civil Procedure Code. According to Article 206(4) of the CPC, the investigator and the person conducting the inquiry are not present during the examination of a person of the opposite sex if the examination is accompanied by the undressing of the body of this person. In this case, the examination is conducted by a doctor in the presence of attesting witnesses of the same sex as the person being examined. In accordance with Article 211(3) of the CPC, a personal search is conducted only by a person of the same sex as the person being searched, with the participation of specialists and attesting witnesses of the same sex. Furthermore, the Belarusian authorities have indicated that when the internal affairs bodies identify a victim of human trafficking or related crimes, their gender is taken into account, which is expressed in the preferential allocation of employees of the same sex to work with them (if any), and the exclusion of their overnight accommodation and long-term stay in the same premises with persons of the opposite sex.

132. GRETA notes the concerns expressed in CEDAW's Concluding observations on the ninth periodic report of Belarus regarding "the systemic barriers to fair trials and the lack of judicial independence [...] and the absence of gender-sensitive legal training, which result in gender-biased rulings and severely limit women's access to independent legal representation".[62] CEDAW's observations highlight that the dissolution of NGOs and the reprisals against human rights defenders disproportionately affect NGOs advocating for women's rights (see also paragraph 25).[63] Another area of concern relates to gender stereotypes, which according to CEDAW are persistent and constitute a root cause for gender-based violence. Moreover, CEDAW concludes that refugee, asylum-seeking and migrant women and girls have limited access to basic services, including adequate housing, food, medical care, free legal assistance and protection from gender-based violence.

133. As noted in paragraph 22, Belarus has adopted a National Action Plan on Gender Equality for the period 2021-2025. However, according to CEDAW's Concluding observations, the plan lacks dedicated funding and a clear monitoring framework, combined with limited participation of independent, pluralist civil society organisations, and a lack of gender-disaggregated data.[64] In their comments on the draft GRETA report, the Belarusian authorities indicated that the newly adopted National Action Plan for the Implementation of the Provisions of the Convention on the Elimination of All Forms of Discrimination against Women for 2026-2030 (see paragraph 21) includes five indicators to assess, among other things, the effectiveness of the system for preventing trafficking in human beings, domestic violence and supporting victims. The National Council on Gender Policy includes representatives of the Federation of Trade Unions of Belarus, and the public association "Belarusian Union of Women".

134. GRETA considers that the Belarusian authorities should promote a gender-responsive approach to access to justice for victims of THB, including through training judges, prosecutors, police officers and legal professionals on gender-sensitive investigation methods, and adopting a gender-sensitive approach to the system for the identification of victims of THB, through the provision of interpreters and interviewers of the same sex as the presumed victim.

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60 Council of Europe training manual for judges and prosecutors on ensuring women's access to justice, page 13 available at https://rm.coe.int/training-manual-women-access-to-justice/16808d78c5

61 Available at: https://rm.coe.int/factsheet-womens-access-to-justice/16808ff44e

62 CEDAW, Concluding observations on the ninth periodic report of Belarus, CEDAW/c/BLR/CO/9, adopted in February 2025, paragraphs 19-20, available at: Document Viewer

63 Ibid., paragraph 25.

64 Ibid., paragraph 21.

b. child-sensitive procedures for obtaining access to justice and remedies

135. Article 56, paragraphs 1 and 2, of the CPC provides for the mandatory participation in the criminal case of the child's legal representatives (i.e. parents, adoptive parents, guardians, trustees or, in their absence, guardianship and trusteeship authorities.) When interrogating a child victim or witness, a teacher or psychologist may participate as a specialist (Article 62, paragraph 1, of the CPC). Children who have reached the age of 14 have the right to personally apply to the court with a statement on the protection of their rights and legally protected interests and to use at any time the assistance of lawyers and other representatives in court without the consent of their parents, adoptive parents or guardians. In their comments on the draft GRETA report, the Belarusian authorities referred to Council of Ministers Resolution No. 676 of 26 November 2025 "On the Involvement of a Teacher or Psychologist in Criminal Proceedings", which introduced a procedure according to which a teacher or psychologist from a socio-pedagogical centre or a centre for correctional and developmental education and rehabilitation is preferentially involved in proceedings concerning grave and especially grave crimes against life and health, criminal cases concerning crimes against the sexual inviolability or sexual freedom of children, as well as crimes provided for in Article 145, paragraph 2, Article 146, paragraph 2, Article 342-1, paragraphs 2 and 3, and Article 343-1, paragraphs 2 and 3, of the CC.

136. Article 332 of the CPC defines the procedure for interrogating child victims and witnesses. When interrogating victims and witnesses under the age of 14, and at the discretion of the court, when interrogating victims and witnesses between the ages of 14 and 16, a teacher or psychologist participates, and parents or other legal representatives of the child may also participate. At the request of the parties or on the initiative of the court, the interrogation of a victim and witness who have not reached the age of 18 may be conducted in the absence of the defendant. The defendant is subsequently informed of the testimony of these persons and shall be given the opportunity to ask them questions. The victim and witness who have not reached the age of 16 shall be removed from the courtroom at the end of their interrogation, except in cases where the court finds their continued presence necessary.

137. In their comments on the draft GRETA report, the Belarusian authorities stated that the differentiation between children under 14, children over 14 and children over 16 is based on the legally and scientifically substantiated difference between them in terms of their legal capacity and capacity to act before the law. From the age of 14, a child may, in some cases, be a subject of labor relations; at 16, they reach the age of "sexual consent," meaning they have freedom of sexual behavior and, according to the CPC, the right to independently provide explanations and testimony in criminal proceedings. According to the authorities, expanding the requirement for the mandatory participation of a specialist psychologist over the age of 14 is not justified by objective necessity and does not correlate with other legal provisions. Moreover, the authorities have stated that the absence of a mandatory legal requirement to provide a psychologist, teacher or legal representative in all cases to child victims up to the age of 18 does not relieve the agency or specialist working with them of the obligation to provide one if necessary or upon request.

138. Reference has already been made in paragraph 16 to legislative changes introduced in 2023 concerning the use of child-friendly interrogation rooms. Article 221 of the CPC has been supplemented with paragraph 2-1, according to which the interrogation of victims or witnesses who have not reached the age of 16 in criminal cases concerning crimes against personal freedom, honour and dignity, life and health, sexual inviolability or sexual freedom, should be conducted, if possible, in a child-friendly interrogation room. The said article was also supplemented by paragraph 4, establishing the mandatory use of audio and video recording when conducting investigative actions with the participation of a victim or witness under the age of 14. Exceptions to this rule are possible if the case cannot be delayed, when the child victim or witness or their legal representatives object to this, or if there is no technical possibility of using audio and video recording. Moreover, Article 333, paragraph 1, of the CPC was supplemented by subparagraph 21 which introduced the possibility of reading out the testimony of a victim or witness under 14 years of age, provided there are audio-video recordings of their questioning in preliminary investigation. In their comments on the draft GRETA report, the Belarusian authorities stated that the Regulation on the

Child-Friendly Interview Room, approved by Resolution of the Council of Ministers No. 539 of 17 August 2023, provides that the child-friendly room may be used for obtaining explanations from minors (without specifying the age) by the criminal prosecution body during checks on reports and complaints of crimes in the manner prescribed by the CPC, for conducting investigative and other procedural actions with the participation of a minor victim or witness, as well as for the work of teachers and psychologists with minors to provide them with socio-pedagogical support and psychological assistance.

139. Council of Ministers Resolution No. 539 of 17 August 2023 instructed the regional executive committees and the Minsk City Executive Committee to ensure by 1 January 2025 the creation of at least one child-friendly interrogation room in each district and city of regional subordination, and at least two such rooms in Minsk. A child-friendly room can be used to obtain explanations from children by the criminal prosecution authority when conducting checks on statements and reports of crimes in the manner prescribed by the CPC, conducting investigative and other procedural actions with the participation of child victims or witnesses, as well as for the work of teachers and psychologists with children in order to provide them with social and pedagogical support and psychological assistance. The number of child-friendly rooms has reportedly reached 121,[65] in which 193 educational psychologists work, who have been trained to participate in the interviewing of children.

140. The Belarusian authorities have indicated that the methods of interviewing child victims and witnesses are observed by investigators. Repeated interrogations and confrontations are reportedly conducted only if it is necessary to collect additional evidence or verify new information obtained during the investigation of a criminal case. The practice of questioning children in specialised child-friendly rooms continues being expanded, involving specialists in psychology and psychiatry, which helps minimize psychological trauma and other negative consequences. In the criminal process and subsequent court hearings, the explanations that the child gave during the psychologist's interview are used as evidence. During the online meeting with representatives of the Belarusian authorities, reference was made to a case involving 11 children as victims, none of whom were questioned in court.

141. GRETA welcomes the above-mentioned legislative changes and the increase in the availability of child-friendly rooms. At the same time, GRETA notes that there are differences in the protection provided to children under 14 ("***малолетние***") and those aged 14-18 ("***несовершнолетние***"). Stressing that all children should benefit from the same protection, GRETA urges the Belarusian authorities to ensure that child-sensitive procedures are consistently used when investigating, prosecuting and adjudicating cases of THB and related crimes involving children (i.e. all persons up to the age of 18), in the presence of trained child psychologists.

c. role of businesses

142. In accordance with the UN 'Protect, Respect and Remedy' Framework and the United Nations Guiding Principles on Business and Human Rights, the private sector should play a role in enabling access to, as well as providing, remedies to trafficked persons.[66] The role of businesses includes steps to ensure that their supply chains are free of trafficked labour, as well as the adoption and implementation of measures to facilitate victims' access to remedies for any harm that occurs. Further, businesses have the potential to help trafficked persons regain economic autonomy.[67] States should therefore ensure that business enterprises implicated in human trafficking are held responsible and take steps to reduce barriers that could lead to a denial of access to remedies.

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65 In Brest region - 12, in Vitebsk region - 23, in Gomel region - 22, in Grodno region - 16, in Mogilev region - 23, in Minsk region - 21, and in Minsk - 4.

66 United Nations Guiding Principles on Business and Human Rights, implementing the UN 'Protect, Respect and Remedy' Framework, Doc. A/HRC/17/31 (2011).

67 UNODC, ICAT Issue Paper, Providing Effective Remedies for Victims of Trafficking in Persons, 2016, pp. 8-9.

143. In their reply to GRETA's questionnaire, the Belarusian authorities referred to Article 13 of the Law on Combating Human Trafficking, which provides for licensing of activities the implementation of which may create conditions for human trafficking and/or exploitation, establishing requirements for the activities of modelling agencies and individuals engaged in tourism activities, and regulation of issues of prevention of human trafficking and related crimes in the information sphere and the sphere of education. In addition, Articles 28 and 29 provide for the possibility of suspending, by decision of the Prosecutor General, the activities of an organisation involved in human trafficking, as well as the subsequent submission to the Supreme Court of an application to recognise this organisation as involved in human trafficking, prohibit its activities on the territory of Belarus and its liquidation. Funds received from the sale of the property of an organisation involved in human trafficking are used to compensate victims of human trafficking, finance state programmes in the area of combating THB, and support organisations that provide assistance to victims.

144. As noted in paragraph 94, GRETA was not informed of any cases where sanctions were imposed on legal persons in connection with THB.

145. The Belarusian authorities did not provide information about concrete steps taken to raise awareness of private entities of the risks of human trafficking in their supply chains and to ensure that private entities prevent and eradicate trafficking from their business or supply chains.

146. GRETA considers that the Belarusian authorities should provide guidance and tools for businesses on how to lower the risks of being involved, directly or indirectly in trafficking in human beings, and raise awareness of the role and responsibility of businesses in supporting the rehabilitation and recovery of victims, and the provision of effective remedies, strengthen in line with the UN Guiding Principles on Business and Human Rights.[68]

d. measures to prevent and detect corruption

147. Trafficking in human beings may be engaged in by organised criminal groups, which frequently use corruption to circumvent the law and money laundering to conceal their profits, but it can occur in other contexts. Consequently, other Council of Europe legal instruments are also relevant to combating human trafficking, in particular those designed to combat corruption, money laundering and cybercrime. The Council of Europe body with the main role to play in the fight against corruption is the Group of States against Corruption (GRECO). Its country reports are relevant in addressing structural shortcomings in preventing corruption, including potentially in a THB context.

148. Following the denunciation by Belarus of the Council of Europe Criminal Law Convention on Corruption (ETS 172), Additional Protocol to the Criminal Law Convention on Corruption (ETS 191) and Civil Law Convention on Corruption (ETS 174), Belarus ceased to be a member of GRECO with effect from 1 May 2024.

149. In their reply to the GRETA's questionnaire, the Belarusian authorities stated that the legal basis for state policy in the fight against corruption was established by Law No. 305 of 15 July 2015 "On the Fight against Corruption". On the basis of Presidential Decree No. 644 of 17 December 2007, the Republican Co-ordination Council for Combating Crime and Corruption was created and continues functioning. The Anti-Corruption Strategy and the Comprehensive Plan to Combat Crime and Corruption for 2023-2025 were approved by Decision No. 25 of 23 December 2022 of the Republican Co-ordination Council for Combating Crime and Corruption, and a new Comprehensive Plan for Combating Crime and Corruption for 2026-2028 was approved of 30 December 2025 and started being implemented since January 2026.

68 http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

150. GRETA was informed that the Ministry of Internal Affairs is not aware of cases of corruption and/or illegal actions among employees of the internal affairs bodies in cases of human trafficking.

V. Follow-up topics specific to Belarus

1. Border measures

151. While irregular migration, migrant smuggling and human trafficking are separate phenomena, they are closely linked and require comprehensive solutions and prevention policies. Article 7 of the Convention requires Parties to strengthen border controls as may be necessary to prevent and detect trafficking in human beings, without prejudice to international commitments in relation to the free movement of persons. Article 7 covers a range of measures for prevention and border detection of transnational trafficking in human beings.

152. Since the summer of 2021, tens of thousands of migrants and asylum seekers – mostly from the Middle East, Asia and Africa – have arrived in Belarus and attempted to cross the border with Poland, and to a lesser extent with Lithuania or Latvia. According to a report by the UN Special Rapporteur on the human rights of migrants, thousands of migrants were sheltered in a logistics centre near the Polish border, at Bruzgi, where most of them were not allowed to leave unless they went in the direction of Poland.[69] A visa-free regime applicable for more than 70 countries was introduced in October 2021, but in November 2021, the Belarusian authorities introduced restrictions on the issuance of visas to citizens of countries deemed to be of "high-level migration risk". As a result of the restrictions on visas and the closure of the Bruzgi logistics centre in March 2022, the situation at the border calmed down to some extent and thousands of migrants were repatriated to their home countries. Following the shutting down of most direct flights to Belarus in 2022, migrants started arriving from the Russian Federation. There are reports alleging collusion between the Belarusian state authorities with migrants based on photos and technology found on migrants.[70] The Polish authorities have released videos of Belarusian Border Guard officers helping migrants to get to the border.[71] Various reports indicate that the Belarusian authorities have stimulated the flow of migrants through Belarusian territory to the European Union (EU) by co-operating with travel agencies, providing visas and facilitating border crossings, by way of retaliation for the sanctions imposed by the EU against high-level Belarusian officials and entities in response to human rights abuses and Belarus' support for Russia's war against Ukraine. EU officials have described Belarus' actions as "hybrid warfare", accusing Belarus of weaponising migration and using it as a tool of political pressure. On 19 May 2025, Lithuania filed an application instituting proceedings against Belarus before the International Court of Justice related to alleged breaches by Belarus of its obligations under the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United National Convention against Transnational Organized Crime.[72] According to it, in the month of July 2021 alone, Lithuanian border guards apprehended more than 2 600 irregular migrants entering from Belarus.

153. The EU countries neighbouring Belarus responded to the migration situation by declaring a state of emergency, restricting movement in border areas, constructing fortified barriers and deploying military personnel to border regions. Hundreds of migrants (including families with children) have reportedly remained stranded in the border areas for prolonged periods of time, without access to shelter, food, clean water, warm clothes or any other form of assistance, caught between Belarusian forces pushing

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69 UN Human Rights Council, Report of the Special Rapporteur on the human rights of migrants, Felipe Gonzales Morales, following the visit to Belarus in July 2022, A/HRC/53/26/Add.2, available at: https://www.ohchr.org/en/documents/country-reports/ahrc5326add2-visit-belarus-report-special-rapporteur-human-rights

70 https://rus.lsm.lv/statja/novosti/obschestvo/15.01.2026-belorusskii-sled-u-migrantov-dokumenty-voennogo-i-foto-s-pogranicnikami.a630013/

71 https://www.bing.com/ck/a?!&&p=a3ef910f5cef885630fb2b57d7bd0338e799be7163d4667c2f15d8bc9d742ecfJmltdHM9MTc3MDMzNjAwMA&ptn=3&ver=2&hsh=4&fclid=098a4c22-063c-61aa-35a2-5a5007d06082&psq=Polish+authorities+have+released+videos+of+Belarusian+Border+Guard+officers+helping+migrants+to+get+to+the+border&u=a1aHR0cHM6Ly93d3cuZ292LnBsL3dlYi9ib3JkZXIvdmlkZW8

72 Alleged Smuggling of Migrants (Lithuania v. Belarus).

them forward and border guards preventing their entry into the respective EU countries. These stranded migrants are not eligible for refugee status and are subject to detention and deportation if they approach the Belarusian authorities. Several migrants lost their lives due to freezing conditions, lack of medical care, and violent confrontations with security forces. Volunteers, civil society and the media have been prevented from monitoring and documenting the situation due to restrictions on accessing the border area. The Belarusian Red Cross, after signing an agreement with the Border Guard Service, was reportedly allowed access to the border area.

154. GRETA shares the concerns expressed by other bodies about violent "pushbacks" of migrants between Belarus and Poland. On 12 February 2025, the Grand Chamber of the European Court of Human Rights held a hearing on three cases concerning alleged "pushbacks" of migrants from Latvia, Lithuania and Poland to Belarus from summer 2021 to summer 2023 (*H.M.M. and Others v Latvia*, *R.A. and Others. v Poland,* and *C.O.C.G. and Others v Lithuania)*. In *H.M.M. and Others v Latvia*, the applicants (Iraqi nationals, many of whom children) submit that they were subject to a series of pushbacks back and forth across the border by Latvian and Belarusian officials for weeks and months, during which time they were stranded in the forest and subject to ill-treatment. In the case of *R.A. and Others v. Poland*, a group of Afghan nationals allege that they were left stranded in a makeshift camp on the border between Belarus and Poland from 8 August until 23 October 2021, before being eventually returned from Belarus to Afghanistan.

155. Furthermore, there have reportedly been cases where detained foreign nationals were taken to Russian territory without any official documentation, allegedly for readmission, and left in forest areas. These migrants are not given any documents, placing them in a legal limbo at the border. Many of them return to Belarus where they are detained again and transported back to the border.

156. In their comments on the draft GRETA report, the Belarusian authorities stated that the results of migration control measures indicate that the territory of Belarus is used by illegal migrants as a transit corridor to EU countries. From 2021 to 2023, there was a trend towards an increase in the number of groups of illegal migrants detained on the territory of Belarus travelling from the Russian Federation to EU countries. The authorities have affirmed that, despite the imposed sanctions by the EU, Belarus actively combats illegal migration. According to the Belarusian authorities, in 2022, excluding citizens of Ukraine, the border authorities of EU countries detected 1 243 illegal migrants on the Eastern border route, while the internal affairs bodies of Belarus detained 1 099 such persons. In 2023, on the same route, EU countries' border services detained 1 258 illegal migrants (excluding Ukrainians), while the Belarusian internal affairs bodies identified 3 931 illegal migrants. In 2024, the figures were, respectively, 2 511 illegal migrants detected by EU countries' services and 2 526 by internal affairs bodies of Belarus. According to the authorities, a downward trend in the flow of illegal migration through Belarus was observed in 2025 and the first quarter of 2026. The Belarusian authorities have also drawn GRETA's attention to UN General Assembly document A/79/697 (letter dated 12 December 2024 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General), which provides an official overview of measures adopted in response to the 2021 migration situation.[73] GRETA has taken note of this document.

157. In their report to the Committee of the Parties' recommendation issued in the context of the second evaluation round, submitted in November 2023, the Belarusian authorities stated that, with a view to improving the identification of victims of trafficking among foreign nationals, asylum seekers and persons in irregular migration situations, the State Border Committee has been provided with training and instructions to detect signs of THB at border checkpoints. Information stands have reportedly been placed to ensure awareness of persons crossing the border about the risks of human trafficking, including for the purposes of labour exploitation, as well as to ensure effective access to confidential application mechanisms to protect their rights. Additionally, at the checkpoint at Minsk-2 National Airport, a video with a story on combating human trafficking is broadcasted on information boards.

73 https://docs.un.org/A/79/697

158. In 2024, Belarus approved the Migration Policy Concept for 2024-2028, which defines the strategic directions for working with foreign citizens. This framework document sets out general goals and priorities in the field of regulating migration to and from Belarus. Specific actions to implement the Concept were defined in a separate Programme approved by Resolution No. 115 of the Ministry of Internal Affairs on 22 April 2024. However, the emphasis is mainly on security and surveillance, while humanitarian support issues remain secondary. The measures are set out in a formal manner, with a predominance of vague wording and no clear indicators of effectiveness. As noted in paragraph 21, Belarus has also adopted and is implementing a Comprehensive Programme to Combat Crime and Corruption for 2023-2025, which includes measures to combat human trafficking, but there are no measures aimed at detecting and identifying victims among migrants in Belarus.

159. The Department of Citizenship and Migration adopts decisions on applications for international protection. Border guards can also receive applications for asylum at the border or in detention centres for migrants apprehended for irregular border crossing or stay in the country. The number of foreign nationals applying for international protection in Belarus rose from 1 236 in 2023 to 2 255 in 2024 and 2 284 in 2025. Citizens of Ukraine account for more than 90% of those applying for protection. The NGO Human Constanta, which assists migrants applying for international protection, has reported long waiting times for the initial reception of applicants, during which they are left in legal limbo and are exposed to detention and deportation. The Belarusian authorities stated that, since the number of persons wishing to apply for protection has increased significantly, it became necessary to establish a waiting period for submitting applications; during this waiting period, foreigners were registered and remained on the territory of Belarus legally. During the period 2024-2026, 8 foreign citizens applied to the border service authorities for refugee status. The Belarusian authorities indicated that no victims of THB had been identified by the Border Guards or in the context of asylum procedures.

160. GRETA was informed that the Lithuanian NGO Centre for Combating Trafficking in Human Beings and Exploitation KOPŽI has identified since 2021 about 150 presumed victims of human trafficking who faced exploitation in Belarus while attempting to transit to EU countries. Among the victims were migrants from Nigeria, Senegal, the Democratic Republic of Congo, Somalia and Cameroon. The victims reported that they were recruited in their countries of origin and offered the opportunity to go to Europe. For example, one of the victims was reportedly a football player from a local team in Nigeria and was recruited by a local football team manager who promised him the opportunity to continue his career, saying that he had connections in Belarus. According to victims' testimonies, upon arrival they were placed under the control of Russian-speaking individuals and held in Belarus for several months to a year. Some victims were sexually exploited by those who controlled them and were also passed on to other clients for sexual services. Many testified that the people who held them were connected to the authorities - sometimes people in uniform came to see them, which increased the intimidation. All female victims had serious physical and psychological consequences (gynaecological inflammation, internal injuries, psychological problems such as depression), which were confirmed by their testimonies. In their comments on the draft report, the Belarusian authorities stated that the Ministry of Internal Affairs had not received any information from Lithuania concerning the aforementioned presumed victims.

161. As stressed by GRETA in its second report on Belarus, the unprecedented movement of migrants through Belarus creates heightened risk of abuses, including trafficking in human beings. In its second report on Belarus, GRETA concluded that the Belarusian authorities have not only failed to prevent trafficking of foreign nationals through Belarus, but have actively encouraged it and in doing so, may have themselves contributed to trafficking in human beings.

162. GRETA once again urges the Belarusian authorities to implement their international obligations under Article 7 of the Convention on Action against Trafficking in Human Beings, pursuant to which State Parties should strengthen border controls to prevent and detect trafficking in human beings. This should include steps to:

- improve the identification of victims of trafficking among foreign nationals, asylum seekers and persons in irregular migration situations, including through the provision of training and clear, binding procedures to be followed by staff of the State Border Committee and other relevant bodies;

- ensure that pre-removal risk assessments prior to all forced removals Belarus assess the risks of trafficking or re-trafficking on return, in compliance with the obligation of *non-refoulement*. The Belarusian authorities should take full account of the UNHCR guidelines on the application of the Convention relating to refugee status to victims of trafficking, and their right to seek asylum, and to GRETA's Guidance Note on the entitlement of victims of human trafficking, and persons at risk of being trafficked, to international protection.[74]

2. Measures to prevent and combat trafficking for the purpose of labour exploitation

163. In its second report on Belarus, GRETA urged the authorities to strengthen their efforts to prevent trafficking for the purpose of labour exploitation, including by providing the State Labour Inspectorate with training, mandate and means to be actively involved in the fight against human trafficking and the identification of victims of THB, strengthening the supervision of recruitment agencies, raising awareness amongst migrant workers of the risks of THB, and enabling them to make confidential complaints.

164. It is estimated to some 600 000 people have left Belarus since 2020,[75] increasing demand for migrant workers. According to official data, there were some 60 000 migrant workers from 130 countries[76] in Belarus in 2025.[77] In April 2025, the President of Belarus announced an agreement with the Prime Minister of Pakistan to attract up to 150 000 labour migrants from that country.

165. Further, following the full-scale invasion of Ukraine by Russia in February 2022, around 70 000 Ukrainians entered Belarus and in February 2023, the Belarusian Government reporting hosting 20 536 Ukrainian refugees.[78] According to UNHCR, there were 44 260 Ukrainian refugees recorded in Belarus as of 31 March 2025.[79]

166. In their reply to GRETA's questionnaire, the Belarusian authorities indicated that there had been no cases of human trafficking for the purpose of labour exploitation in 2022-2024 and the number of suspected (131) and official identified (2) victims of such exploitation was very low.

167. Law No. 225 of 30 December 2010 on External Labour Migration[80] is applicable to both Belarusians working abroad and foreigners working in Belarus. The law regulates the employment of foreign citizens, including through the mechanism of obtaining a special permit. This permit is issued for up to one year, and for highly qualified specialists – up to two years. An immigrant worker can work for several employers in Belarus if each of them has the appropriate special permit. A fixed-term employment contract not exceeding the validity period of the special permit is concluded in writing with a migrant worker, which must specify the terms of relocation to Belarus, meals, accommodation, medical care, as well as a wage not lower than the minimum wage in effect in Belarus at the time of signing the employment contract. Workers from a number of countries are exempt from the special permit (Armenia, Russia, Kazakhstan,

74 https://rm.coe.int/guidance-note-on-the-entitlement-of-victims-of-trafficking-and-persons/16809ebf44

75 See https://newideas.center/dyk-kolki-belarusa-z-ehala (in Belarusian) quoted in the Report of the Group of Independent experts on the situation of human rights in Belarus, 7 February 2025. Poland is the main country of destination for Belarusian migrants, with 306 447 Belarusian holders of valid residence permits at the end of 2023.

76 The leading countries from which labour migrants arrive are Russia, China, Ukraine, Uzbekistan and Turkmenistan.

77 Минтруда прогнозирует дальнейший рост в Беларуси трудовой миграции

78 ICMPD Policy Brief Belarus June 2025, page 7.

79 Ukraine Refugee Situation, Operational Data Portal, UNHCR.

80 Закон Республики Беларусь от 30.12.2022 г. № 233-З «Об изменении Закона Республики Беларусь "О внешней трудовой миграции"» – Pravo.by

Kyrgyzstan) as well as asylum seekers and refugees. The list of jobs and professions for which no special permit is required has expanded significantly in the last two years. Ministry of Labour Resolution No. 99 of 12 December 2024 established the list of in-demand professions for which foreigners may be hired without special permits, and Presidential Decrees established simplified procedures for attracting foreigners into the digital economy.[81]

168. On 1 July 2023, the Law "On Amendments to the Law on External Labour Migration" came into force. In accordance with Article 16 of this Law, legal entities and individual entrepreneurs carrying out activities related to employment outside of Belarus are obliged to conclude employment agreements with foreign employers using the labour of migrant workers without the involvement of a third party (with the exception of employment under student programmes), comply with licensing requirements, assist in resolving disputes between migrant workers and foreign employers, and reimburse migrant workers for services provided in the event of early termination of labour or civil law contracts. Previously concluded employment contracts with migrant workers were brought into compliance with the requirements of the new law. In practice, this meant that indefinite and open-ended contracts with foreigners valid as of 1 July 2023 were unilaterally reclassified into fixed-term contracts for the period of validity of the special permit issued to the employer. At the same time, the law states that this change in the form of labour relations is not considered a change in working conditions and does not entitle the worker to compensation.

169. Further, on 1 January 2023, the Law on Licensing came into force, pursuant to which the Ministry of Internal Affairs assesses the compliance of applicants with pre-licensing requirements before granting a license for providing employment or student programmes outside Belarus.

170. Presidential Decree No. 202 of 21 May 2025 "On Increasing the Role of Employers in the Sphere of External Labour Migration" established new forms of control over labour migrants and employers. It obliges the employer to conclude an employment contract no later than 30 days from the date of the migrant's entry or receipt of a special permit and prohibits temporary transfers to another employer; allows employers to visit the worker's place of residence, which may serve as grounds for terminating the contract in case of refusal of access; and grants the employer the right to check the level of knowledge of the state languages and to terminate or not conclude a contract in case of an "unsatisfactory" result. In their comments on the draft report, the Belarusian authorities stated that this Decree is intended to increase the responsibility of employers for the foreign workers they recruit, guarantee decent accommodation for migrant workers, as well as prevent migrant workers form violating national legislation. Further, the authorities provided details of the procedure for the language knowledge assessment prior to concluding an employment contract.[82]

171. Article 55-1 of the Law on the Legal Status of Foreign Citizens and Stateless Persons regulates compensation for relocation to permanent residence in Belarus for foreign workers and specialists needed by Belarusian organisations, as well as their close family members. In the event of early termination of employment "on discrediting grounds," the foreign worker is obliged to return the sums paid to them and their family members within one month. If the money is not returned within the established period, the worker is entered into the list of non-admissible persons with a ban on entry into Belarus from six months to five years. The concept of "discrediting circumstances of dismissal" is not defined in the law and is not accompanied by a list of specific actions. This gives employers the opportunity to arbitrarily interpret the grounds for dismissal, even if the worker's actions did not directly violate the law. Article 57 of the law provides for the annulment of a temporary residence permit in the absence of a "legal source of income." The law does not specify what exactly is considered a legal source, nor what documents prove it. The lack of normative clarification creates legal uncertainty and allows the measure of annulment to be applied on a discretionary basis. All these provisions lack objective criteria, do not require evidence, and do not

81 An estimated 20 000 IT professionals have left Belarus since 2020, affecting the IT sector, which was a pillar of the economy of Belarus. See ICMPD Policy Brief Belarus June 2025, p.3.

82 Реализация Указа Президента Республики Беларусь от 21.05.2025 «О повышении роли нанимателей в области внешней трудовой миграции»

provide for automatic review procedures or protection of the rights of foreign citizens. This is especially dangerous in conditions of limited access to legal aid and information for migrants.

172. In 2025, the NGO Human Constanta began to record complaints from foreigners facing violations of their rights, in particular, non-payment of promised wages and lack of legal protection. For example, a group of Lebanese citizens reportedly arrived in Belarus under official employment contracts. The employer did not pay their salaries for eight months, after which he disappeared without renewing their residence permits. As a result, the migration authorities issued deportation orders without considering the employer's fault. The victims did not speak Russian and did not receive adequate legal assistance.[83]

173. Further, the NGO Human Constanta has reportedly come across cases of citizens of African countries (Burundi, Camerron, Guinea) who arrived in Belarus on student visas, with the involvement of private intermediaries, and found themselves in economically and socially vulnerably conditions, unable to pay for housing and tuition, and threatened by forced deportation. Some of them attempted to cross the EU border in order to seek international protection. Such situations are potentially creating risks of exploitation and human trafficking.

174. The Public Association "Business Women's Club", which specialises in the provision of assistance to victims of THB, has posted on its website information for Ukrainian citizens.[84] A report by the IOM highlights that many Ukrainian refugees in Belarus face financial instability and need assistance with accommodation and integration in the local labour market.[85] The NGO Human Constanta has been approached by a number of Ukrainian citizens with employment problems. For example, a Ukrainian woman applied to the employment centre but was refused assistance in finding a job. Employers also refused to hire her because they did not want to process special permits for employing foreigners. The migration service advised the woman to apply for a residence permit, which would allow her to work without a special permit. Another refugee family from Ukraine complained that in their employment they encountered "dishonesty, being drawn into financial dependence, and violations."[86] The NGO Human Constanta has also received an increasing number of inquiries from Ukrainian nationals regarding citizenship, entry, non-refoulement guaranteed and international protection, which reflects their vulnerability and legal uncertainty amid the ongoing war.[87] In their comments on the draft GRETA report, the Belarusian authorities stated that Ukrainian citizens who have refugee status can apply to the employment service on the same terms as citizens of Belarus. According to data posted of the Ministry of Internal Affairs, 1 482 persons arrived from Ukraine to carry out labour activities in the Belarus in the first quarter of 2026 (compared to 1 052 persons in the first quarter of 2025).

175. Council of Ministers Resolution No. 48 of 23 January 2024 approved a new Migration Policy Concept for 2024-2028. Key areas of implementation include conducting information campaigns abroad; developing mechanisms for permanent and temporary registration of migrants; and introducing electronic notifications of the conclusion and termination of employment. With a view to optimising internal and external migration flows, there are plans to encourage voluntary resettlement to Belarus of persons "who have values similar to the values of the local population and who want to integrate into Belarusian society to realise their intellectual, cultural and investment potential".[88] The document outlines, *inter alia*, the main areas of international co-operation in the field of migration, a unified migration space with Russia under the Union State framework, and measures to combat irregular migration.

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83 Human Constanta report on the human rights situation of migrant workers in Belarus - Human Constanta

84 Информация для граждан Украины

85 Refugees from Ukraine in Belarus: Needs, Intentions, and Integration Challenges, 25 September 2023, https://belarus.un.org/iom.int/news/refugees-ukraine-belarus-needs-intentions-and-integration-challenges

86 Human Constanta report on the human rights situation of migrant workers in Belarus - Human Constanta

88 Belarus approves migration policy concept | Belarus political events |Session in Belarus | Belarus legislation | Belarus elections

176. According to information provided by the Belarusian authorities, as part of an annual operation to counter irregular migration ("Illegal"), various divisions of the Ministry of Internal Affairs check thousands of addresses of registered residence and possible stay of foreigners, as well as public places, including railway stations, roads, markets, drinking and entertainment establishments. Special attention is paid to verifying the legality of employing foreigners for labour activities. According to the Ministry of Internal Affairs data, in 2021 a peak of violations was observed: the number of foreigners held liable increased to 689 people, and the number of employers — to 322 (including 115 repeatedly held liable). In 2022, a decrease in the number of violations was recorded: 524 foreign citizens and 232 employers were held liable. These figures remained at a comparable level in 2023 (548 foreigners and 275 employers).[89]

177. There have been no changes to the mandate of labour inspectors, already described in GRETA's second report.[90] The State Labour Inspectorate does not have a mandate to detect and identify victims of trafficking for the purpose of labour exploitation. If labour inspectors encounter violations of the immigration legislation, they are obliged to inform the Ministry of the Interior. The number of labour inspectors is classified information. The Belarusian authorities have stated that information on the rights of workers is posted on the website of the Department of State Labour Inspection (www.git.gov.by) and in the telegram channel (t.me/DGITBelarus). However, GRETA notes that this information - which is available only in Russian and Belarusian – consists of legal texts and regulations and does not include specific information on the rights of migrant workers.

178. In 2024, the Ministry of Internal Affairs, together with the IOM, launched a national information campaign within the framework of the project "Achieving maximum impact of migration and mobility on the sustainable development of the Republic of Belarus". The Department for Citizenship and Migration operates a hotline on labour migration issues, established within the framework of this project. In 2025, 2 152 calls were received on this hotline (2 348 in 2024), during which clarifications were provided on the procedure for recruiting foreign citizens and stateless persons, as well as on work outside Belarus. Calls were received from citizens of the Russian Federation, Turkmenistan, Ukraine, Kazakhstan, Latvia, Turkey and other countries. A billboard was developed with the hotline numbers of the Department of Citizenship and Migration and brochures were printed for foreign citizens planning to work in Belarus (in English and Russian) and on the rules for safe employment outside of Belarus (in Russian). In the framework of the same project, a series of trainings was conducted for employees of the Ministry of Internal Affairs, the Ministry of Labour and Social Protection, the Ministry of Foreign Affairs and other interested government bodies in the field of labour migration and the fight against human trafficking. An online course on labour migration management was developed.

179. Further, the Public Association "Women's Business Club" provides information on its website about the rights and obligations on foreigners in Belarus and the conditions for legal immigration.[91] Since 2003, it runs a hotline for safe migration and prevention of human trafficking, which is available free of charge across the territory of Belarus (113 and 8-801-201-5555) and can receive calls from abroad (+375 162 21 8888) and via the site www.bpwbrest.by.

180. GRETA is concerned that the Belarusian legal framework creates complete dependence of migrant workers on a specific employer (for legal status, housing, health care). This makes migrant workers extremely vulnerable in the event of any changes in labour relations, risking a loss of legal status and deportation. Moreover, the legislation does not provide effective procedures for appealing decisions of employers and administrative bodies, which deprives migrants of access to fair dispute resolution and makes the restoration of violated rights extremely difficult.[92] The absence of independent trade unions in Belarus is another matter of concern, violating the freedom of association and undermining the rights of workers.[93] GRETA concludes that the legal regime for migration to Belarus increases the legal and social

89 Human Constanta report on the human rights situation o f migrant workers in Belarus - Human Constanta
90 See paragraph 64 of GRETA's second report on Belarus.
91 Права и обязанности иностранцев в Республике Беларусь Страны для легальной иммиграции и ВНЖ
92 Human Constanta report on the human rights situation of migrant workers in Belarus - Human Constanta
93 Belarus: UN experts alarmed by persisting violations of trade unionists' rights | OHCHR

vulnerability of migrants, limiting their access to fair treatment, protection from exploitation, and respect for fundamental rights.

181. GRETA urges the Belarusian authorities to take further measures to combat THB for the purpose of labour exploitation, taking into account GRETA's Guidance Note on combating trafficking for labour exploitation,[94] and in particular to:

- review the legislative framework on the employment of migrant workers with a view to enabling them to leave an exploitative employment relationship and take up a job in any type of employment for which the worker has skills and expertise;
- strengthening the supervision of recruitment agencies and reviewing the legislative framework for any loopholes that may limit protection or preventive measures;
- provide all labour inspectors with specialised training on THB for the purposes of labour exploitation, as well as adequate financial and technical means so that they can be proactively engaged in the prevention of THB in all sectors of the economy throughout the country, including by means of unannounced inspections;
- ensure that labour inspectors, law enforcement officers and other relevant actors increase their capacity to proactively detect victims of THB for the purpose of labour exploitation, paying particular attention to at-risk sectors, and to collect evidence enabling the prosecution of cases of THB;
- encourage trafficked persons to self-identify as victims of trafficking, including through establishing safe reporting and effective complaint mechanisms for foreign workers and continuing to raise awareness of their rights and the risks of human trafficking for the purpose of labour exploitation;
- put in place practical co-operation and data sharing agreements between labour inspectors and law enforcement in order to ensure that personal information of workers, whether collected in the course of labour inspections, joint inspections, reporting or complaints mechanisms, is not used for immigration enforcement purposes, but to tackle the perpetrators of trafficking offences.

3. Identification of victims of trafficking

182. In its second report, GRETA urged the Belarusian authorities to ensure that, in practice, the identification of a victim of THB does not depend on the opening of a criminal investigation or the presence of elements to prove a criminal offence of THB or related offence, and to promote a multi-agency involvement in the decision-making process leading to the identification of victims. GRETA also asked the authorities to include labour inspectors among the actors responsible for the identification of trafficking victims, and to disseminate the direct and indirect indicators for the identification of victims of THB for different forms of exploitation to all professionals who are likely to come into contact with victims of THB;

183. There have been no changes to the victim identification procedure, which is based on Article 17 of the Law on Combating THB and Government Decree No. 485 of 11 June 2015 "On the Identification of Victims of THB", amended in 2020 (hereinafter "Victim Identification Regulation").[95] According to Chapter 3 of the Victim Identification Regulation, the identification of possible victims of THB can be initiated by diplomatic and consular offices of Belarus, employment and social protection agencies, educational institutions, health-care organisations and centres for the protection and assistance of victims of THB. Further, Chapter 4 provides that public associations and international organisations working in the anti-trafficking area can participate in the identification of victims of THB by detecting possible victims, including together with state bodies, and initiating their identification. However, GRETA notes that the number of

94 https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c.
95 See paragraphs 106-107 of GRETA's second report on Belarus.

possible victims detected by public associations and international organisations has dropped over the years (50 in 2022, 69 in 2023, 8 in 2024 and 0 in 2025).[96] The bodies initiating the identification transmit the information obtained from interviewing the possible victim to the law enforcement authorities carrying out the identification. Consequently, the formal identification of victims of THB is carried out by law enforcement agencies (i.e. structures of the Ministry of the Interior, State Security, Border Guards, Prosecutor's Office and Investigative Committee).

184. As noted in paragraph 12, during the reporting period, the overwhelming majority of identified victims were trafficked for the purpose of sexual exploitation. According to the Belarusian authorities' reply to GRETA's questionnaire, in the period 2022-2024, the number of possible victims of THB for the purpose of labour exploitation was 131, but there were only two formally identified victims of labour exploitation in 2022, in a case which was prosecuted under Article 181-1 of the CC (using slave labour). The important difference between possible and formally identified victims is a matter of concern for GRETA, suggesting that in cases involving human trafficking for labour exploitation, victims are usually not officially recognised as THB victims. There have been reports of Belarusian citizens trafficked abroad for the purpose of labour exploitation. In a case reported in 2024, a young Belarusian woman was promised a good salary, a six-month contract and work in Thailand.[97] After arriving in that country, she was transferred several times from one car to another and taken across the river to Myanmar, to a closed, guarded area used by criminals involved in internet fraud. There the woman was allegedly forced to participate in schemes to deceive foreign clients, making video calls and following the instructions she was given. Refusal to work resulted in threats of physical violence. The woman arrived in Myanmar in November 2023 and was only able to leave in March 2024, after managing to contact Belarusian diplomats. In another case, representatives of the Russian NGO Alternativa reportedly freed a Belarusian man from slavery at a brick factory in Dagestan.[98] The man had been offered a job in a warehouse, but was ultimately taken to the brick factory where his documents were taken away, and he was told that he had been bought for 35 000 Russian roubles (about 385 euros).

185. According to media reports, in 2025, a Russian citizen was sentenced by a Russian court for forcing six Belarusians to beg. The defendant reportedly bought the Belarusians from a Roma woman, took their phones and documents, kept them in her apartment, and subjected them to physical and psychological abuse. The woman forced the Belarusians to beg on the streets, bringing them to the place of 'work' where she controlled them. The woman was sentenced to one year and 10 months' imprisonment.[99] In their comments on the draft report, the Belarusian authorities stated that the Ministry of Internal Affairs of Belarus had not received information from the Russian authorities about these individuals, neither had they contacted themselves internal affairs bodies in Belarus.

186. GRETA notes with concern the very low number of foreign victims of THB identified in Belarus. At present, there is no evidence that the Belarusian authorities are making systematic efforts to proactively detect and identify victims of THB among migrants. As a result, migrants remain without the necessary protection and support, finding themselves in conditions of increased vulnerability to exploitation and violence.

187. In 2022, IOM provided training to 246 national local-level stakeholders involved in the identification of victims. This included six training sessions in all regions of Belarus on identifying and referring cases of labour exploitation for local-level labour authorities and training sessions on online sexual exploitation of children and risks of trafficking of unaccompanied migrant children within the frameworks of the multi-disciplinary group meetings.

96 Количественные сведения в сфере противодействия торговле людьми; accessed on 25 June 2026.
97 https://news.zerkalo.io/life/63130.html?c
98 https://news.zerkalo.io/life/59617.html?c
99 https://news.zerkalo.io/accidents/100299.html?c

188. GRETA once again urges the Belarusian authorities to take further steps to:

- ensure that, in practice, the identification as a victim of THB does not depend on the opening of a criminal investigation or the presence of elements to prove a criminal offence of THB or related offence;
- promote a multi-agency involvement in the decision-making process leading to the identification of victims of THB, taking account of the findings and expertise of all relevant organisations and entities, including specialised NGOs and international organisations (see also paragraph 25);
- provide systematic training to Internal Affairs officials, border police staff, as well as social workers, medical and other staff working at facilities for asylum seekers and detained migrants, focusing on the proactive identification of victims of trafficking and the procedures to be followed;
- include labour inspectors among the actors responsible for the identification of trafficking victims, in particular in the identification of victims of THB for the purpose of labour exploitation, and ensure that they have the necessary training, human and financial resources to carry out this task efficiently;
- improve the identification of victims of trafficking among foreign nationals, asylum seekers and persons in irregular migration situations, including through the provision of training and clear, binding procedures to be followed by staff of the State Border Committee and other relevant bodies (see also paragraph 162).

4. Assistance to victims

189. In its second repot, GRETA urged the Belarusian authorities to ensure that all presumed and identified victims of trafficking receive adequate assistance and support, according to their needs. Amongst the measures recommended by GRETA was to ensure that assistance is provided for as long as needed and is not discontinued if no criminal proceedings are initiated; to provide appropriate and safe accommodation with a sufficient number of places for victims of trafficking; to ensure that the services available are adapted to the specific needs of trafficking victims and that minimum standards are guaranteed when victims of trafficking are accommodated in structures not specifically designed for them.

190. The provision of assistance to victims of trafficking in Belarus remains governed by the 2012 Law on Combating Trafficking in Human Beings, described in the previous GRETA reports, and includes temporary accommodation, food, medical, psychological, legal, social and financial assistance. Further, points 7(4) and 12(4) of the Victim Identification Regulation state that trafficking victims should be explicitly informed of their rights in the process of completing the identification questionnaire, and are entitled to assistance for 30 days, even if they decline to participate in the identification procedure or refuse to participate in criminal proceedings.

191. In their reply to GRETA's questionnaire, the Belarusian authorities stated that in 2022-2024, 298 identified victims of human trafficking (including 270 children) were referred for protection and rehabilitation measures. The number of victims who benefited from assistance measures is considerably lower that the number of possible victims (1 190) and formally identified victims (816) during this period. The authorities indicated that persons who were not recognised as victims of human trafficking or refused identification, but nevertheless needed assistance, received assistance for the duration of 30 days.

192. As explained in GRETA's second report, adult victims of human trafficking are referred to territorial centres for the provision of social services to persons in difficult life situations. The Ministry of Labour and Social Protection runs 146 territorial centres and two city centres (in Minsk and Gomel). There are also 137 crisis rooms with a capacity of 435 beds, including 129 for children, some of which are located on the

premises of territorial and city centres. 24-hour access to the crisis rooms has been established. According to the authorities, the period of provision of social services, including the period of stay in a crisis room, can be extended considering the personal circumstances and regardless of the initiation of a criminal case. However, in 2022-2024, no victims of THB applied for assistance to labour, employment and social protection authorities or territorial centres. According to the Belarusian authorities, this is due to them receiving assistance primarily from IOM and public associations (Business Women's Club, Belarusian Red Cross Society). In their comments on the draft GRETA report, the Belarusian authorities stated that during the period 2022-2025, IOM and its partner civil society organisations did not refer victims of human trafficking to the territorial social services centres for assistance.

193. In the period 2022-2025, 254 victims of THB (157 females and 97 males, including 106 children)[100] were identified by IOM and its partner civil society organisations and received tailored rehabilitation and reintegration assistance. Unti 2025, IOM Belarus continued operating the country's only rehabilitation centre for victims of THB (women, men and, upon request, their children, as well as child victims) which provided comprehensive medical, psychological, humanitarian and legal assistance, as well as vocational training and employment opportunities. A total of 229 victims were assisted in 2022-2025. Due to the termination of the respective project, in 2025 IOM suspended direct assistance to victims of trafficking and the rehabilitation centre was closed.

194. In 2024, IOM also provided five capacity-building events on the identification, referral and reintegration of victims of human trafficking, in particular those trafficked with the aim of labour exploitation, for representatives of social protection system (territorial centres for social protection, assigned with providing assistance to vulnerable groups) in Grodno, Vitebsk, Mogilev, Gomel and Minsk Regions. The number of people trained was 135. An additional training was held for Brest Region in 2025, covering 28 people.

195. The Public Association "Business Women's Club" provides rehabilitation and reintegration assistance to victims of THB. Since 2002, it has provided such assistance to 273 victims. Staff providing assistance to victims have received specialised training in Belarus and abroad and have many years of experience in working with victims.[101]

196. GRETA urges the Belarusian authorities to take further steps to fulfil their obligations under Article 12 of the Convention, and in particular to:

- ensure that all victims of trafficking can receive adequate support and assistance, having regard to their individual needs, for as long as required;
- ensure adequate funding to specialised organisations providing assistance to victims of trafficking;
- provide regular training to all professionals responsible for implementing assistance measures for victims of trafficking.

5. Prevention of child trafficking and identification of, and assistance to, child victims of trafficking

197. In its second report, GRETA urged Belarusian authorities to develop programmes to reduce children's vulnerability to THB, in particular children placed in or leaving child-care institutions, children from rural areas and children in Roma communities; to strengthen the role and capacity of the child protection system to prevent trafficking in children and alert other relevant stakeholders to possible cases of trafficking; and to develop a legislative framework to deal with children in migration situations, including unaccompanied and separated children. Further, GRETA urged the authorities to improve the

100 145 victims of sexual exploitation, 106 of labour exploitation and 3 of exploitation for forced begging.

101 Главная | ОО «Клуб деловых женщин»

identification and assistance of child victims of trafficking, and in particular to ensure that the procedure for the identification of child victims of THB takes into account their special circumstances and needs, involves child specialists, includes outreach activities and ensures that the best interests of the child are the primary consideration; to set up sufficient shelters with qualified staff and assistance services for presumed child victims of trafficking, for different forms of exploitation, and to provide these shelters with sufficient funding; and to ensure long-term assistance for the integration of child victims of trafficking.

198. The Belarusian authorities have indicated that paragraph 99 of Council of Ministers Resolution No. 490 of 25 July 2022 "On the national action plan to improve the situation of children and protect their rights for 2022-2026" provides for the implementation of measures aimed at realising the right of children to protection from violence and the threat of trafficking and exploitation. In order to strengthen the child protection system, the National Mechanism for providing assistance to children who have suffered from sexual violence and exploitation was adopted in March 2023. It established the procedure for interagency co-operation and defined the algorithm for providing comprehensive assistance to children who have been sexually exploited, including cases related to human trafficking. The implementation of this National Mechanism ensures more timely identification of victims, their psychological and social rehabilitation, and access to legal protection. This is particularly important given the scale of the problem: out of the 1 161 officially identified victims of THB in 2022-2025, 685 were children who had been sexually exploited (including 653 for the purpose of producing pornographic materials).[102]

199. Under the National Mechanism, a child who has been sexually abused shall receive psychological assistance regardless of the parents' consent. Paragraph 6 stipulates that parents must be informed of their obligation to visit a social-pedagogical centre (SPC) to receive assistance. GRETA was informed that, in practice, children's legal representatives go to the SPC and sign a refusal for the child to receive psychological support or do not even appear in person but send a written statement of refusal. Formally, such actions can be regarded as a violation of the law, but at present there is virtually no liability for this. In practice, there is no system in place to motivate parents to agree to psychological help for their child. Specialists experience considerable difficulties in providing psychological support to child victims. Many of them reportedly do not have the necessary skills and are not prepared to work with issues of sexual violence, and as a result they often avoid such cases. There is reportedly no systematic training in this area, nor specialised training in higher education institutions or as part of professional development programmes. In their comments on the draft GRETA report, the authorities stated that the Ministry of Internal Affairs, which regularly monitors the implementation of the National Mechanism and interacts with the entities implementing it, has no information on the systematic existence of the previously mentioned problems. Further, the authorities indicated that, according to the Plan of Organisational, Analytical, Practical and Other Measures for the Protection of Minors from Sexual Violence and Exploitation for 2025-2026, the education system works to improve the training of educational psychologists to provide psychological assistance to children affected by sexual violence and exploitation and their family members, and to participate in work in child-friendly interview rooms. In 2025, more than 4 000 teaching staff were covered by seminars and other training events in this area.

200. GRETA was informed of positive experience of co-operation between some NGOs in Belarus and state institutions. For example, the organisation SOS Children's Villages conducts group supervision for Ministry of Internal Affairs specialists working with children who have suffered sexual violence. These meetings are held quarterly and are aimed at developing the professional and psychological competencies of internal affairs staff and strengthening their motivation and capacity to work with vulnerable children.

201. In their report to the Committee of the Parties on the implementation of the Committee of the Parties' recommendation, the Belarusian authorities referred to the setting up of a working group on unaccompanied children who do not apply for international protection. The UNICEF Office in Belarus takes part in the activities of this working group, which provides legal, psychological, medical and social assistance to such children, and assists in the appointment of legal guardians, placement in a safe place and in matters of family reunification/relocation.

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102 Количественные сведения в сфере противодействия торговле людьми; accessed on 25 June 2026.

202. Furthermore, in their reply to GRETA's questionnaire, the Belarusian authorities indicated that at the initiative of the Prosecutor General's Office, in order to improve the financial situation of children in state care, the monetary standards for expenses on their maintenance have been significantly increased. The amounts of cash payments to guardians (trustees) and foster parents for supporting children in their care were also increased. The legislation provides for "post-boarding support" for children who exit state care, including housing, employment, social, legal and other assistance.

203. In 2024, IOM conducted six training sessions for pre-school education professionals on tackling sexual exploitation of pre-school age children, in particular their involvement in the production of pornographic materials (one training for each region of Belarus). A total of 128 education professionals (127 women and 1 man) were trained. A similar series of training sessions was conducted for school psychologists and social teachers in 2023, covering 161 persons.

204. Moreover, IOM raised awareness of children, parents and teachers about online sexual abuse through the expansion of Phase 3 of the "Teach Children to See a Lie" information campaign in 2022 (launched originally in 2019). During the national awareness-raising month of fighting sexual exploitation of children, IOM launched an information campaign at cinemas in Minsk city and in schools across Belarus, involving a social video reel,[103] posters and a dedicated website.[104]

205. There are still no separate provisions regarding the identification of child victims of THB in the Law on Combating THB and the Victim Identification Regulation. Law enforcement entities are in charge of interviewing and formally identifying child victims, similar to the procedure for adults. There is no provision requiring or entitling child specialists (paediatrician, child psychologist, etc.) to be present during the identification procedure. In their comments on the draft GRETA report, the Belarusian authorities referred to the mandatory participation of a legal representative in the interview of any child victim. Furthermore, as noted in paragraph 16, the law provides for the use of child-friendly interrogation rooms with the participation of a specialist psychologist, as well as the possibility of participation of any other child specialist. In 2025, amendments were made to the Regulation on the Procedure for Involving Teachers and Psychologists in Criminal Proceedings, and these specialists are now also required to participate in interviews with child victims.

206. GRETA notes that in September 2025, a group of UN independent experts issued a press-release about the speedy expulsion of a young Guinean woman from Belarus to Guinea on 7 August 2025, while her newborn child remained in Belarus.[105] The mother was allegedly detained in inhumane conditions in a penal detention centre prior to her expulsion, without access to legal counsel or linguistic support to challenge her expulsion and the separation from her child. In their comments on the draft GRETA report, the Belarusian authorities stated that the consular authorities of Belarus and the Guinean embassy are working on the issue of the safe return of the child to Guinea. In another case, a Liberian woman was reportedly unable to obtain documents for her two children born in Belarus. During more than two years, she was subject to deportation proceedings and threats from the Belarusian authorities, including the removal of her children. In 2024, the children were forcibly removed by the state authorities and returned to their mother only after she provided passports and airline tickets to Liberia. These cases illustrate the lack of mechanisms for documenting and legally protecting children born to undocumented migrant women, which creates risks of human trafficking.

103 https://www.youtube.com/watch?v=rWNxPe_ql3w&ab_channel=IOMBelarus
104 www.smartparent.by
105 Belarus: UN experts alarmed by forced separation of migrant mother and baby | OHCHR

207. GRETA welcomes the adoption of the National Mechanism for providing assistance to children who have suffered from sexual violence and exploitation, which is important for strengthening the child protection system and improving the effectiveness of state policy in the field of combating human trafficking. At the same time, GRETA considers that the Belarusian authorities should take further steps to improve the identification of, and assistance to, child victims of trafficking, including by:

- adopting a specific procedure for the identification of child victims of THB, which takes into account the special circumstances and needs of child victims, involves child specialists and ensures that the best interests of the child are the primary consideration in all proceedings relating to child victims of THB and children at risk;
- ensuring that relevant actors take a proactive approach and increase their outreach work to identify child victims of THB, by paying particular attention to unaccompanied and separated foreign children;
- providing further capacity-building to stakeholders (law enforcement, educational professionals, child protection authorities, social workers) as well as guidance for the identification of child victims of THB for different purposes, including the exploitation of begging and exploitation of criminal activities;
- ensuring that child victims of THB benefit from the assistance measures provided for under the Convention, including appropriate accommodation, effective access to free legal assistance and psychological support;
- ensuring the birth registration of children born in Belarus to undocumented migrant women, which is crucial for preventing statelessness and human trafficking.

6. Recovery and reflection period

208. In its second report, GRETA welcomed the revision of the Victim Identification Regulation and considered that the Belarusian authorities should include the recovery and reflection period in the Law on Combating THB, explicitly stating its purpose, and stipulating that during this period, expulsion orders cannot be enforced.

209. There have been no legislative changes since GRETA's second report and therefore the recovery and reflection period is still not specifically defined in law. In their reply to GRETA's questionnaire, the Belarusian authorities stated that no information is collected on the number of persons granted a recovery and reflection period, but the established reporting forms for stakeholders identifying possible victims of trafficking record the number of persons provided assistance within a 30-day period.

210. GRETA refers to its Guidance note on the recovery and reflection period, which highlights that in accordance with Article 13, paragraph 1, of the Convention, the recovery and reflection period must be explicitly provided for in internal law (i.e. not merely in an internal instruction or a handbook). Having a clear legal basis for granting the recovery and reflection period creates legal certainty and consistency of application. In the absence of an explicit legal framework concerning the recovery and reflection period, presumed victims of trafficking risk being deported and not being given the time needed to recover from the trauma experienced and to make an informed decision on possible co-operation with the authorities.[106]

106 https://rm.coe.int/guidance-note-on-recovery-and-reflection-period-group-of-experts-on-ac/1680b1a3ca

211. GRETA urges the Belarusian authorities to enshrine in law the recovery and reflection period as provided for in Article 13 of the Convention. Officers performing identification should be issued with clear instructions stressing the obligation to systematically offer the recovery and reflection period to all presumed foreign victims of human trafficking, together with all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention during this period.

7. Residence permits

212. The legislation on renewable residence permits for victims of THB remains as described in GRETA's first report. According to Article 22(2) of the Law on Combating THB, foreign and stateless victims of THB who actively assist in the investigation of human trafficking or related offences are given the right to temporarily remain in the country (as a rule, for up to one year), at the request of the authority in charge of the investigation, for the purpose of their participation in the criminal proceedings, social protection and rehabilitation.

213. According to information provided by the Belarusian authorities, no victims of THB requested a residence permit during the reporting period. Further, no victims of THB requested refugee status or subsidiary/complementary protection.

214. GRETA notes that difficulties arise when a country chooses to make the residence permit conditional on the victim's co-operation, which in practice undermines the unconditional nature of assistance to victims set out in Article 12, paragraph 6, of the Convention. There are situations in which victims might be afraid to co-operate in the investigation because of threats from the traffickers. Granting a residence permit on account of the personal situation of the victim, as envisaged by Article 14, paragraph 1.a, of the Convention, takes in a range of situations, such as the victim's safety, state of health and family situation, and tallies with the human rights-based approach to combating human trafficking. GRETA has concluded that, to meet the Convention's aims, State Parties should ensure that both grounds for issuing residence permits in Article 14 of the Convention are available in domestic law. In this context, GRETA refers to its Guidance note on residence permits for victims of trafficking in human beings.[107]

215. GRETA considers that the Belarusian authorities should:

- amend the law in order to grant temporary residence permits to victims of THB on the basis of their personal situation, as provided for in Article 14, paragraph 1.a, of the Convention, in addition to permits on the basis of the victim's co-operation in the investigation or criminal proceedings;

- ensure that victims of trafficking can effectively benefit from the right to obtain a renewable residence permit, without prejudice to the right to seek and enjoy asylum;

- ensure that child victims of trafficking, when legally necessary, are issued with renewable residence permits in accordance with the best interests of the child.

107 https://rm.coe.int/guidance-note-on-residence-permits-for-victims-of-trafficking-in-human/48802c8bed

Appendix 1 - List of GRETA's conclusions and proposals for action

Topics related to the third evaluation round of the Convention

Right to information

- GRETA urges the Belarusian authorities to ensure that possible victims of human trafficking are provided with accessible information on their rights and the services available to them, and in particular to:

  - develop specific information materials on the rights of victims of THB (including the right to claim compensation, to receive a recovery and reflection period, and to be granted a residence permit), available in a range of foreign languages, which are given to all possible victims as soon as they come into contact with a competent authority, prior to being formally identified as victims of THB;

  - train and instruct law enforcement officers and other authorities in contact with victims of trafficking on how to properly explain to victims of THB their rights, taking into account their age, maturity, intellectual and emotional capacity, literacy and any mental, physical, or other disabilities which may affect their ability to understand the information provided;

  - sensitise interpreters who may come into contact with victims of human trafficking to the issue of human trafficking and the vulnerabilities of victims (paragraph 43).

Legal assistance and free legal aid

- GRETA urges the Belarusian authorities to take further steps to guarantee trafficking victims' access to legal assistance and free legal aid, in particular by:

  - ensuring that victims of THB have access to lawyers with specialised knowledge on THB cases to provide them with legal assistance in the relevant legal proceedings;

  - ensuring that lawyers can carry out their professional activities without interference and fear of reprisals (paragraph 55).

- GRETA also considers that the Bar Association should encourage training and specialisation of lawyers to provide legal assistance to victims of trafficking (paragraph 56).

Psychological assistance

- GRETA considers that the Belarusian authorities should take further steps to guarantee access of victims of trafficking to psychological assistance and ensure that it is provided for as long as their individual situation requires, in order to help them overcome their trauma and achieve a sustained recovery and social inclusion (paragraph 60).

Access to work, vocational training and education

- GRETA considers that the Belarusian authorities should strengthen effective access to, and/or reintegration of, the labour market for victims of THB and their economic and social inclusion through the provision of vocational training and job placement, raising awareness amongst employers, and the promotion of micro-businesses, social enterprises and public-private partnerships, including through state supported employment (paragraph 64).

Compensation

- GRETA considers the Belarusian authorities to take additional measures to facilitate and guarantee access to compensation for victims of trafficking, in particular by:

  - ensuring that victims of trafficking are systematically informed in a language that they can understand of the right to seek compensation and the procedures to be followed, and are provided with effective access to free legal assistance;

  - ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain of the perpetrator from the exploitation of the victim, is part of the criminal investigations with a view to supporting compensation claims in court;

  - ensuring that prosecutors apply in practice the right to file a civil lawsuit and claim compensation on behalf of victims in the course of the criminal trial;

  - making full use of the legislation on the seizure and confiscation of criminal assets to secure compensation to victims of THB;

  - enabling victims of trafficking to exercise their right to compensation, by building the capacity of legal practitioners to support victims to claim compensation and including compensation into existing training programmes for law enforcement officials, prosecutors and the judiciary (paragraph 80).

- GRETA urges the Belarusian authorities to establish a state compensation scheme accessible to victims of THB, regardless of their citizenship and residence status (paragraph 81).

Investigations, prosecutions, sanctions and measures

- GRETA once again urges the Belarusian authorities to bring the definition of THB in the Criminal Code fully in line with Article 4 of the Convention by including “abuse of a position of vulnerability” as one of the means for committing THB and removing the requirement of “prior knowledge” that the person is a child (paragraph 100);

- Further, GRETA urges the Belarusian authorities to take further measures to ensure that THB offences are investigated and prosecuted effectively, leading to proportionate and dissuasive sanctions, in particular by:

  - gathering material, documental, financial and digital evidence in order not to rely exclusively on testimony by victims or witnesses;

  - ensuring that human trafficking offences are classified as such every time the circumstances of a case allow it, and are not qualified as other offences;

  - strengthening efforts to investigate, prosecute and convict perpetrators of human trafficking for the purpose of labour exploitation;

  - ensuring that the use of pre-trial co-operation agreements in human trafficking cases is subject to appropriate safeguards and the agreement is not in any way detrimental to the rights of the victims, including their access to compensation (paragraph 101);

- GRETA also considers that the Belarusian authorities should keep under review the application of the legal provisions concerning corporate liability for THB with a view to ensuring that they are effectively applied in practice (paragraph 102);

- GRETA once again considers that the Belarusian authorities should adopt legislative measures to criminalise the use of services with the knowledge that the person is a victim of THB, as stipulated by Article 19 of the Convention (paragraph 103).

Non-punishment provision

- GRETA once again urges the Belarusian authorities to take additional measures to ensure compliance with the provision on the non-punishment of victims of THB for their involvement in unlawful activities, to the extent that they were compelled to do so, in pursuance to Article 26 of the Convention. Such measures should include the adoption of a specific criminal law provision, the development of guidance for police officers and prosecutors on the non-punishment provision, and the provision of training on its application (paragraph 109).

Protection of victims and witnesses

- GRETA considers that the Belarusian authorities should make full use of the measures available in law to protect victims and witnesses of THB and to prevent intimidation and secondary victimisation during the investigation, as well as during and after court proceedings (see paragraph 117).

Specialised authorities and co-ordinating bodies

- GRETA considers that the Belarusian authorities should continue to develop the knowledge and specialisation of police officers, prosecutors and judges to deal with THB cases, and expand the range of professionals covered by training to include labour inspectors, health-care staff and educational professionals (paragraph 123).

International co-operation

- GRETA considers that the Belarusian authorities should continue and strengthen their participation in international co-operation related to combating THB, with a view to preventing THB, identifying and assisting victims, and prosecuting offences (paragraph 129).

Gender-sensitive criminal, civil, labour and administrative proceedings

- GRETA considers that the Belarusian authorities should promote a gender-responsive approach to access to justice for victims of THB, including through training judges, prosecutors, police officers and legal professionals on gender-sensitive investigation methods, and adopting a gender-sensitive approach to the system for the identification of victims of THB, through the provision of interpreters and interviewers of the same sex as the presumed victim (paragraph 134).

Child-sensitive procedures for obtaining access to justice and remedies

- GRETA welcomes the above-mentioned legislative changes and the increase in the availability of child-friendly rooms. At the same time, GRETA notes that there are differences in the protection provided to children under 14 ("*малолетние*") and those aged 14-18 ("*несовершннолетние*"). Stressing that all children should benefit from the same protection, GRETA urges the Belarusian authorities to ensure that child-sensitive procedures are consistently used when investigating, prosecuting and adjudicating cases of THB and related crimes involving children (i.e. all persons up to the age of 18), in the presence of trained child psychologists (paragraph 141).

Role of businesses

- GRETA considers that the Belarusian authorities should provide guidance and tools for businesses on how to lower the risks of being involved, directly or indirectly in trafficking in human beings, and raise awareness of the role and responsibility of businesses in supporting the rehabilitation and recovery of victims, and the provision of effective remedies, strengthen in line with the UN Guiding Principles on Business and Human Rights (paragraph 146).

Follow-up topics specific to Belarus

Developments in the legislative, institutional and policy and legislative framework for action against trafficking in human beings

- GRETA considers that the Belarusian authorities should adopt a separate national action plan to combat THB and commission an independent evaluation of its implementation (paragraph 24);

- GRETA once again urges the Belarusian authorities to review any legislation which may impede the work of specialised anti-trafficking NGOs, to ensure that such NGOs have effective access to adequate funding and are enabled to participate in the prevention of THB, identification of victims and their protection and assistance, as envisaged in Articles 5, 10 and 12 of the Convention, and to build strategic partnerships with civil society actors with the aim of achieving the purpose of the Convention (paragraph 26).

Border measures

- GRETA once again urges the Belarusian authorities to implement their international obligations under Article 7 of the Convention on Action against Trafficking in Human Beings, pursuant to which State Parties should strengthen border controls to prevent and detect trafficking in human beings. This should include steps to:

  - improve the identification of victims of trafficking among foreign nationals, asylum seekers and persons in irregular migration situations, including through the provision of training and clear, binding procedures to be followed by staff of the State Border Committee and other relevant bodies;

  - ensure that pre-removal risk assessments prior to all forced removals Belarus assess the risks of trafficking or re-trafficking on return, in compliance with the obligation of *non-refoulement*. The Belarusian authorities should take full account of the UNHCR guidelines on the application of the Convention relating to refugee status to victims of trafficking, and their right to seek asylum, and to GRETA's Guidance Note on the entitlement of victims of human trafficking, and persons at risk of being trafficked, to international protection (paragraph 162).

Measures to prevent and combat trafficking for the purpose of labour exploitation

- GRETA urges the Belarusian authorities to take further measures to combat THB for the purpose of labour exploitation, taking into account GRETA's Guidance Note on combating trafficking for labour exploitation, and in particular to:

  - review the legislative framework on the employment of migrant workers with a view to enabling them to leave an exploitative employment relationship and take up a job in any type of employment for which the worker has skills and expertise;
  - strengthening the supervision of recruitment agencies and reviewing the legislative framework for any loopholes that may limit protection or preventive measures;

- provide all labour inspectors with specialised training on THB for the purposes of labour exploitation, as well as adequate financial and technical means so that they can be proactively engaged in the prevention of THB in all sectors of the economy throughout the country, including by means of unannounced inspections;
- ensure that labour inspectors, law enforcement officers and other relevant actors increase their capacity to proactively detect victims of THB for the purpose of labour exploitation, paying particular attention to at-risk sectors, and to collect evidence enabling the prosecution of cases of THB;
- encourage trafficked persons to self-identify as victims of trafficking, including through establishing safe reporting and effective complaint mechanisms for foreign workers and continuing to raise awareness of their rights and the risks of human trafficking for the purpose of labour exploitation;
- put in place practical co-operation and data sharing agreements between labour inspectors and law enforcement in order to ensure that personal information of workers, whether collected in the course of labour inspections, joint inspections, reporting or complaints mechanisms, is not used for immigration enforcement purposes, but to tackle the perpetrators of trafficking offences (paragraph 181).

Identification of victims of trafficking

- GRETA once again urges the Belarusian authorities to take further steps to:

  - ensure that, in practice, the identification as a victim of THB does not depend on the opening of a criminal investigation or the presence of elements to prove a criminal offence of THB or related offence;

  - promote a multi-agency involvement in the decision-making process leading to the identification of victims of THB, taking account of the findings and expertise of all relevant organisations and entities, including specialised NGOs and international organisations;

  - provide systematic training to Internal Affairs officials, border police staff, as well as social workers, medical and other staff working at facilities for asylum seekers and detained migrants, focusing on the proactive identification of victims of trafficking and the procedures to be followed;

  - include labour inspectors among the actors responsible for the identification of trafficking victims, in particular in the identification of victims of THB for the purpose of labour exploitation, and ensure that they have the necessary training, human and financial resources to carry out this task efficiently;

  - improve the identification of victims of trafficking among foreign nationals, asylum seekers and persons in irregular migration situations, including through the provision of training and clear, binding procedures to be followed by staff of the State Border Committee and other relevant bodies (paragraph 188).

Assistance to victims

- GRETA urges the Belarusian authorities to take further steps to fulfil their obligations under Article 12 of the Convention, and in particular to:

  - ensure that all victims of trafficking can receive adequate support and assistance, having regard to their individual needs, for as long as required;

  - ensure adequate funding to specialised organisations providing assistance to victims of trafficking;

  - provide regular training to all professionals responsible for implementing assistance measures for victims of trafficking (paragraph 196).

Prevention of child trafficking and identification of, and assistance to, child victims of trafficking

- GRETA considers that the Belarusian authorities should take further steps to improve the identification of, and assistance to, child victims of trafficking, including by:

  - adopting a specific procedure for the identification of child victims of THB, which takes into account the special circumstances and needs of child victims, involves child specialists and ensures that the best interests of the child are the primary consideration in all proceedings relating to child victims of THB and children at risk;

  - ensuring that relevant actors take a proactive approach and increase their outreach work to identify child victims of THB, by paying particular attention to unaccompanied and separated foreign children;

  - providing further capacity-building to stakeholders (law enforcement, educational professionals, child protection authorities, social workers) as well as guidance for the identification of child victims of THB for different purposes, including the exploitation of begging and exploitation of criminal activities;

  - ensuring that child victims of THB benefit from the assistance measures provided for under the Convention, including appropriate accommodation, effective access to free legal assistance and psychological support;

  - ensuring the birth registration of children born in Belarus to undocumented migrant women, which is crucial for preventing statelessness and human trafficking (paragraph 207).

Recovery and reflection period

- GRETA urges the Belarusian authorities to enshrine in law the recovery and reflection period as provided for in Article 13 of the Convention. Officers performing identification should be issued with clear instructions stressing the obligation to systematically offer the recovery and reflection period to all presumed foreign victims of human trafficking, together with all the measures of protection and assistance envisaged in Article 12, paragraphs 1 and 2, of the Convention during this period (paragraph 211).

Residence permits

- GRETA considers that the Belarusian authorities should:

  - amend the law in order to grant temporary residence permits to victims of THB on the basis of their personal situation, as provided for in Article 14, paragraph 1.a, of the Convention, in addition to permits on the basis of the victim's co-operation in the investigation or criminal proceedings;

  - ensure that victims of trafficking can effectively benefit from the right to obtain a renewable residence permit, without prejudice to the right to seek and enjoy asylum;

  - ensure that child victims of trafficking, when legally necessary, are issued with renewable residence permits in accordance with the best interests of the child (paragraph 215).

Government's comments

The following comments do not form part of GRETA's analysis concerning the situation in Belarus

GRETA engaged in a dialogue with the Belarusian authorities on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version.

The Convention requires that "the report and conclusions of GRETA shall be made public as from their adoption, together with eventual comments by the Party concerned." GRETA transmitted its final report to the Belarusian authorities on 19 August 2026 and invited them to submit any final comments. The comments of the authorities, submitted on 25 September 2026, are reproduced hereafter.

Official comments of the State Authorities of the Republic of Belarus to the Report of Group of Experts on Action against Trafficking in Human Beings (GRETA) concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Republic of Belarus (Third evaluation round)

The Belarusian side takes note of the report of the GRETA group of experts.

In order to prepare the final version of the report and to provide the GRETA group of experts with comprehensive information that would in a balanced and objective manner reflect the implementation by the Republic of Belarus of the Council of Europe Convention on Action against Trafficking in Human Beings, the Belarusian side made considerable efforts, requesting, inter alia, the views of numerous national agencies and other relevant stakeholders.

We note positively that many comments of the Belarusian side were accepted. At the same time, a number of serious observations of the Belarusian side were not given due attention. In particular, this concerns citations of so-called civil society organisations recognised as extremist in the Republic of Belarus, as well as the inclusion of politicised passages reflecting tendentious assessments of domestic political processes and institutions and unrelated to the subject matter of this report.

The Belarusian side regrets that its observations and proposals were only partially taken into account, and emphasises: given the key role of State bodies in countering trafficking in human beings, interaction with them should remain a key aspect for foreign and international organisations genuinely wishing to assist the Republic of Belarus in this area. The Belarusian side does not share the approach of the GRETA group, which involves an exaggerated assessment of the role and influence of non-governmental organisations in anti-trafficking activities. In organising anti-trafficking activities, one of the main priorities for the Belarusian side is effectiveness. Given the transnational nature of trafficking in human beings, cooperation specifically between State bodies of different countries ensures the greatest effectiveness.

It is important to emphasize that cooperation with the GRETA group is taking place in extremely unfavourable political and practical conditions. The decision to suspend all forms of cooperation with the Republic of Belarus was taken by the Council of Europe, through its Committee of Ministers, and not by the Belarusian side.

Moreover, the Republic of Belarus is compelled to carry out anti-trafficking activities under unfair, unlawful and unilateral pressure from European countries and, in particular, the European Union on the Republic of Belarus, which has an extremely negative impact on inter-State cooperation in countering trafficking in human beings: the EU and its member States have halted cooperation and funding of international anti-trafficking projects implemented jointly with the Belarusian side.

Nevertheless, the Belarusian side, understanding the importance of joint and coordinated multilateral efforts to prevent and counter trafficking in human beings and to mitigate its consequences, especially for victims of trafficking, continues cooperation with Council of Europe bodies, in particular with the GRETA group, and continues its participation in the Council of Europe Convention on Action against Trafficking in Human Beings.

The Belarusian side is ready to continue expert and professional interaction with the GRETA group of experts and calls on the group to return to such a quality of dialogue.

The Belarusian side reserves the right to accept and use those recommendations of the GRETA group that best meet the goals and objectives of anti-trafficking activities and the improvement of its methods and instruments.

paragraph 12.

Classifying Belarus as a country of transit and destination for victims of trafficking in human beings (hereinafter – victims) is unfounded. Throughout the entire period not a single instance of trafficking in human beings or related crimes involving the transit of victims has been registered in Belarus. Episodes of criminal activity related to their bringing into the country for exploitation are isolated and have not been detected for more than 10 years. The trafficking channels that are suppressed involving Belarusians are consistently connected with taking for exploitation from Belarus abroad. In view of the foregoing, Belarus is predominantly a country of origin of victims.

paragraph 14.

The absence of victims among persons with respect to whom the asylum procedure was applied is due to the fact that no persons who could have suffered from trafficking in human beings or related crimes were identified among them (hereinafter – persons who could have suffered). The fact of seeking asylum itself does not indicate that the person has suffered from trafficking in human beings, and conducting with respect to an asylum seeker the procedure for identifying victims of trafficking in human beings, and moreover recognizing him as a victim in the absence of information that he could have suffered from trafficking in human beings or related crimes, violates point 7-1 of the Regulation approved by Resolution of the Council of Ministers of the Republic of Belarus of 11.06.2015 No. 485 "On Identification of Victims of Trafficking in Human Beings" (hereinafter – the Regulation), and also contradicts the second and third paragraphs of Article 1 of the Law of the Republic of Belarus of 7 January 2012 No. 350-3 "On Combating Trafficking in Human Beings" (hereinafter – the Law).

Regarding the statement that "the absence of identified victims amongst migrants and asylum seekers – despite the fact that tens of thousands of them have arrived in Belarus since 2021 and attempted to cross the border with Poland, Lithuania or Latvia indicators (see paragraph 151 and following) – suggests that there is lack of proactive screening for human trafficking among foreign nationals" we consider it necessary to note the following.

According to information posted on the website of the European Border and Coast Guard Agency (FRONTEX, website www.frontex.europa.eu), according to FRONTEX data in the period from 2017 to 2020 the number of illegal migrants using the Eastern Border Route (the EU border with Belarus, Russia, Moldova and Ukraine) fluctuated from 600 to 1,000 people.

In 2021, due to the lifting of COVID restrictions, there was a sharp surge in the number of illegal migrants on this route – 8,075. In the period 2022-2025 about 80% of illegal migrants using the Eastern Border Route were citizens of Ukraine.

Attention should be focused on the fact that in 2022, excluding citizens of Ukraine, border agencies of EU countries identified 1,243 illegal migrants on the Eastern Border Route, while internal affairs bodies of the Republic of Belarus detained 1,099 such persons. In 2023 on the same route European border services detained 1,258 illegal migrants (excluding Ukrainians), and the Internal Affairs Bodies of Belarus identified 3,931 illegal migrants. In 2024, respectively, 2,511 (European services) and 2,526 (Internal Affairs Bodies of the Republic of Belarus) illegal migrants.

The above analysis shows that law enforcement agencies of our country detain on the territory of the Republic of Belarus a comparable number of illegal migrants (in some cases exceeding) to those identified by border services of European Union countries.

The statement by GRETA that since 2021 tens of thousands of migrants arrived in the Republic of Belarus with the aim of entering EU countries has no basis or evidentiary facts. It should be noted that the FRONTEX information cited on the number of illegal migrants concerns not only their crossing of the

border of the Republic of Belarus with EU countries, but the entire Eastern Border Route (the EU border with Belarus, Russia, Moldova and Ukraine).

At the same time it should be noted that the number of identified illegal migrants is not comparable with the total number of foreigners entering the Republic of Belarus and is within the limits of statistical error (in the period from 2021 to 2025, illegal migrants constitute no more than 0.2% of the total number of foreigners who entered).

At present, the key problem of South-Eastern and Eastern Europe remains illegal migration. This sub region is a major transit zone, in particular for migrants trying to get to Western and Northern Europe. Non-Balkan states of the sub region, such as the Republic of Belarus, have also become transit zones in recent years for foreigners trying to enter the European Union.

Due to its location, the territory of our country is a transit corridor along which illegal migrants move westward from the countries of Asia, Africa, the Near and Middle East.

In the period from 2018 to 2021, the number of illegal migrants detained by internal affairs bodies did not exceed 100 people per year (2018 – 18 groups totaling 53 persons, 2019 – 12 groups totaling 53 persons, 2020 – 3 groups totaling 9 persons, 2021 – 16 groups totaling 69 persons).

Starting from 2022, the flow of illegal migration through the territory of the Republic of Belarus increased significantly. This trend is connected with the lifting by most states of restrictions introduced during the COVID-19 pandemic. The second reason is the beginning of the special military operation of the Russian Federation in Ukraine, as a result of which the route of illegal migration through the territory of that state into the countries of the European Union became unavailable. And the main reason for the increase in the number of illegal migrants is the deterioration of the already unstable political and socio-economic situation in the countries of origin, as well as ongoing armed military and civil conflicts in a number of countries (Syria, Afghanistan, Yemen, states of the Middle East, etc.).

The position of the Republic of Belarus is based on the fact that our country is not a source of migration flows and does not lure foreigners into the country for the purpose of transit to the European Union.

The results of migration control measures indicate that the territory of the Republic of Belarus is used by illegal migrants as a transit corridor to the countries of the European Union. From 2021 to 2023, there was a trend toward an increase in the number of groups of illegal migrants detained on the territory of the Republic of Belarus traveling from the Russian Federation to the countries of the European Union.

In 2022 163 groups with a total number of 1,099 persons were identified; in 2023 – 596 groups with a number of 3,931 persons; in 2024 – 361 groups with a number of 2,526 persons; in 2025 – 209 groups with a number of 1,564 persons.

The significant decrease in 2024 and 2025 compared with the previous analogous period in the number of detained groups of illegal migrants entering the Republic of Belarus from the territory of the Russian Federation indicates the effectiveness of the measures taken by the internal affairs bodies aimed at countering illegal migration. A trend toward a decrease in the flow of illegal migration through the Republic of Belarus is also observed in 2026.

It should be noted that the Republic of Belarus, despite the imposed sanctions, including those concerning restrictions on movement across the land and air border with European states, is actively countering illegal migration.

paragraph 23.

The action plans applied in Belarus in the field of combating trafficking in human beings, as well as the competence of the President and the Council of Ministers of the Republic of Belarus in assessing their effectiveness are exhaustive and sufficient. Information on what exactly constitutes "international standards of evaluability and transparency" and in which international treaties ratified by Belarus they are enshrined is absent in the report.

paragraph 24.

We consider it inexpedient to develop a national program document on combating trafficking in human beings, given the existence of a number of current national plans touching upon this issue (on improving the situation of children and protecting their rights, on ensuring gender equality, on combating crime and corruption, etc.).

paragraph 25.

In accordance with Articles 10 and 11 of the Law and Chapter 4 of the Regulation, public associations operating in the field of combating trafficking in human beings in Belarus have the opportunity to carry out such activity without hindrance, implementing their statutory goals and objectives, interacting in the established procedure with the Ministry of Internal Affairs and other state bodies during joint preventive, training and other measures in this field, including meetings of multidisciplinary groups responsible for the referral and reintegration of victims of trafficking in human beings. Equating public associations and other civil society institutions in their powers to state bodies is objectively impossible from the point of view of legislation not only in Belarus, but also in any other country in the world.

The International Public Association "Gender Perspectives" mentioned in the report (paragraph 25) was liquidated in 2021 in the procedure established by legislation by decision of the Supreme Court of the Republic of Belarus for violations of the legislation of the Republic of Belarus and its own charter that occurred in its activities.

The NGO 'Human Constanta' noted in the report (paragraphs 53, 159, 172 - 174), was liquidated by decision of the registering body – the Minsk City Executive Committee in 2021 on the basis of a submission (proposal) of prosecution bodies in connection with the carrying out by a non-commercial organization created in the form of an institution or association (union) of activity not corresponding to the goals and subject of activity specified in the charter of such organization.

As for the statement about the dissolution of non-governmental organizations we inform that the legislation of the Republic of Belarus does not provide for the termination of a legal entity's activities by dissolution. Legal entity may be liquidated on the basis of decision of a court or a registration authority in accordance with the procedure established by the legislation of the Republic of Belarus, as well as by making an independent decision to liquidate.

paragraph 26.

Regarding the recommendation to revise legislation that may impede the work of specialized non-governmental organizations on combating trafficking in human beings, we inform you that, in order to improve approaches to the issues of the creation and activity of public associations, the Law of the Republic of Belarus of 14 February 2023 No. 251-3 "On Amending Laws on Issues of the Activity of Political Parties and Other Public Associations" was adopted. The provisions contained in this Law made it possible to raise the development of civil society in the Republic of Belarus to a higher level, intensify the work of public associations, increase its effectiveness and constructive interaction with state authorities.

The Law, in particular, establishes the following:

the right of public associations is provided to determine as the place of their location the place of work of the head or deputy head of this association (if the head of the corresponding legal entity agrees);

the possibility of submitting documents for state registration of public associations in electronic form is enshrined;

the territorial restriction on the work of local public associations has been removed, and therefore their activity may extend to the entire country.

paragraphs 29, 30, 65, 67.

The substantive right of victims of trafficking in human beings to compensation and legal protection is provided for by the Constitution of the Republic of Belarus (hereinafter – the Constitution).

Thus by virtue of Article 22 of the Constitution all are equal before the law and have the right without any discrimination to equal protection of rights and lawful interests.

Everyone is guaranteed protection of his rights and freedoms by a competent, independent and impartial court in the procedure and within the time periods determined by law (part one of Article 60 of the Constitution).

For the purpose of protecting rights, freedoms, honor and dignity, persons in accordance with the law have the right to recover in court both property damage and material compensation for moral harm (part two of Article 60 of the Constitution).

The institution of a civil claim in criminal proceedings serves as a tool for restoring the violated property rights of victims. Thus, in accordance with part 1 of Article 148 of the Criminal Procedure Code of the Republic of Belarus (hereinafter – the CPC), in criminal proceedings, civil claims of natural and legal persons, as well as of the prosecutor, for compensation for physical, property or moral harm caused directly by a crime or by a socially dangerous act provided for by criminal law committed by an insane person are considered.

A natural or legal person who has suffered harm from a crime or from a socially dangerous act provided for by criminal law committed by an insane person, or their representatives, has the right to file a civil claim against the accused or against persons bearing material liability for his actions from the moment of initiation of the criminal case until the end of the judicial investigation (part 1 of Article 149 of the CPC).

A person who has not filed a civil claim in criminal proceedings, as well as a person whose claim was left without consideration by the court, has the right to file it in civil proceedings (part 5 of Article 149).

In addition, in accordance with part 8 of Article 149 of the CPC, if a civil claim has remained unfiled, the court, when rendering a verdict, has the right on its own initiative to resolve the issue of compensation for harm caused by the crime.

In accordance with part 1 of Article 122 of the Code of Civil Procedure of the Republic of Belarus (hereinafter – the CCP), unless otherwise provided by the CCP or other legislative acts, civil cases at first instance must be considered no later than two months after the initiation of proceedings in the case. In exceptional cases, taking into account the particular complexity of the case, the period for consideration of the case may be extended by the chairman of the court to four months.

paragraph 31.

As regards the protection of the interests of minor victims and civil plaintiffs in criminal proceedings, criminal procedure legislation provides for the mandatory participation in the criminal case of their legal representatives in the person of parents, adoptive parents, guardians, custodians or, in their absence, guardianship and custodianship bodies (parts 1 and 2 of Article 56 of the CPC).

In the procedure provided for by the CPC, the rights of a minor victim or civil plaintiff are exercised along with him or instead of him by his legal representative (part 6 of Article 50, part 6 of Article 53 of the CPC).

The protection of the rights, freedoms and lawful interests of a minor person against whom administrative proceedings are conducted, and of a victim who is a natural person, is carried out by their legal representatives, who are the parents, adoptive parents, guardians, custodians of the victim, the natural person against whom administrative proceedings are conducted, and representatives of organizations entrusted by legislation with the performance of the duties of guardians and custodians of the victim or of the natural person against whom administrative proceedings are conducted (point 7 of part 1 of Article 1.4, part 1 of Article 4.3 of the Procedural-Executive Code of the Republic of Belarus on Administrative Offences (hereinafter – the PECoAO).

The rights, freedoms and lawful interests of minors aged from fourteen to eighteen years in civil proceedings are protected in court by their parents, adoptive parents or custodians. The court is obliged to involve such minors in participation in cases except when this contradicts their interests (part 4 of Article 56 of the CCP).

In addition to the foregoing, minors who have reached the age of fourteen have the right to personally apply to court with an application for the protection of their rights, freedoms and lawful interests and to use at any time the assistance of lawyers and other representatives in court without the consent of parents, adoptive parents or custodians. The issue of involving parents, adoptive parents or custodians of minors in participation in such cases to provide them with assistance is decided by the court (part 5 of Article 56 of the CCP).

The rights, freedoms and lawful interests of minors who have not reached the age of fourteen are protected in court by their parents, adoptive parents or guardians (part 6 of Article 56 of the CCP).

paragraph 40.

Unlike preventive information on how not to become a victim, and also how and where to apply if this has happened, properly disseminated in Belarus, information about the specific rights of a victim is objectively necessary for a person only when he has become or considers himself to have become one. This information is explained to persons who could have suffered and to victims during their identification (sub point 7.4 of point 7, point 7-1, sub point 12.4 of point 12 of the Regulation), that is, the requirements of the Convention in this part are fulfilled.

paragraph 44.

We draw attention to the fact that the Republic of Belarus is not a party to the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, and therefore we cannot agree with the proposal to apply its provisions.

Section 3. Legal assistance and free legal aid (Article 15)

The information set out by the experts in the report concerning issues of legal assistance and the activity of the bar is not fully consistent with reality.

In paragraph 47 of the report the experts state that legal assistance to victims of trafficking in human beings is limited to issues of social protection and rehabilitation, and also that Belarusian legislation does not contain clear and unambiguous provisions guaranteeing victims of trafficking in human beings the right to free legal assistance in criminal and other proceedings.

At the same time the Constitution provides for the right of everyone to legal assistance for the exercise and protection of rights and freedoms, including the right to use at any time the assistance of lawyers and other representatives in court, other state bodies, other organizations and in relations with officials and persons. In cases provided for by law, legal assistance is provided at the expense of state funds (part one of Article 62 of the Constitution).

This norm was further developed, among other things, in the procedural legislation of the Republic of Belarus.

By virtue of Article 19 of the CCP, participants in civil proceedings have the right to receive legal assistance, which is provided by lawyers and other representatives in the procedure established by the CCP and other acts of legislation. Obstruction of the provision of legal assistance in civil proceedings is prohibited.

Article 13 of the Law of the Republic of Belarus "On the Rights of the Child" provides for the right of a child aged fourteen years and older to receive legal assistance for the exercise and protection of his rights and freedoms, including the right to use at any time the assistance of lawyers and other representatives in court, other state bodies, other organizations and in relations with officials and persons without the consent of parents (custodians).

We note that in the Republic of Belarus measures ensuring access of victims of trafficking in human beings to effective legal assistance are provided. For this category of persons legal assistance is guaranteed by the Law of the Republic of Belarus of 7 January 2012 No. 350-3 "On Combating Trafficking in Human Beings" (sub point 1.2 of point 1 of Article 20), as well as by the Law of the Republic of Belarus of 30 December 2011 No. 334-3 "On the Bar and Advocate Activity in the Republic of Belarus" (hereinafter – the Law on the Bar).

According to point 2 of Article 28 of the Law on the Bar, legal assistance on issues of social protection and rehabilitation to victims of trafficking in human beings, and in case they have not reached the age of fourteen, to their legal representatives, is provided at the expense of the republican budget.

In addition, point 1 of Article 28 of the Law on the Bar specifies particular types of legal assistance and categories of persons to whom legal assistance is provided at the expense of territorial bar associations. In particular, to plaintiffs – when drafting applications and conducting cases in courts of first instance related to labor legal relations; to disabled persons of groups I and II – to minors – in their interests; to pregnant women – when giving oral consultation on issues related to the birth of a child; to parents (adoptive parents, guardians, custodians) of minors – in the interests of their minor children (when giving oral consultation not requiring familiarization with documents, on issues not related to entrepreneurial activity).

It is important to note that according to the eleventh paragraph of part one of Article 28 of the Law on the Bar, legal assistance at the expense of bar association funds by decision of the bar association may be provided to any person on any issues.

In case of violation of the rights of a child, which are defined by the United Nations Convention on the Rights of the Child of 1989 and other acts of legislation, the child has the right to apply to the commission on minors' affairs, guardianship and custodianship bodies, the prosecutor's office, and upon reaching the age of fourteen – to court for the protection of his rights and lawful interests, and also to exercise protection of rights and lawful interests through his legal representatives.

In addition, in accordance with Article 20 of the Law of the Republic of Belarus "On Combating Trafficking in Human Beings," measures of social protection and rehabilitation of victims of trafficking in human beings also include legal assistance (including explanation of their rights and duties provided for by legislation), including free legal assistance provided by bar associations. Legal assistance to victims of trafficking in human beings who have not reached the age of fourteen is provided to their legal representatives.

Paragraph 48 of the report proposes considering the issue of expanding the procedural rights of a witness's lawyer, including providing for his right to file a civil claim on behalf of the witness.

The rights of a witness's lawyer are provided for by part 1 of Article 60-1 of the CPC. They are inextricably linked with the procedural rights and duties of the witness himself, established by Article 60 of the CPC.

Victims of trafficking in human beings, based on judicial practice, are recognized by the body conducting criminal proceedings as victims, that is, persons who have suffered physical, property or moral harm as a result of a socially dangerous act. Representatives of victims may be lawyers, who possess the rights provided for by Article 59 of the CPC (including to ask questions to the accused, the expert, witnesses, to participate in the examination of evidence in the case, to appeal the verdict or other court decision). There are no grounds for granting a witness the scope of rights that a victim has in criminal proceedings.

By virtue of part one of Article 149 of the Criminal Procedure Code of the Republic of Belarus, the right to file a civil claim against the accused or against persons bearing material liability for his actions belongs to a natural person or his representative who has suffered harm from a crime or from a socially dangerous act provided for by criminal law committed by an insane person, from the moment of initiation of the criminal case until the end of the judicial investigation.

A person who has not filed a civil claim in criminal proceedings, as well as a person whose claim was left without consideration by the court, has the right to file it in civil proceedings (part five of Article 149 of the CPC).

A witness has the right to appeal the actions and decisions of the body conducting criminal proceedings that refused to recognize him as a victim or civil plaintiff in the procedure established by the CPC. At the same time, a lawyer has the right to provide legal assistance for resolving this issue.

On the basis of the foregoing, we do not see grounds for amending Article 60-1 of the CPC in terms of expanding the rights of a witness's lawyer.

With regard to paragraph 51 of the report on the issue of termination of licenses for advocate activity, we consider it possible to note the following.

The bar in the Republic of Belarus is an independent legal institution that performs its functions in accordance with the tasks assigned to it by the Constitution of the Republic of Belarus for providing qualified legal assistance to natural and legal persons for the purpose of protecting their rights, freedoms and lawful interests.

The fundamental set of rules for the activity of lawyers is the Law on the Bar, which corresponds to international principles and norms enshrined in universal international human rights documents. It takes into account the requirements of the main international standards on ensuring access to the services of lawyers, the provision of special guarantees in matters of criminal justice, requirements for the qualification and training of lawyers, their functions, rights and duties.

Article 16 of the Law on the Bar enshrines the principle of independence of advocate activity, including a number of guarantees for its unimpeded implementation by lawyers. A lawyer in his activity is independent and subordinate only to the law. Interference in the professional activity of a lawyer carried out in accordance with legislation, or obstruction of this activity in any way, is prohibited.

One of the principles of the organization of the bar and advocate activity is the independence of lawyers in the exercise of their professional activity (fifth paragraph of Article 4 of the Law on the Bar).

In accordance with point 1 of Article 46 of the Law on the Bar, the Belarusian Republican Bar Association is a body of advocate self-government.

In the Republic of Belarus, all conditions have been created for the work of the bar. In performing their duties, lawyers are guided by current legislation, enjoy freedom of speech, and communicate freely with their client or defendant.

The legislation of the Republic of Belarus, guaranteeing the independence of lawyers, at the same time, in order to ensure the rights of clients, imposes on them a number of duties established by Article 18 of the Law on the Bar.

Thus, a lawyer in his activity is obliged to observe precisely and strictly the legislation, including the Rules of Professional Ethics of a Lawyer, which require a lawyer to adhere to norms of professional morality, not to commit acts degrading his honor and dignity, as well as actions undermining the prestige of the bar.

The main tasks of the bar are the provision of legal assistance to clients on a professional basis, as well as participation in the legal education of persons.

Due to the specifics of their professional activity, lawyers throughout the world are a guideline of moral norms of behavior for society. Unlawful actions of a lawyer cause much greater harm to social relations than similar actions of another person.

A lawyer performing public-law functions, being a participant in the administration of justice and a public figure, in performing the tasks assigned to him must have deep respect for the law and strictly observe its norms.

These requirements also correspond to international standards.

In accordance with sub point 1.1 of point 1 of the Common Code of Rules for Lawyers of the Countries of the European Community, the duties of a lawyer are not limited to conscientious performance of an assignment within the framework of the law. A lawyer must serve the interests of justice, just as he must serve the interests of those whose rights and freedoms he has been entrusted to protect. In this connection, the said code imposes on the lawyer a whole complex of obligations of both a legal and moral nature.

In the Republic of Belarus, the provisions of the Law on the Bar impose on the Ministry of Justice the duty to ensure the accessibility and quality of legal assistance and are implemented, among other things, through interaction between the ministry and bodies of advocate self-government, and the exercise of control over the observance by lawyers of legislation while respecting the principle of independence and non-interference in their professional activity.

Such duties of states and their bodies are also enshrined in Article 2 of the International Covenant on Civil and Political Rights of 16 December 1966 and point 2 of the Basic Principles on the Role of Lawyers adopted by the UN in 1990.

Given the importance of the tasks performed by the bar in ensuring the implementation of constitutional rights and the stable operation of courts and bodies conducting criminal proceedings, its activity cannot be outside state regulation.

The experience of foreign countries demonstrates the necessity and effectiveness of state regulation and control in the sphere of advocate activity.

In accordance with the Law of the Republic of Belarus of 14 October 2022 No. 213-З "On Licensing" advocate activity in the Republic of Belarus is licensed by the Ministry of Justice. One of the licensing requirements imposed on a lawyer is compliance with the Law on the Bar.

In accordance with the Law on Licensing, the Ministry of Justice is vested with the powers to terminate a license in cases provided for by legislation, including for committing offences incompatible with the title of lawyer, the list of which is established by the Rules of Professional Ethics of a Lawyer.

The decisions taken by the Ministry of Justice to terminate licenses are based on the conclusions of a collegial body – the Qualification Commission on Issues of Advocate Activity in the Republic of Belarus, which also includes eight representatives of the advocate community, including the chairman of the Belarusian Republican Bar Association.

Consideration of issues related to the exercise of advocate activity by commissions formed by state bodies is the practice of a number of foreign states.

The grounds for adopting decisions on terminating licenses with respect to individual lawyers were facts of their violation of legislation, including the Rules of Professional Ethics of a Lawyer, criminal and administrative legislation, as well as the impossibility of performing their professional duties due to a low level of knowledge of legislation revealed during certification, which does not allow carrying out advocate activity at a high level.

Facts of bringing lawyers to criminal and administrative liability are reasonably regarded as actions discrediting the high title of lawyer and the bar, and are grounds for expelling a lawyer from the territorial bar association and adopting a decision to terminate the license.

Additionally, we consider it necessary to draw attention to the fact that the verdicts against persons engaged in advocate activity were rendered by the courts of the Republic of Belarus in accordance with the requirements of the CPC in connection with their commission of crimes provided for by the Criminal Code of the Republic of Belarus (hereinafter – the CC), and not for carrying out advocate activity.

It should be noted that the decrease in the number of lawyers is also connected with the reform of the bar in 2021, when lawyer bureaus and individual practice were abolished, which influenced the decision of individual lawyers to leave the ranks of the bar.

At the same time, access to legal assistance is ensured in all regions of the Republic of Belarus.

As previously indicated, victims of trafficking in human beings have free access to legal assistance provided by lawyers in court proceedings, who are also their representatives. We draw attention to the fact that a victim (witness) has the right to conclude an agreement with any lawyer for the representation of his interests in court proceedings. In addition, the organization of the bar and advocate activity is based on the principles of ensuring the quality of legal assistance.

With regard to paragraphs 52 and 54 of the report, we note that, according to information from the Belarusian Republican Bar Association, victims of trafficking in human beings (their legal representatives) have not applied to lawyers for legal assistance on issues of social protection and rehabilitation.

In the Republic of Belarus, the necessary measures have been taken to ensure access of victims of trafficking in human beings to free legal assistance.

paragraph 77.

As part of the training of judges, issues of compensation for harm to the victim in criminal cases are addressed, and judges receive the necessary knowledge on issues of compensation for harm to victims of trafficking in human beings.

paragraphs 80, 101.

We believe that the proposals to adopt additional measures are declaratory in nature, since they are not supported by any factual data indicating the need for their adoption.

At the same time, investigative and judicial practice in cases of the category under consideration indicates the absence of problematic aspects on this issue.

In accordance with part 1 of Article 150 of the CPC, if it follows from the materials of the criminal case that a crime or a socially dangerous act provided for by criminal law committed by an insane person has caused harm to a natural or legal person, the body of criminal prosecution or the court explains to them or their representatives the right to file a civil claim, of which a protocol is drawn up or written notification is made.

A natural or legal person who has filed a claim is recognized as a civil plaintiff. To the person who filed the claim and his representative, the decision (ruling) on recognition as a civil plaintiff is announced and the rights provided for by Articles 53, 57 and 59 of the CPC are explained. (part 2 of Article 150 of the CPC).

In addition, by virtue of Article 290 of the CPC, the presiding judge at the court session explains to the participants in the trial their rights and duties.

Regarding the collection of evidence on harm caused by a crime, we draw attention to the fact that part 3 of Article 148 of the CPC establishes that the proving of a civil claim filed during criminal proceedings is carried out in the procedure provided for by the CPC.

Thus, the body of criminal prosecution has the duty to take all measures provided for by law for a comprehensive, complete and objective investigation of the circumstances of the criminal case, to collect evidence both incriminating and exonerating the accused, to establish circumstances important for the correct resolution of the case and the protection of the rights and lawful interests of persons participating in the criminal case (part 1 of Article 18 of the CPC).

The duty to prove the existence of grounds for criminal liability, the guilt of the accused and other circumstances having significance in the criminal case lies with the body of criminal prosecution, and in judicial proceedings – with the state or private prosecutor (part 2 of Article 102 of the CPC).

We draw attention to the fact that part 1 of Article 156 of the CPC provides for the duty of bodies of criminal prosecution to take measures to secure a civil claim, consisting in identifying property that may be subject to seizure, imposing seizure on it and ensuring its preservation in the presence of sufficient data on the infliction of harm by a crime or by a socially dangerous act provided for by criminal law committed by an insane person.

The mandatory application of special confiscation is established by Article 46-1 of the CC and part one of point 2 of the resolution of the Plenum of the Supreme Court of the Republic of Belarus of 29 June

2023 No. 1 "On the Application by Courts of Special Confiscation (Article 46-1 of the Criminal Code of the Republic of Belarus)".

paragraph 82.

In accordance with the criminal procedure legislation of the Republic of Belarus, criminal cases on trafficking in human beings and crimes related to trafficking in human beings are cases of public prosecution, which are initiated on the fact of the committed crime or with respect to a person suspected of committing a crime, regardless of the receipt of an application from the victim.

paragraph 83.

The court imposes punishment taking into account the provisions of the General Part of the CC within the limits established by the article of the Special Part of the CC providing for liability for the committed crime. When imposing punishment, the court proceeds from the principle of individualization of punishment, that is, takes into account the nature and degree of social danger of the committed crime, the motives and goals of the act, the personality of the guilty person, the nature of the harm caused and the amount of damage caused, the income obtained by criminal means, circumstances mitigating and aggravating liability, the opinion of the victim in cases of private prosecution, motivating the chosen measure of punishment in the verdict (part 1 of Article 62 of the CC).

There are no grounds to consider the practice of imposing punishments incorrect. The number of criminal cases considered shows that the current sanctions are a deterrent factor in preventing and warning crimes related to trafficking in human beings. There are no objective grounds for tightening these sanctions.

Special confiscation of property obtained by criminal means or acquired with funds obtained by criminal means, income received from the use of this property, as well as instruments of crime, if they are not subject to return to the victim or another person, tools and means of committing a crime belonging to the person who committed the crime, and items withdrawn from circulation, is established by Article 46-1 of the CC.

paragraph 84.

A legal entity may also act as a civil defendant in a civil claim in criminal proceedings if, by force of law and in connection with a claim filed during criminal proceedings, material liability may be imposed on it for the actions of the accused who caused harm as a result of committing a socially dangerous act provided for by criminal law (part 1 of Article 54 of the CPC).

paragraphs 85, 100.

We believe that "vulnerability of position" is an element of the victim's dependence on traffickers and one of the conditions allowing their exploitation. Such a position of the victim is in practice taken into account when qualifying the act as trafficking in human beings.

In accordance with points 2 and 6 of part 1 of Article 64 of the CC, circumstances aggravating liability are the commission of a crime against a person known to be a minor, an elderly person, a person in a helpless state, or a person in material, official or other dependence on the guilty person.

In addition, the commission of trafficking in human beings by abuse of a vulnerable position is fully covered by such a method as deception or abuse of trust. On the basis of the foregoing, we do not see grounds for introducing the proposed amendments to the disposition of the corresponding article of the CC.

The commission of a crime provided for by Article 181 of the CC against persons known to be minors and young children entails criminal liability according to point 9 of part 2 and part 3 of this article (respectively). The presence of any of the qualifying features of the act, by virtue of the provisions of Article 89 of the CPC, is included in the subject of proof in the criminal case.

According to the provisions of part 5 of Article 3 of the CC, a person is subject to criminal liability only for those socially dangerous actions (inaction) committed by him and the socially dangerous consequences that have occurred, provided for by the CC, in respect of which his guilt has been established, that is, intent or negligence. Criminal liability for innocent infliction of harm is not allowed.

Accordingly, qualification of actions under part 2 or part 3 of Article 181 of the CC is possible only if the guilty person's awareness of such age of the victim is proven.

This follows only from the intentional nature of the actions of the guilty person, which may be recognized as trafficking in human beings. Otherwise, there may be "objective imputation", which contradicts the principles, including international ones, of criminal law.

In our opinion, the approach of the legislator in this part does not contradict the Convention, which does not contain imperative requirements for the verbatim reproduction in national legislation of the definitions given in this international treaty when criminalizing trafficking in human beings and related crimes.

Thus, we believe that the exclusion of these provisions from the CC would contradict the fundamental principles of the criminal legislation of the Republic of Belarus.

paragraph 99.

The isolated nature of the facts of trafficking in human beings registered in Belarus and, accordingly, of the criminal cases of this category investigated is due to the effectiveness of the measures taken by the state for their prevention, as a result of which the threats of trafficking in human beings itself are minimized, and in the structure of related crimes, the organization and use of prostitution and the circulation of child pornography prevail. The mitigation of sanctions under Articles 171, 171-1, 181-1 and 187 of the CC is dictated, among other things, by the wide variability of the level of social danger of individual crimes of these categories and, accordingly, by the need to individualize punishment for their commission taking into account the nature and circumstances of the committed act, the personality of the guilty person, etc.

paragraph 101.

We consider it necessary to point out that criminal cases on trafficking in human beings and crimes related to trafficking in human beings are considered in strict accordance with the requirements of the CC and the CPC, which provide, among other things, for ensuring the rights of victims of trafficking in human beings, a complete and comprehensive examination of evidence and the adoption of measures to compensate for the harm caused.

paragraph 103.

In connection with the existence in the CC of the institution of complicity, we do not see the need to criminalize the use of services of victims of trafficking in human beings.

paragraphs 104, 108, 109.

The conclusions set out in paragraph 108 of the Report directly contradict the provisions of the criminal law. We again draw attention to the fact that the CC provides for a number of circumstances excluding the criminality of an act.

Thus, an act committed in a state of necessary defense, that is, in protecting the life, health, property, housing, rights of the defender or another person, the interests of society or the state from a socially dangerous encroachment by causing harm to the encroacher, is not a crime, if no excess of the limits of necessary defense was allowed (part 2 of Article 34 of the CC).

An act committed in a state of extreme necessity, that is, to prevent or eliminate a danger directly threatening the personality, rights and lawful interests of the given person or other persons, the interests of society or the state, is also not a crime, if this danger under the given circumstances could not have been eliminated by other means and if the harm caused is less significant than the harm prevented (part 1 of Article 36 of the CC).

In addition, a participant in a criminal organization or gang (except the organizer or leader) who voluntarily reports the existence of a criminal organization or gang and contributes to their exposure is exempt from criminal liability for participation in a criminal organization or gang and for crimes committed by him as part of a criminal organization or gang, except for especially grave crimes connected with an encroachment on human life or health (Article 20 of the CC).

The criminal procedure measures provided for in Belarus regulating the exemption of a person from criminal or administrative liability are exhaustive. The introduction of a "special" provision on the non-application of punishment to victims of trafficking in human beings in criminal legislation entails legal contradictions and conflicts. First, in accordance with the Convention, the Law and the Regulation, the status of a victim of trafficking in human beings does not depend on his participation in criminal proceedings (that is, it is not procedural), and therefore is not regulated by criminal and criminal procedure legislation. Second, the unconditional nature of such a provision would exclude the possibility of an objective assessment of the justified necessity and proportionality of the actions of a victim who has committed a crime to the actual circumstances in which it was committed, which would create conditions for abuse of this provision.

On the basis of the foregoing, we do not see the need to enshrine a special provision on the non-application of punishment to victims of trafficking in human beings.

paragraph 117.

Proceedings in criminal cases in courts are carried out in strict accordance with the requirements of the CPC, including with the application of measures provided for by the CPC aimed at protecting victims and witnesses.

paragraph 121.

In the Republic of Belarus, an independent, autonomous and unified for the whole country system of courts of general jurisdiction has been built, with a clear delimitation of judicial instances, with simple and understandable procedures for considering cases and reviewing judicial decisions.

Everyone is guaranteed protection of his rights and freedoms by a competent, independent and impartial court in the procedure and within the time periods determined by law (part one of Article 60 of the Constitution).

The most important principles of the judicial system in the Republic of Belarus are the independence of judges in the administration of justice, their subordination only to the law and the inadmissibility of interference in the activity of a judge (Article 110 of the Constitution).

The principle of independence of judges and people's assessors was developed in Article 67 of the Code of the Republic of Belarus on the Judicial System and Status of Judges (hereinafter – the Code on the Judicial System). Thus, a judge and a people's assessor in the administration of justice are independent and subordinate only to the law (part one of Article 67 of the Code on the Judicial System).

The independence of a judge and a people's assessor is ensured by the procedure established by legislative acts for their appointment (election, approval), suspension and termination of powers, immunity, the procedure for considering cases and issues, the secrecy of deliberations when rendering judicial decisions and the prohibition to demand its disclosure, liability for contempt of court or interference in its activity, and other guarantees corresponding to the status of a judge and people's assessor, as well as the creation of proper organizational and technical conditions for the activity of courts (part two of Article 67 of the Code on the Judicial System).

Influence in any form on a judge and a people's assessor for the purpose of obstructing a comprehensive, complete and objective consideration of a specific case or achieving the rendering of an unlawful judicial decision entails liability established by Chapter 25 of the Code of the Republic of Belarus on Administrative Offences and Chapter 34 of the CC (part 3 of Article 67 of the Code on the Judicial System).

The principle of independence of judges and their subordination only to the law in the administration of justice is also enshrined in Article 11 of the CCP, Article 22 of the CPC, and Article 2.13 of the PECoAO.

A special place in ensuring the independence of judges and the judicial system as a whole is occupied by the legal institution regulating the appointment of judges, the termination or extension of their powers.

As a result of the constitutional referendum of 2022, following which amendments were introduced to the Constitution that entered into force on 15 March 2022, in connection with the granting to the All-Belarusian People's Assembly of the constitutional-legal status of the highest representative body of people's power of the Republic of Belarus, powers in the sphere of staffing of the judicial system were redistributed between the All-Belarusian People's Assembly and the Head of State.

In order to strengthen guarantees of the independence of judges of the Supreme Court of the Republic of Belarus, in accordance with part two of Article 112-1 of the Constitution, the Chairman, deputy chairmen and judges of the Supreme Court of the Republic of Belarus are elected and dismissed from office by the All-Belarusian People's Assembly. This not only strengthens the status of judges of the Supreme Court of the Republic of Belarus, but also imposes even more serious responsibility for the results of their work.

In accordance with part one of Article 81 of the Code on the Judicial System, judges of district (city), specialized, regional (Minsk city) courts, economic courts of regions (the city of Minsk), and the Appellate Economic Court are appointed by the President of the Republic of Belarus on the recommendation of the Chairman of the Supreme Court of the Republic of Belarus.

Guarantees of tenure of judges are provided for in Articles 68 and 81 of the Code on the Judicial System.

A judge may not be transferred to another position or to another court without personal consent. The powers of a judge may not be suspended or terminated otherwise than in the procedure and on the grounds established by the Code on the Judicial System (Article 68 of the Code on the Judicial System).

A special role in strengthening the judicial system and ensuring the independence of judges is assigned to bodies of the judicial community. It is these bodies that carry out, among other things, procedures related to the appointment of judges, extension of the term of powers, and imposition of disciplinary penalties.

Bodies of the judicial community carry out their activity collegially, publicly, with strict observance of the principle of independence of judges (part one of Article 129 of the Code on the Judicial System).

The powers granted to these bodies and, above all, to the qualification collegiums of judges, allow them to actively influence the processes occurring in the judicial community.

Thus, in accordance with part one of Article 159 of the Code on the Judicial System, qualification collegiums of judges are formed for the purpose of maintaining high standards of professional and moral qualities of judges enshrined in the Code of Honor of a Judge of the Republic of Belarus, strengthening guarantees of their independence, increasing responsibility and discipline in the work of courts and judges, and maintaining the high prestige of judicial work.

Thus, the courts of the Republic of Belarus in the administration of justice are independent and strictly guided by the requirements of current legislation. The Belarusian judicial system complies with all international standards and effectively ensures the protection of the rights and freedoms of person and citizen.

paragraphs 130, 132, 134.

We draw attention to the fact that the principle of equality of persons before the law and equality of protection of their rights and lawful interests is defined as a fundamental principle.

In accordance with part one of Article 8 of the Code on the Judicial System, justice in the Republic of Belarus is administered on the basis of equality of persons, organizations, and individual entrepreneurs before the law and the court.

According to part 1 of Article 13 of the CCP, justice in civil cases is administered on the basis of equality of all before the law and the court. No one may enjoy advantages and privileges contrary to law.

According to part 1 of Article 1.6 of the Code of Administrative Offences, natural persons who have committed administrative offences are equal before the law and are subject to administrative liability regardless of their sex, race, nationality, language, origin, citizenship, property and official status, place of residence or place of stay, beliefs, attitude to religion, membership in public associations, as well as other circumstances.

In accordance with part 1 of Article 2.12 of the PECoAO, all persons participating in administrative proceedings are equal before the law and have the right, without any discrimination, to equal protection of their rights, freedoms and lawful interests.

In addition, part 1 of Article 3 of the CC establishes that criminal liability in the Republic of Belarus is based, among other things, on the principle of equality of persons before the law.

Equality of persons before the law and equality of protection of their rights and lawful interests in criminal proceedings are defined by Article 20 of the CPC.

Thus, all participants in criminal proceedings are equal regardless of sex. Assertions that the courts of the Republic of Belarus render gender-biased decisions and restrict women's access to independent legal representation are unfounded. The report does not cite facts of gender-biased judicial decisions.

There are no facts of infringement of the rights of victims of trafficking in human beings due to gender differences in judicial proceedings.

There are no grounds provided by law for granting an interpreter of the same sex to a victim of trafficking in human beings in judicial proceedings. There is no data indicating that, with the participation of an interpreter of a sex different from that of the victim, her rights in court would be infringed, she would be restricted in access to justice, or this would in any way negatively affect the lawfulness and fairness of the judicial decision. Judicial practice also does not confirm such conclusions.

paragraph 141.

The legislative requirements and procedures existing in Belarus fully allow ensuring the provision to children of the assistance and protection they need in criminal cases and materials of checks on trafficking in human beings, as well as during identification. Chapter 4 of the Law, as well as Chapters 2, 3, and 7 of the Regulation, do not differentiate the nature and scope of assistance and protection provided to children under 14 years of age (minors) and from 14 to 18 years of age (underage), including the participation of trained child psychologists, except that in the first case it is ensured mandatorily in all situations, and in the second – when the child has not reached the age of 16, from which he by law has freedom of sexual behavior and labor legal capacity, as well as on the grounds determined by criminal procedure legislation. In other cases, the assistance of a child psychologist is ensured at the request of the minor or his legal representative, since providing it against the will of the person is unlawful and objectively impossible.

V. Follow-up topics specific to Belarus

1. Border measures (paragraphs 151-162)

The information contained in Section V of the Report, in the part concerning the exercise by the Republic of Belarus of border measures, is generally politicized in nature.

References to the hearings of the Grand Chamber of the European Court of Human Rights in three cases against Poland, Lithuania and Latvia, as well as the fact of Lithuania's filing of a claim against Belarus with the International Court of Justice in connection with alleged violations by the Belarusian side of its obligations under the Protocol against the Smuggling of Migrants by Land, Sea and Air, are not grounds for a negative assessment of the organization of border control in the Republic of Belarus for the purposes and assessment procedures defined by Article 38 of the Council of Europe Convention on Action against Trafficking in Human Beings.

paragraph 153.

The Republic of Belarus has a national asylum system based on the internationally recognized concept of protection of forced migrants. Having acceded in 2001 to the 1951 UN Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees, Belarus consistently fulfills its assumed obligations.

National legislation guarantees access for foreign citizens and stateless persons applying for refugee status, subsidiary protection or asylum in the Republic of Belarus to the relevant procedures. Any foreigner is given a practical opportunity to declare an intention to obtain protection in our country both directly when crossing the State border of Belarus and while on its territory.

Persons applying for protection have equal access to humanitarian assistance, basic services and legal assistance.

No victims of trafficking among persons applying for protection have been recorded on the territory of the Republic of Belarus. Persons applying for protection and having received one of the forms of protection in the Republic of Belarus, as a rule, receive a temporary or permanent residence permit, which grants the right of residence on the territory of the Republic of Belarus and enjoyment of basic rights, including access to medical care, which, as a rule, is free, unless otherwise provided by international agreements. In total, during the period of operation of the legislation on forced migration (from 1997 to 31.03.2026), more than 19 thousand foreigners from more than 80 states of the world applied for protection in the Republic of Belarus. Refugee status was granted to 1,032 foreigners, subsidiary protection – to 10,240 foreigners.

paragraph 158.

In the Republic of Belarus indicator 10.7.2 "Availability of migration policy facilitating orderly, safe, lawful and responsible migration and mobility of people" relates to indicator of Sustainable Development Goal 10 "Reduction of inequality within and among countries."

Analysis of the achievement of this indicator is provided for, among other things, by the Set of Measures for the Implementation of the Concept of Migration Policy of the Republic of Belarus for 2024 – 2028, approved by Resolution of the Council of Ministers of the Republic of Belarus of 23 January 2024 No. 48.

At present, the said SDG indicator is 86.7% (coded as "Complies with requirements").

The calculation of the digital SDG indicator is carried out according to the UN methodology posted on the UN website, which contains questions about the policy, programs and strategies of the state concerning migration policy aimed at promoting orderly, safe, legal and responsible migration and mobility of people, as well as assessments of measures in the field of migration.

In particular, the indicator includes a total of 30 questions across 6 areas (domains), such as:

rights of migrants;

whole-of-government/evidence-based policy;

cooperation and partnership;

socio-economic well-being;

responsiveness to crises;

safe, orderly and regular migration.

These questions fall within the competence not only of the Ministry of Internal Affairs, but also of the Ministry of Health, the State Border Committee, the Ministry of Education, the Ministry of Justice and others.

For example, in the area "Rights of migrants" there are questions on the provision to foreign citizens of necessary and/or emergency medical care, the right to education, social protection, equal pay for work, as well as the possibility of access to justice.

Based on the legislation of the Republic of Belarus, necessary and/or emergency medical care, as well as the possibility of access to justice, is provided regardless of the immigration status of a foreign citizen; the right to social protection and equal pay for work is held only by persons with legal immigration status.

In particular, the adoption of the Concept of Migration Policy of the Republic of Belarus is assessed positively by the International Organization for Migration within the framework of the implementation of the international technical assistance project "Strengthening the Implementation, Monitoring, Evaluation and Reporting on Migration-Related SDGs in Belarus".

paragraph 159.

During the period of waiting to file an application for protection, foreigners were registered and stayed on the territory of the Republic of Belarus on lawful grounds. Expulsion or deportation of such foreigners was not carried out.

paragraph 174.

"According to data posted of the Ministry of Internal Affairs, 1 482 persons arrived from Ukraine to carry out labour activities in the Belarus in the first quarter of 2026 (compared to 1 052 persons in the first quarter of 2025)".

Mentioning the source of information without including it in the "References" section and without indicating an identification number in parentheses makes the data unverifiable. It is necessary to bring the citation of the internet resource into compliance with the reference structure adopted in the document.

The Department of State Labor Inspection of the Ministry of Labor and Social Protection of the Republic of Belarus, acting on the basis of the Regulation on the Department approved by Resolution of the Council of Ministers of the Republic of Belarus of 12 May 2026 No. 239, exercises supervision over compliance with legislation on labor and on labor protection.

The Department has 201 employees possessing the rights of a state labor inspector.

The main documents regulating relations in the sphere of labor (the Labor Code of the Republic of Belarus and the Law of the Republic of Belarus "On Labor Protection") apply to citizens of the Republic of Belarus, foreign citizens and stateless persons and do not contain special norms regulating the labor of migrant workers.

Migrant workers possess rights to labor and labor protection equal to those of citizens of the Republic of Belarus.

In this connection, the Department, when carrying out supervisory measures, suppresses violations of the requirements of legislation on labor and on labor protection, regardless of the citizenship of the workers in respect of whom they were committed.

In order to minimize violations of legislation among employers, subdivisions on citizenship and migration of the Chief Department of Internal Affairs of the Minsk City Executive Committee and internal affairs departments of regional executive committees regularly assess the fulfillment by employers of the Republic of Belarus of duties to attract foreign citizens and stateless persons who do not have permits for permanent residence in the Republic of Belarus for labor activity in the Republic of Belarus in accordance with Resolution of the Ministry of Internal Affairs of the Republic of Belarus of 20 October 2025 No. 322 "On Measures of a Technical (Technological, Verification) Nature". Such measures are also carried out jointly with employees of structural subdivisions of the Department of State Labor Inspection of the Ministry of Labor and Social Protection of the Republic of Belarus.

paragraph 180.

In accordance with Article 24 of the Law of the Republic of Belarus of 30 December 2010 No. 225-З "On External Labor Migration" (hereinafter – the Law on ELM), labor activity in the Republic of Belarus is carried out by migrant workers in accordance with labor legislation, taking into account the specifics established by this Law, other acts of legislation and international treaties of the Republic of Belarus.

In accordance with Article 33 of the Law on ELM in the labor contract concluded between a migrant worker and an employer of the Republic of Belarus in addition to the information and conditions provided for by part two of Article 19 of the Labor Code of the Republic of Belarus, the conditions of relocation to the Republic of Belarus, food, accommodation, medical care of the migrant worker, as well as the amount of remuneration not lower than the minimum wage in effect in the Republic of Belarus on the date of conclusion of the labor contract must be indicated.

Additionally, other provisions may be defined in the labor contract. In case of non-observance of certain rights, the migrant worker has the right to apply for their protection to the competent body of the Republic of Belarus.

In accordance with the first paragraph of Article 34 of the Law on ELM, a migrant worker has the right to accessible medical care at the expense of his own funds, funds of employers of the Republic of Belarus and other sources not prohibited by acts of legislation, pension provision in accordance with international treaties of the Republic of Belarus, unimpeded transfer outside the Republic of Belarus of earned funds in the procedure established by acts of legislation, as well as international treaties of the Republic of Belarus, import into the Republic of Belarus in accordance with acts of legislation of tools and equipment necessary for the performance of labor duties for the term of the labor contract, joining trade unions, and exercise of other rights in accordance with acts of legislation.

Also, according to the second paragraph of Article 35 of the Law on ELM, the employer of the Republic of Belarus is obliged to ensure at its own expense the departure from the Republic of Belarus of the migrant worker in the event of early termination of the labor contract at the request of the migrant worker in connection with violation by the employer of the Republic of Belarus of labor legislation, a collective agreement or a labor contract with the migrant worker, as well as in the event of annulment of the special permit through the fault of the employer of the Republic of Belarus, if there are no other grounds for the foreigner's stay in the Republic of Belarus.

In accordance with Decree of the President of the Republic of Belarus of 21 May 2025 No. 202 "On Increasing the Role of Employers in the Field of External Labor Migration", additional duties are imposed on the employer for the purpose of exercising control over the stay of migrant workers and preventing violations of legislation on external labor migration.

As for the conclusion that there are no independent trade unions in the Republic of Belarus, we inform you that as of 1 July 2026, 19 trade unions and 28,204 organizational structures of trade unions are registered and operating in the republic. The total number of members belonging to trade unions of Belarus is more than 4 million people.

In the Republic of Belarus, great attention is paid to protecting the interests of workers. Trade unions play a considerable role in this, protecting the labor and socio-economic rights of persons.

In 2026 work is being carried out to introduce amendments to the Law of the Republic of Belarus of 22 April 1992 No. 1605-XII "On Trade Unions" by restating it in a new edition.

subparagraph 2 of paragraph 181.

The legislation of the Republic of Belarus does not contain provisions prohibiting moving from one employer to another. Foreign citizens independently search for an employer and negotiate with him on the conditions of carrying out labor activity. If they do not wish to continue labor activity, the migrant worker has the right to terminate the labor relations in accordance with the labor legislation of the Republic of Belarus.

paragraph 183.

In accordance with the cited norms of the Regulation, all bodies and organizations participating in combating trafficking in human beings are authorized to identify possible victims, and the exclusive competence of law enforcement bodies includes only conducting, on their initiative or independently, the identification procedure, during which information about the commission of trafficking in human beings or related crimes against a person is verified. The assignment of this task to law enforcement bodies is due to the fact that other bodies and organizations do not possess legal powers and factual capabilities to carry out the measures necessary for such verification.

paragraph 184.

In accordance with the third paragraph of Article 1 of the Law, a victim is a person against whom trafficking in human beings or a related crime has been committed. The number of victims of labor exploitation established in Belarus reflects the actual number of persons against whom the corresponding crimes have been committed. In the case where such persons have not been established, as well as before their establishment during identification, the person is recognized as a person who could have suffered and, during the period of its conduct, has the right to receive the same scope of assistance and protection as a victim (point 6 of Article 17-1 of the Law, point 31 of the Regulation).

Currently, the border service authorities, including within the framework of organised interaction with other competent law enforcement agencies of the Republic of Belarus, have taken exhaustive measures to prevent illegal actions against foreign citizens, namely, seizure of property, theft of migrants' funds, robbery against migrants.

A problematic issue under this paragraph remains the commission of illegal actions by the migrants themselves. The border service authorities initiate criminal cases against the latter under Part 2 of Article 206 of the Criminal Code of the Republic of Belarus (Robbery), as well as under Part 2 of Article 207 of the Criminal Code of the Republic of Belarus (Robbery with the use of violence).

paragraph 186.

Previously, GRETA was repeatedly informed about the measures taken in Belarus to combat trafficking in human beings, equally covering all categories of persons, including migrants, to whom all rights, procedures, types of assistance and protection provided for by the Law and the Regulation apply. GRETA was also informed that the absence of victims among migrants is due to the actual absence of information about the commission of trafficking in human beings and related crimes against them. In this connection, it is not entirely clear what exactly "evidence" is meant in the report. The assertion that "migrants remain without the necessary protection and support", tied exclusively to issues of combating trafficking in human beings, is incompetent or manipulative in nature, since GRETA is well aware that the provision of necessary assistance to migrants is regulated and fully ensured not only within the framework of the Law and the Regulation, but also by legislation in the sphere of migration, health care, education, social protection, etc.

paragraph 187.

The State Border Committee has organised close cooperation with the Office of the International Organisation for Migration in the Republic of Belarus. Within the framework of this established cooperation (incoming No. 30653 of 29 October 2025), employees of the border service authorities of the Republic of Belarus annually participate in meetings of multi-disciplinary working groups responsible for the identification, referral and reintegration of victims of trafficking in human beings.

The purpose of the meetings is to exchange information, best practices and challenges in the field of combating trafficking in human beings, to summarise results for the past period and discuss prospects for further cooperation.

paragraph 197.

The measures taken by the State Border Committee in 2024-2026 to identify victims of trafficking in human beings, including foreign children and unaccompanied children, were based on current legislation and were sufficient to detect this illegal activity. These efforts continue to the present. The absence of identified cases of possible trafficking in human beings among foreign children may indicate that the organisers of this illegal activity have chosen other routes.

paragraph 205.

The provided for by the Regulation participation in the survey of any presumed victim of trafficking in human beings or related crimes by a legal representative mandatorily extends to cases of identifying a child victim. At the same time, such a representative is involved in all subsequent actions provided for by the Law and the Regulation.

paragraph 215.

Expulsion of a foreigner from the Republic of Belarus is carried out in the form of deportation or removal.

In accordance with Article 21.3 of the Procedural-Executive Code of the Republic of Belarus on Administrative Offences, deportation of a foreigner is suspended:

if identification of victims of trafficking in human beings is being carried out in respect of him, upon a reasoned petition of the body carrying out operative-investigative activity or the body conducting criminal proceedings – until the termination of such identification;

if he is a victim of trafficking in human beings, as well as a witness in a criminal case on trafficking in human beings or a crime related to trafficking in human beings, or is providing assistance to the body carrying out operative-investigative activity, upon a reasoned petition of such body or the body conducting criminal proceedings – until a decision (verdict) is adopted in the criminal case against persons guilty of trafficking in human beings or committing a crime related to trafficking in human beings.

Analogous norms concerning the suspension of removal from the Republic of Belarus are contained in part 1 of Article 68 of the Law of the Republic of Belarus of 04.01.2010 No. 105-З "On the Legal Status of Foreign Citizens and Stateless Persons in the Republic of Belarus".

According to Article 48 of the Law of the Republic of Belarus of 04.01.2010 No. 105-З "On the Legal Status of Foreign Citizens and Stateless Persons in the Republic of Belarus," a temporary residence permit is issued to foreigners if circumstances provided for by the Law and other legislative acts of the Republic of Belarus have arisen under which they cannot be expelled beyond the limits of the Republic of

Belarus – for the period during which expulsion beyond the limits of the Republic of Belarus is impossible, but not more than one year.