

**BRIEFING NOTE**

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4 April 2025

*Council of Europe contribution  
for the 50<sup>th</sup> UPR session (Oct-Nov 2025)  
Belarus*

**Parliamentary Assembly of the Council of Europe**

In its Resolution [2587 \(2025\)](#) “The urgent need for free and fair elections in Belarus” adopted on 30 January 2025, the Parliamentary Assembly of the Council of Europe stresses that democratic elections are not possible without respect for human rights, in particular freedom of expression, assembly and association; considers that the so-called elections organized in Belarus on 26 January 2025 do not meet the minimum international standards for democratic elections and lack any democratic credibility; considers that there are no grounds for recognizing the legitimacy of Aliaksandr Lukashenka as president.

In line with the recommendations set out in its Resolution [2530\(2024\)](#) “A democratic future for Belarus” adopted on 25 January 2024, the Assembly believes that, with a view to honoring its obligations under international law, aligning itself to the Council of Europe’s values and preserving its sovereignty and independence, Belarus should:

- cease all repressive measures designed to silence dissent, and ensure the unconditional and immediate release of all political prisoners and provide for their rehabilitation;
- declare an amnesty for all those arrested on political grounds;

- immediately put an end to all acts of torture or inhuman and degrading treatment, whether in public, citizens' homes or any place of detention; ensure the organization of free and fair elections, together with the respect for civil and political rights and freedoms, in line with the recommendations set out in Assembly Resolution 2371(2021) "Urgent need for electoral reform in Belarus" and recommendations made by the Venice Commission and the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe;
- enable a peaceful transfer of power after the organization of free and fair elections;
- impose an immediate moratorium on the death penalty and take steps towards its permanent abolition.

Resolution [2499\(2023\)](#) "Addressing the specific challenges faced by the Belarusians in exile" adopted on 20 June 2023

#### ***Venice Commission (European Commission for Democracy Through Law)***

Belarus - Final Opinion on the Constitutional Reform, adopted by the Venice Commission at its 132nd Plenary Session (Venice, 21-22 October 2022) - [CDL-AD\(2022\)035](#)

In the above Opinion, with regard to the constitutional amendments adopted by referendum held on 27 February 2022 ([CDL-REF\(2022\)034](#)), the Venice Commission notes that given numerous procedural, substantial and structural deficiencies in the constitutional reform, a holistic revision of the whole Constitution appears to be indispensable, provided that the conditions for free and pluralistic debate and fair expression of the popular will are reinstated.

Belarus - Urgent interim opinion on the Constitutional Reform, issued on 21 February 2022 pursuant to Article 14a of the Venice Commission's Rules of Procedure, endorsed by the Venice Commission at its 130th Plenary Session (Venice and online, 18-19 March 2022) - [CDL-AD\(2022\)008](#)

In the above Opinion, with regard to the draft constitutional amendments published on 27 December 2021, the Venice Commission is of the view that these amendments fail to correct the strong unbalance of powers which already exists under the current Constitution and indeed may even aggravate it. If the proposed institutional changes are globally to be assessed negatively, this does not mean that constitutional reform in Belarus is neither necessary, nor desirable. On the contrary, the Venice Commission invites the authorities to undertake a constitutional reform which would correct the current unbalance of powers and introduce appropriate checks and balances, including with respect to the procedure of amending the Constitution, in line with international standards.

Belarus - Opinion on the compatibility with European standards of certain criminal law provisions used to prosecute peaceful demonstrators and members of the “Coordination Council”, adopted by the Venice Commission at its 126th Plenary Session (online, 19-20 March 2021) - [CDL-AD\(2021\)002](#)

In the above Opinion, the Venice Commission analysed the relevant provisions of the Law on Mass Events along with the relevant provisions of the Criminal Code and the Code of Administrative Infringements following mass demonstrations that took place in the aftermath of the presidential elections in Belarus in August 2020 resulting in mass arrests. The Venice Commission remained concerned about the overregulation of the procedural aspects of holding assemblies. As regards the criminal law provisions, some of the main concerns of the Venice Commission are the criminalisation of non-violent demonstrators; the application of certain provisions due to the use of vague notions; the criminal responsibility of organisers of a demonstration on account of acts imputable to participants; and the severity (and unclarity) of the sentences enshrined in the Criminal Code.

The Venice Commission made, inter alia, the following recommendations:

- peaceful demonstration should not, in principle, be made subject to the threat of severe penal sanctions, such as imprisonment or heavy fines which is the case of Article 23:24 of the Code of Administrative Infringements;
- Article 361.1 of the Criminal Code regarding public calls to violently overthrow the constitutional order could be applied in a manner contrary to international human rights standards and should be revised and rendered more precise because political debate carries a very strong presumption in favour of the freedom of expression.

#### ***Action against trafficking in human beings (GRETA)***

GRETA 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](#), adopted on 28 June 2022, published on 27 October 2022.

GRETA calls on Belarus to strengthen border controls to prevent and detect trafficking in human beings. This should include the provision of information to foreign nationals, in a language that they can understand, about the risks of human trafficking, their rights and where to turn for advice and assistance.

GRETA also urges the Belarusian authorities to strengthen their efforts to ensure that human trafficking cases for different forms of exploitation are investigated and prosecuted proactively, and lead to effective, proportionate and dissuasive sanctions.