

Governing Body

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Reports of the Committee on Freedom of Association

414th Report of the Committee on Freedom of Association

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Measures taken by the Government of the Republic of Belarus to implement the recommendations of the Commission of Inquiry

► A. Introduction

1. The Committee on Freedom of Association, set up by the Governing Body at its 117th Session (November 1951), met at the International Labour Office, Geneva, from 19 to 21 March 2026, under the chairmanship of Mr Evance Kalula.
2. Subsequent to the decision of the Governing Body, at its 291st Session (November 2004), that the implementation of the recommendations of the Commission of Inquiry established to examine the observance by the Government of Belarus of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), should be followed up by the Committee on Freedom of Association, the Committee last examined this matter in its 410th Report (March 2025), which was approved by the Governing Body at its 353rd Session.
3. On that occasion, the Committee made the following recommendations:
 - (a) The Committee once again reiterates its previous request to immediately release all trade union leaders and activists, who, pursuant to the recommendations of the ILO supervisory bodies, were prosecuted for exercising their legitimate trade union activities, including for participating in peaceful assemblies or for exercising their civil liberties, and to drop all related charges.
 - (b) The Committee once again urges the Government to take the necessary measures to ensure that no person is detained in connection with his or her participation in a peaceful industrial action or protest in line with freedom of association. The Committee further urges the Government to take the necessary measures to ensure that all persons who have been arrested and/or detained for their participation in a peaceful industrial action or protest in line with freedom of association are adequately compensated for damages suffered. It requests the Government to indicate all measures taken to that end.
 - (c) With reference to recommendation 8 of the Commission of Inquiry, the Committee once again stresses the need to ensure an impartial and independent judiciary and justice administration in general in order to guarantee that investigations into these grave allegations are truly independent, neutral, objective and impartial. Accordingly, and noting that appeals against the conviction of certain trade unionists to lengthy prison sentences have failed, the Committee once again requests the Government to take the necessary measures, including legislative, if necessary, to supply copies of the relevant court decisions upholding the detention and imprisonment of the workers and trade unionists mentioned in this case.
 - (d) With reference to recommendation 8 of the Commission of Inquiry, which considered that adequate protection or even immunity against administrative detention should be guaranteed to trade union officials in the performance of their duties or when exercising their civil liberties (freedom of speech, freedom of assembly, etc.), the Committee once again firmly urges the Government to ensure that each alleged instance of intimidation or physical violence is investigated without delay through an independent judicial inquiry. It requests the Government to provide detailed information on their outcomes.
 - (e) The Committee requests the Government to provide its observations on the alleged additional restrictions that can be imposed on trade unionists and activists following the adoption by the Council of Ministers of the Republic of Belarus of a new regulation on the procedure for recognizing children at risk and in need of State protection.

- (f) The Committee requests the Government to provide its observations on the information provided by the BKDP regarding the appeals against the liquidation of independent trade unions by the Supreme Court in July 2022 and regarding the legislation in force which allegedly precludes trade unions whose activities were terminated by the courts from appointing representatives to contest such decisions. The Committee once again urges the Government to take steps to review the situation of the dissolved trade unions so as to ensure that they may again function. It further once again urges the Government to indicate concrete and specific steps taken to that end.
- (g) The Committee expects the Government to provide information on all steps taken to adopt specific legislative provisions affording an adequate protection against cases of non-renewal of contracts for anti-union reasons.
- (h) The Committee once again recalls its specific request to the Government to amend its legislation, in consultation with the social partners, to ensure that workers are protected against any acts of discrimination for simply having peacefully exercised their right to strike to defend their occupational and economic interests, which do not only concern better working conditions or collective claims of an occupational nature, but also the seeking of solutions to economic and social policy questions which affect their members interests, in particular as regards employment, social protection and standards of living. The Committee once again urges the Government to provide information on all measures taken or envisaged to that end.
- (i) The Committee once again urges the Government to ensure that all workers who have participated in the industrial actions referred to in this case in line with freedom of association are reinstated in their jobs without loss of pay. The Committee urges the Government to provide information on all measures taken in this respect.
- (j) The Committee once again urges the Government to amend the Law on Mass Activities and the accompanying Regulation, as well as Decree No. 3 on the registration and use of foreign gratuitous aid in the very near future and requests the Government to provide information on all measures taken in this respect as soon as possible. The Committee recalls that the amendments should be directed at: abolishing the sanctions imposed on trade unions or trade unionists for a single violation of the respective legislation; setting out clear grounds for the denial of requests to hold trade union mass events, bearing in mind that any such restriction should be in conformity with freedom of association principles; and bringing the scope of activities for which foreign financial assistance can be used into accordance with freedom of association. The Committee further requests the Government to repeal the above-mentioned amended provisions of the Criminal Code in order to bring them into compliance with the Government's international obligations regarding freedom of association. The Committee requests the Government to provide information on all measures taken to that end and invites the Government to avail itself of ILO technical assistance in this respect.
- (k) The Committee once again urges the Government to engage with the ILO with a view to fully implement all outstanding recommendations of the ILO supervisory bodies without further delay and in this regard, urges it to accept: (i) an international humanitarian mission to ensure that independent doctors can visit all imprisoned trade unionists to assess their health and offer medical assistance, as necessary; and (ii) an ILO tripartite mission to assess the situation in the country, including a visit to trade unionists that are currently in prison or detention.

4. Since the last examination by this Committee of the measures taken by the Government to implement the recommendations of the Commission of Inquiry, the Governing Body examined the follow-up to the resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Belarus on two occasions (March 2025, see [GB.353/INS/7\(Rev.1\)](#), and November 2025, see [GB.355/INS/8\(Rev.1\)](#)) and will have before it a document on the same subject at its March–April 2026 session ([GB.356/INS/12\(Rev.2\)](#)).

5. In a communication dated 31 January 2026, the Belarusian Congress of Democratic Trade Unions (BKDP) submitted new allegations of violation of freedom of association in the country in addition to the information it had provided to the Governing Body for its 355th Session (November 2025).
6. In light of the time that has elapsed since its previous examination of this case, at its meeting in November 2025 [see [412th Report](#), para. 23], the Committee requested the Government to send its observations as a matter of urgency so that it could examine the follow-up measures taken with respect to the recommendations of the Commission of Inquiry at its next meeting. To date, no observations have been provided by the Government to the Committee. However, the Government provided its comments to the Governing Body for its 355th and 356th Sessions for its discussion on the measures taken to implement the recommendations of the Commission of Inquiry and subsequent recommendations of the Committee on Freedom of Association, the Committee of Experts on the Application of Conventions and Recommendations and the Committee on the Application of Standards. By a communication dated 17 March 2026, the Government transmitted its reply to the abovementioned BKDP communication.
7. The Committee submits for the approval of the Governing Body the conclusions it has reached concerning the measures taken to implement the recommendations of the Commission of Inquiry.

► B. New allegations relating to the recommendations of the Commission of Inquiry

8. In its communication dated 16 September 2025, the BKDP informs that, on 11 September 2025, Mr Aliaksandr Yarashuk, the Chairperson of the BKDP and a member of the ILO Governing Body, and Mr Hennadz Fiadynich, Vice-Chairperson of the Belarusian Union of Radio and Electronics Workers (REP), were released from custody less than two months before their expected official release date. According to the BKDP, their release reportedly resulted from the negotiations between the Government of the United States of America and the Belarusian authorities. Following their release, Messrs Yarashuk and Fiadynich were immediately transported to the Belarus–Lithuania border. The BKDP emphasizes that the release of Messrs Yarashuk and Fiadynich did not imply their exoneration or recognition by the authorities of the violations committed against them. The BKDP argues that the deportation to Lithuania of the two trade union leaders was unlawful, and indicates that on the day prior to their deportation, Messrs Yarashuk and Fiadynich were transferred to a pretrial detention centre in Minsk; they were not informed of their imminent removal from the country nor of the grounds therefor before they crossed the Belarus–Lithuania border. The Belarusian authorities did not seek or obtain their consent to transport them out of the country and confiscated their passports without any legal basis. In this respect, the BKDP recalls that, pursuant to Presidential Decree (Ukaz) No. 278 of 4 September 2023 “On the procedure for issuing documents and performing actions”, it is not possible to obtain a new Belarusian passport abroad. According to the BKDP, the confiscation of passports amounts to an additional form of repression against Messrs Yarashuk and Fiadynich, as it forced them into exile and prevented them from returning to Belarus. Moreover, all medication and personal correspondence of Messrs Yarashuk and Fiadynich were confiscated. The BKDP argues that those measures, taken as a whole, constitute inhumane treatment causing severe suffering

and jeopardizing the physical and psychological integrity of the two trade union leaders. The BKDP refers to the poor health of the two trade unionists. Moreover, as Messrs Yarashuk and Fiadynich were deprived of their national passports, their migration status in Europe remains precarious

9. The BKDP also raises serious concerns regarding the critical health condition of Mr Vatslau Areshka, the REP union newspaper editor. During his imprisonment, Mr Areshka was diagnosed with cataracts, glaucoma and a retinal tear. As of 16 September 2025, he has been completely blind, suffers from skin inflammations on his legs, and experiences problems with his spine. In the spring of 2025, Mr Areshka was taken to a punishment cell as a disciplinary measure due to his blindness. He was under a high security regime without sufficient medication and medical care and without having his disability officially registered. Mr Areshka was forced to move around by touch, including in order to reach the toilet facilities, which exposed him to a constant risk of injury; he had repeatedly fallen in his cell, sustaining wounds and bleeding injuries as a result.
10. In its communication dated 31 January 2026, the BKDP indicates that the Government of Belarus has continuously failed to implement the recommendations of the Commission of Inquiry as well as the annual recommendations of this Committee. The BKDP states that independent trade unions and their members continue to be unable to operate legally in Belarus and that any individual engaging with independent trade unions is subject to criminal liability, established under articles 193¹ ("Unlawful organization of the activities of a public association, religious organization or foundation or participation in their activities"), 361¹ ("Creation of or participation in an extremist group") and 361⁴ ("Facilitating extremist activities") of the Criminal Code.
11. The BKDP indicates that, on 13 December 2025, Mr Maksim Senik, the Secretary-Treasurer of the Belarusian Independent Trade Union (BNP) at "Grodno Azot" company, was released together with 122 other political prisoners. While the legal basis for his release is unknown, it supposedly also resulted from the negotiations between the US Government and the authorities of Belarus, which culminated in a bilateral agreement whereby political prisoners were released in exchange for the lifting of the US sanctions on the export of potash fertilizers. While acknowledging the release, the BKDP indicates that: together with other political prisoners, Mr Senik was forcibly deported to Ukraine; his release did not constitute exoneration nor implied recognition by the Belarusian authorities of the violations committed against Mr Senik, nor did it demonstrate the acknowledgement by the Government of Belarus of its obligations under Conventions Nos 87 and 98 and measures recommended by the Governing Body under article 33 of the ILO Constitution. The BKDP alleges that Mr Senik has been subjected to an unlawful deportation. Moreover, at the time of his release, Mr Senik was being held in solitary confinement, unaware of his imminent release, and was forced to physically harm himself by banging his head against the wall to obtain information about his situation; the prison administration threw him to the floor, handcuffed him, and placed him in a room with rubber walls to prevent him from further harming himself. The BKDP reports that, as a result, Mr Senik is experiencing mental and physical health problems.
12. The BKDP alleges that repressions against the leaders and activists of independent Belarusian trade unions and the labour movement persist. As of 4 February 2026, more than 50 trade union and labour leaders and activists were under criminal prosecution, including 19 trade unionists who remain in prison or in detention. The BKDP reiterates its deep concern about the state of health of Mr Areshka. The BKDP further alleges the continued prosecution of Mr Maksim Pazniakou, acting Chairperson of the BKDP: his sister and his spouse's parents were summoned for questioning, and, in December 2025, the police once again searched the

apartments of his mother and sister. The BKDP indicates that it had deliberately excluded some details about the persecution of certain independent trade unionists to avoid unreasonable risks of further persecution.

13. The BKDP further indicates that on 18 November 2025, Mr Lukashenko signed Decree No. 400, which approved the Plan for drafting legislative acts in 2026. The Plan provides, in particular, for the elaboration of a law to amend the Law on Trade Unions and identified the Council of Ministers, the National Center for Legislation and Legal Information, and the Federation of Trade Unions of Belarus (FPB) as state bodies (organizations) responsible for drafting it. The Decree does not provide for the participation of trade unions in drafting the amendments to other pieces of legislation such as the Law on Labour Protection, the Law on External Labour Migration and the Law on Amendments to Laws on Labour and Related Relations.
14. The BKDP also refers to resolution No. 696 “On certification, confirmation of qualifications, and business (professional) reputation in the field of auditing”, adopted by the Council of Ministers on 1 December 2025. The resolution prohibits individuals who have been held administratively or criminally liable for committing “extremist” offences from working as auditors; any applicant for an auditor’s certificate must provide to the Ministry of Finance a document confirming the absence of an outstanding or unexpunged conviction for committing offences under a number of articles of the Criminal Code, including the following: 342 (“Organization and preparation of actions grossly violating public order or active participation in them”), 342² (“Repeated violation of the procedure for organizing or holding mass events”), 361 (“Calls for restrictive measures (sanctions) or other actions aimed at harming the national security of the Republic of Belarus”), 361¹ (“Creation of an extremist formation or participation therein”), 361² (“Financing extremist activities”), 361⁴ (“Facilitating extremist activities”), 361⁵ (“Training or other preparation for participation in extremist activities”), 369¹ (“Discrediting the Republic of Belarus”), 369² (“Illegal receipt and (or) use of foreign gratuitous aid”), and 369³ (“Public calls to organise or hold an illegal gathering, rally, street march, demonstration or picket, or involvement of persons in such mass events”). Applicants must also confirm the absence of administrative penalties under several articles of the Administrative Code, provided that the statutory period for the administrative penalty to be considered extinguished had not elapsed. The BKDP describes the resolution as an additional form of persecution of persons convicted under “extremist articles” of the Criminal Code and the Code on Administrative Offences.

► C. The Government’s reply on the measures taken to implement the recommendations of the Commission of Inquiry

15. The Government provided the following information to the Governing Body at its 355th and 356th Sessions.¹
16. In a communication dated 28 August 2025, the Government reiterates its position that a campaign unjustifiably launched within the framework of the ILO discredits and exerts undue pressure on the country. The Government regrets the dismissal of its arguments regarding the compliance by Belarus with the ILO Conventions on freedom of association and the

¹ The Government’s communications are reproduced in extenso in the appendices to the corresponding documents.

implementation of the relevant recommendations. The Government considers that the ILO assessment of the situation in Belarus has been based exclusively on the information provided by illegitimate structures operating abroad thanks to the support and in accordance with the political interests of unfriendly countries. The Government recalls that it has repeatedly drawn attention to the absence of grounds for the application of article 33 of the ILO Constitution to Belarus and the adoption of the resolution, which calls for the country's isolation. The Government considers that this resolution is unfair, politically motivated, and contradicts the fundamental principles of the ILO. In light of the above and of the fact that the decision to appoint a Special Envoy was made in the context of the resolution, the Government asserts that it does not support the establishment of any additional monitoring mechanisms. It further indicates that the discriminatory decisions previously adopted within the framework of the ILO have already formed such an extremely negative background for evaluating the situation in the country that the Special Envoy will be a priori precluded from approaching this case in an objective manner. The Government expresses its conviction that the abandonment of the unfair and ineffective policy of pressure on Belarus could provide the necessary basis for restoring trust and constructive dialogue with the ILO in the interests of Belarusian society.

17. In a communication dated 5 November 2025, the Government expresses regret that the ILO supervisory bodies do not take into account its arguments but rather rely on the information provided by illegitimate structures that have no relation to the Republic of Belarus. It therefore reiterates the information it has previously provided to the Governing Body and ILO supervisory bodies, including this Committee.
18. In communications dated 2 February and 17 March 2026, the Government indicates that it has repeatedly provided comprehensive information regarding the implementation of the recommendations of the Commission of Inquiry as well as its counterarguments regarding the unfounded and politically motivated accusations of non-compliance by Belarus with the ILO freedom of association Conventions, the recommendations of the Commission of Inquiry and the subsequent recommendations of the ILO supervisory bodies, as well as on the alleged persecution of trade union activists for the peaceful exercise of their lawful activities. The Government considers that some of the recommendations of the ILO supervisory bodies concern issues that fall outside the scope of Conventions Nos 87 and 98. The Government refers, in particular, to the recommendations concerning the use of foreign gratuitous aid and penalties imposed for violations of legislation on mass events. In the Government's view, in the current circumstances, such recommendations may serve purpose of creating conditions for external interference in the internal affairs of the State.
19. The Government reiterates that it considers the anti-Belarusian campaign launched within the ILO, as well as the adoption of both the International Labour Conference's resolution on Belarus on the basis of article 33 of the ILO Constitution and the subsequent decisions of the Governing Body and the ILO supervisory bodies illegal and unjustified. The Government once again reiterates its position that claims regarding the prosecution of Belarusian trade unions and citizens for engagement in legitimate trade union activities and the peaceful and lawful exercise of their civil rights and freedoms lack merit. The Government points out that provisions of national legislation setting out criminal liability for extremism and terrorism and other crimes directed against society and the State do not contradict generally recognized norms of international law and are the same as exist in other (including Western) countries. Furthermore, the issues raised by the BKDP regarding the prosecution of a number of individuals for criminal offenses, the conditions of their detention and their release, including by decision of the Head of State based on humanitarian considerations, as well as the legislative prohibition imposed on individuals who have committed certain crimes to hold

certain positions, have no relation to the obligations of Belarus under Conventions Nos 87 and 98, and fall outside the scope of the ILO mandate,

20. The Government also reaffirms the independent and representative character of the FPB and reiterates that a destructive cell based in one of the EU countries is operating under the guise of the BKDP. The Government asserts that there are no legal grounds for the Office and the ILO supervisory bodies to interact with the BKDP and its representatives and that the Government cannot be obliged to provide its comments on the information received from illegitimate structures or organizations not associated with the country.
21. The Government further reiterates that there is no political or practical expediency for engaging with the Special Envoy, or for accepting the proposed missions to the country, and that it continues to oppose the creation of a working group of the ILO and other UN institutions with a view to coordinating actions to put pressure on Belarus. In particular, the Government considers the mandate of the Special Envoy as a deliberately biased and unacceptable mechanism created in the context of implementing anti-Belarusian initiatives; the Government reiterates that the artificially created negative narrative regarding Belarus a priori precludes the Special Envoy from an objective assessment of the situation and, accordingly, rules out the possibility of constructive dialogue. According to the Government, its position is corroborated by: the engagement of the Special Envoy with representatives of the illegitimate BKDP; the Special Envoy's priority areas identified for further action at the 355th Session of the Governing Body; and his statement that the "Belarusian issue" concerns not only the exercise of trade union activities but also a broader issue of ensuring freedom of association in the country.
22. Regarding Messrs Yarashuk and Fiadynich, the Government indicates that by a decision of the Head of State, they were pardoned on humanitarian considerations. The Government further indicates that it does not have any information about the location of their passports and that the procedure for obtaining identity documents by Belarusian citizens is determined by Presidential Decree No. 294 of 3 June 2008 "On Documenting the Population of the Republic of Belarus". Furthermore, with respect to the Governing Body's request to restore the payment of the pensions of Messrs Yarashuk and Fiadynich, the Government asserts that the crime for which Mr Yarashuk was convicted served as the basis for terminating the payment of his accrued civil service pension; at the same time, Mr Yarashuk was informed about the possibility of joining an old-age pension scheme, subject to the submission of the relevant application. The Government further states that Mr Fiadynich receives an old-age pension calculated on the basis of his total length of service, and, in accordance with the provisions of the pension legislation, Mr Fiadynich is being paid a pension taking into account the costs of his detention at the correctional facility. According to the Government, Mr Fiadynich must submit an application to restore the payment of his pension.
23. The Government does not consider itself bound by obligations to implement unfounded and politically motivated decisions and recommendations aimed at promoting the geopolitical interests of a certain group of states, to the detriment of the interests of Belarusian workers and employers. The Government reiterates its categorical opposition to interference in the internal affairs of sovereign states, the use of ILO mechanisms to legitimize sanctions violating the rights of Belarusian citizens, and the discriminatory recommendations calling on international organizations and ILO Member States to review their relations with the Republic of Belarus. The Government also demands the immediate curtailment of anti-Belarusian initiatives lobbied by Western countries and structures under their control as well as the cancellation of unjustified and unlawful decisions in relation to Belarus. Accordingly, the Government reiterates its call on all ILO constituents and bodies not to take steps to implement

the resolution on Belarus, as it creates a dangerous precedent of unlawful pressure on the country based on false accusations.

► D. The Committee's conclusions

24. *At the outset, the Committee notes that the Government once again questions the interaction of the Office and the ILO supervisory bodies with the BKDP, which, according to the Government, does not represent workers in Belarus and is an illegal organization. The Committee therefore must once again draw the Government's attention to paragraphs 33 and 35 of its Procedures for the examination of complaints alleging violations of freedom of association and recalls that it has not regarded any complaint as being irreceivable simply because the Government in question had dissolved the organization on behalf of which the complaint was made, or because the person or persons making the complaint had taken refuge abroad. The fact that an organization – the BKDP in the present case – is not officially recognized does not justify the rejection of allegations when it is clear from the complaints that this organization has at least a de facto existence. The Committee recalls that the allegations of the Government's interference in the BKDP's and its affiliates' internal affairs, harassment and retaliatory acts against their leaders and members aimed at eradication of any dissenting voices within the trade union movement in Belarus were the subject matter of the inquiry under article 26 of the ILO Constitution. The Committee recalls that the Commission of Inquiry requested the Government to ensure the participation of the BKDP on the National Council on Labour and Social Issues (NCLSI) (recommendation 11) with a view to ensuring a place for different views in the social dialogue of the country.*
25. *With regard to the Government's repeated assertion that the Governing Body and the ILO supervisory bodies, including this Committee, disregard the position of the Government, do not take into account the country's national interests and sovereignty and go beyond their mandate, the Committee once again recalls that it always takes account of national circumstances, such as the history of labour relations and the social and economic context, but the freedom of association principles apply uniformly and consistently among countries. All States have the obligation to respect fully the commitments undertaken by ratification of ILO Conventions. While the manner in which the application of a ratified Convention is ensured in law and in practice varies from one State to another depending on the national constitutional and legal system, the basis for this obligation cannot be challenged [see **Compilation of decisions of the Committee on Freedom of Association**, sixth edition, 2018, paras 16 and 48]. Furthermore, by virtue of its Constitution, the ILO was established in particular to improve working conditions and to promote freedom of association in the various countries. Consequently, the matters dealt with by the Organization in this connection no longer fall within the exclusive sphere of States and the action taken by the Organization for the purpose cannot be considered to be interference in internal affairs, since it falls within the terms of reference that the ILO has received from its Members with a view to attaining the aims assigned to it [see **Compilation**, para. 2]. The Committee also once again recalls that its mandate consists in determining whether any given legislation or practice complies with the principles of freedom of association and collective bargaining laid down in the relevant Conventions and that within the terms of its mandate, the Committee is empowered to examine to what extent the exercise of trade union rights may be affected in cases of allegations of the infringement of civil liberties [see **Compilation**, paras 9 and 22]. This is all the more so in this context where the Committee has been mandated to follow up on the measures to implement the recommendations of the Commission of Inquiry and to follow through with requests for action for their effective implementation.*

26. Further in this respect, the Committee once again wishes to point out that on each and every occasion it examined measures taken by the Government of Belarus to implement the recommendations of the Commission of Inquiry, it has carefully considered the information submitted by the Government before drawing its own conclusions and recommendations [see examples highlighted in the Committee's Report No. 410 (March 2025), para. 40]. In this respect, and while noting the Government's communications of 28 August and 5 November 2025 and 2 February and 17 March 2026 to the Governing Body, the Committee regrets that, despite the time that has elapsed since the previous examination of this case, the Government has not replied to the Committee's previous recommendations, although it has been invited on several occasions, to present its comments and observations on the case. The Committee further observes with deep regret that in its reply to the Governing Body, the Government essentially reiterates the information it has been providing for several years without detailing any measures it has taken to address the recommendations of the ILO supervisory bodies, including this Committee's, which the Committee is thus bound to repeat. Bearing in mind the above, the Committee remains confident that, if the procedure protects governments from unreasonable accusations, governments on their side will recognize the importance of formulating, for objective examination, detailed/precise/accurate replies concerning allegations made against them [see **Compilation**, para. 58]. The Committee urges the Government to be more cooperative in the future.
27. The Committee notes with utmost concern the information communicated by the BKDP, according to which, as of 4 February 2026, more than 50 trade union and labour leaders and activists were still under criminal prosecution and 19 trade union leaders and activists are currently imprisoned or detained; according to the BKDP, for fear of reprisals, many others could not be mentioned. In this respect, the Committee further notes with utmost concern the critical health situation as well as the life-threatening conditions of imprisonment of Mr Areshka, as described by the BKDP. The Committee therefore urges the Government to take steps without delay, pending Mr Areshka's release, to ensure his physical integrity and conditions of detention are compatible with international human rights standards. The Committee once again deplores the Government's protracted failure to take steps for the release of the detained trade union leaders and worker activists. In these circumstances, the Committee once again reiterates its previous request to immediately release all trade union leaders and activists, who, pursuant to the recommendations of the ILO supervisory bodies, were prosecuted for exercising their legitimate trade union activities, including for participating in peaceful assemblies or for exercising their civil liberties, and to drop all related charges.
28. In this respect and with regard to its previous call on the Government to accept an international humanitarian mission to ensure that independent doctors can visit all imprisoned trade unionists to assess their health and offer medical assistance, as necessary, as well as an ILO tripartite mission to assess the situation in the country, including a visit to trade unionists that are currently in prison or detention, the Committee notes with deep regret that the Government reiterates that it opposes the politically motivated anti-Belarusian ILO resolution and that therefore, there is no political or practical expediency in accepting a mission to the country. With reference to the decisions of the Governing Body, as well as the June 2025 conclusions of the Conference Committee on the Application of Standards, which are to the same effect, the Committee urges the Government to review its position and accept the above-mentioned missions.
29. The Committee recalls from its previous examination of this case the articles of the Criminal Code under which trade unionists were convicted, many of which referred to "extremist activities" [see appendix, 406th Report]. The Committee further recalls the allegation that following the adoption of a regulation on the procedure for recognizing children at risk and in need of state protection, additional restrictions could be placed on trade unionists convicted under such provisions, which involved the possibility of their children being placed under state guardianship. The Committee notes

the latest BKDP allegation that, pursuant to the Council of Ministers' resolution No. 696 "On certification, confirmation of qualifications, and business (professional) reputation in the field of auditing" of 1 December 2025, individuals who have been held administratively or criminally liable for committing "extremist" offences are prohibited from working as auditors. The BKDP describes this resolution as an additional form of persecution of trade unionists convicted under "extremist articles" of the Criminal Code and the Code of Administrative Offences. The Committee requests the Government to take all necessary measures, including legislative, to ensure that legitimate trade union activities, which also include the exercise of freedom of expression, association and assembly in furtherance of trade union activities, are not designated as "extremist activities".

30. The Committee notes the information regarding the release of Messrs Yarashuk and Fiadynich on 11 September 2025 as well as the release of Mr Senik on 13 December 2025. While welcoming their release, the Committee notes with deep concern that Messrs Yarashuk and Fiadynich were immediately deported, against their will, to Lithuania and Mr Senik to Ukraine, which deprived them of their livelihood, access to health services and once again separated them from their respective families. The Committee also notes with deep concern that the national passports as well as all medication and personal correspondence of Messrs Yarashuk and Fiadynich were confiscated, which resulted in both health risks and a precarious migration status for them. In this regard, the Committee observes the Government's indication that it does not have information about the location of the passports of Messrs Yarashuk and Fiadynich and that the procedure for obtaining identity documents by Belarusian citizens is determined by Presidential Decree (Ukaz) No. 294 of 3 June 2008 "On Documenting the Population of the Republic of Belarus". The Committee observes, however, that Presidential Decree (Ukaz) No. 278 of 4 September 2023 makes it impossible to obtain a new Belarusian passport abroad. The Committee notes with concern the absence of the Government's cooperation with respect to providing Messrs Yarashuk and Fiadynich with valid documents. With reference to the decision of the Governing Body at its 355th Session, the Committee urges the Government take all necessary steps to ensure that their national passports are returned to Messrs Yarashuk and Fiadynich without delay.
31. The Committee further notes that according to the BKDP, Messrs Yarashuk and Fiadynich were not exonerated and were deprived of their pension. The Committee notes from the Government's reply that although the two trade unionists were pardoned, the crime for which Mr Yarashuk was convicted is the reason given for terminating the payment of the pension accrued during his employment in the civil service. In this regard, the Committee understands that while a pardon does not result in exoneration, a legal consequence of a pardon, as opposed to an early release, is a full restoration of rights, including the right to receive a pension accrued during employment. The Committee further notes the Government's indication that both trade unionists can apply for the payment of an old-age pension, but queries whether that is at all possible in the absence of national passports, often required for administrative procedures. In light of the above, the Committee urges the Government to ensure that the payment of pensions is restored to Messrs Yarashuk and Fiadynich without further delay.
32. The Committee welcomes the appointment by the Governing Body at its 354th Session (see [GB.354/INS/11/Decision](#)) of the Special Envoy to Belarus to undertake the following assignment, in representation of the ILO: (1) engage with the Government of Belarus and all social partners, including those mentioned in the recommendations of the ILO Commission of Inquiry with a view to: (a) visiting the detained trade unionists, (b) facilitating their release, and (c) exploring avenues for the recognition of the BKDP so that it can re-engage with the NCLSI and the tripartite Council for improvement of legislation in the social and labour sphere (tripartite Council); and (2) engage with UN agencies and all the relevant stakeholders, within its mandate, with a view to ensuring coordinated action on the recommendations of the ILO Commission of Inquiry. The Committee also

welcomes the renewal of this mandate for the year 2026. The Committee notes with deep regret that the Government does not recognize the Special Envoy's mandate and considers that he was appointed under an unacceptable mechanism created in the context of implementing anti-Belarusian initiatives. In this respect, the Committee notes that the Government questions the objectivity with which the Special Envoys approaches his mandate, in light of his engagement with the BKDP. The Committee points out, as indicated above, that the Special Envoy was mandated to engage with the Government and its social partners, mentioned in the recommendations of the Commission of Inquiry, which includes both the BKDP and the FPB. While the BKDP has engaged with the Special Envoy, the Committee regrets that other Belarusian stakeholders have not. The Committee urges the Government to engage with the Special Envoy to find the path towards constructive dialogue with the ILO supervisory bodies, including this Committee, to fully implement all outstanding recommendations reiterated in the recommendations below.

► The Committee's recommendations

33. In the light of its foregoing interim conclusions, the Committee invites the Governing Body to approve the following recommendations:

- (a) The Committee regrets that, despite the time that has elapsed since the previous examination of this case, the Government has not replied to the Committee's previous recommendations, although it has been invited on several occasions, to present its comments and observations on the case. The Committee urges the Government to be more cooperative in the future.
- (b) The Committee once again reiterates its previous request to immediately release all trade union leaders and activists, who, according to the recommendations of the ILO supervisory bodies, were prosecuted for exercising their legitimate trade union activities, including for participating in peaceful assemblies or for exercising their civil liberties, and to drop all related charges.
- (c) The Committee once again urges the Government to accept: (i) an international humanitarian mission to ensure that independent doctors can visit all imprisoned trade unionists to assess their health and offer medical assistance, as necessary; and (ii) an ILO tripartite mission to assess the situation in the country, including a visit to trade unionists that are currently in prison or detention.
- (d) The Committee requests the Government to take all necessary measures, including legislative, to ensure that legitimate trade union activities, which also include the exercise of freedom of expression, association and assembly in furtherance of trade union activities, are not designated as "extremist activities".
- (e) The Committee urges the Government to take all necessary steps to ensure the return of their national passports to Messrs Yarashuk and Fiadynich without delay.
- (f) The Committee urges the Government to ensure that the payment of pensions is restored to Messrs Yarashuk and Fiadynich without further delay.
- (g) The Committee urges the Government to engage with the Special Envoy to find the path towards constructive dialogue with the ILO supervisory bodies and implementation of their outstanding recommendations.

- (h) The Committee once again urges the Government to take the necessary measures to ensure that no person is detained in connection with his or her participation in a peaceful industrial action or protest in line with freedom of association. The Committee further urges the Government to take the necessary measures to ensure that all persons who have been arrested and/or detained for their participation in a peaceful industrial action or protest in line with freedom of association are adequately compensated for damages suffered. It requests the Government to indicate all measures taken to that end.
- (i) With reference to recommendation 8 of the Commission of Inquiry, the Committee once again stresses the need to ensure an impartial and independent judiciary and justice administration in general in order to guarantee that investigations into these grave allegations are truly independent, neutral, objective and impartial. Accordingly, and noting that appeals against the conviction of certain trade unionists to lengthy prison sentences have failed, the Committee once again requests the Government to take the necessary measures, including legislative, if necessary, to supply copies of the relevant court decisions upholding the detention and imprisonment of the workers and trade unionists mentioned in this case.
- (j) With reference to recommendation 8 of the Commission of Inquiry, which considered that adequate protection or even immunity against administrative detention should be guaranteed to trade union officials in the performance of their duties or when exercising their civil liberties (freedom of speech, freedom of assembly, etc.), the Committee once again firmly urges the Government to ensure that each alleged instance of intimidation or physical violence is investigated without delay through an independent judicial inquiry. The Committee reiterates its request to the Government to provide detailed information on their outcomes.
- (k) The Committee once again urges the Government to take steps to review the situation of the dissolved trade unions so as to ensure that they may again function. It further once again urges the Government to indicate concrete and specific steps taken to that end.
- (l) The Committee once again requests the Government to provide information on all steps taken to adopt specific legislative provisions affording an adequate protection against cases of non-renewal of contracts for anti-union reasons.
- (m) The Committee reiterates its specific request to the Government to amend its legislation, in consultation with the social partners, to ensure that workers are protected against any acts of discrimination for simply having peacefully exercised their right to strike to defend their occupational and economic interests, which do not only concern better working conditions or collective claims of an occupational nature, but also the seeking of solutions to economic and social policy questions which affect their members' interests, in particular as regards employment, social protection and standards of living. The Committee once again urges the Government to provide information on all measures taken or envisaged to that end.
- (n) The Committee once again urges the Government to ensure that all workers who have participated in the industrial actions referred to in this case in line with freedom of association are reinstated in their jobs without loss of pay. The Committee urges the Government to provide information on all measures taken in this respect.

- (o) The Committee once again urges the Government to amend the Law on Mass Activities and the accompanying Regulation as well as Decree No. 3 on the registration and use of foreign gratuitous aid without further delay and requests the Government to provide information on all measures taken in this respect. The Committee recalls that the amendments should be directed at: abolishing the sanctions imposed on trade unions or trade unionists for a single violation of the respective legislation; setting out clear grounds for the denial of requests to hold trade union mass events, bearing in mind that any such restriction should be in conformity with freedom of association principles; and bringing the scope of activities for which foreign financial assistance can be used into accordance with freedom of association.
- (p) The Committee once again requests the Government to repeal the 2021 amendments to the Criminal Code that effectively prevent independent trade unions and their members from carrying out their activities in Belarus with a view to bringing them into compliance with the Government's international obligations regarding freedom of association.
- (q) The Committee requests the Government to provide information on all measures taken to implement the recommendations above and once again encourages the Government to avail itself of ILO technical assistance in this respect.