

HUMAN CONSTANTA REPORT ON THE HUMAN RIGHTS SITUATION OF MIGRANT WORKERS IN BELARUS

Human Constanta is a Belarusian human rights organization.
We work with human rights in three main areas:

- protection of the rights of foreign citizens and stateless persons
- promoting anti-discrimination and non-formal human rights education
- digital freedoms and rights

Our mission

Promoting public interests and joint actions in response to modern challenges in the field of human rights in Belarus

What are we doing?

- We help others protect their rights;
- We compare Belarusian laws and practices with the best foreign examples and human rights standards;
- We pass on this knowledge through educational events

We believe in human rights and love what we do!

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Main Findings

Belarus has ratified the core ILO conventions but remains outside key international agreements on the protection of migrant workers' rights, which limits their legal protection.

National legal regulation creates complete dependence of migrant workers on a specific employer, which excludes the possibility of freely changing jobs and makes their legal status extremely vulnerable in the event of any changes in labor relations.

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.

The use of vague formulations (for example, “discrediting grounds” or “insufficient knowledge of the language”) creates room for arbitrary application of norms, and the regulatory differentiation of migrants' rights based on citizenship violates the principle of legal equality.

In the last two years, Belarus has been shifting from a permissive to a more liberal model of labor migration regulation, which has been accompanied by an increase in the number of migrants, an expansion of their professional and gender structure, as well as geographical diversity—especially in skilled labor and services.

Belarus lacks integration infrastructure and open public dialogue on migration issues, which increases the vulnerability of labor migrants, fosters public mistrust, and undermines the effectiveness of migration policy against the background of growing dependence on external labor.

International Obligations

The Republic of Belarus has been a member of the International Labour Organization (ILO) since 1954 and to date has ratified nine of the eleven core ILO conventions (with the exception of the Convention concerning the Promotional Framework for Occupational Safety and Health (Convention No. 187) and the 2014 Protocol to the Forced Labour Convention, 1930). These documents enshrine fundamental labor rights, including freedom of association, the right to collective bargaining, the prohibition of discrimination, forced and child labor. These provisions also apply to migrant workers employed in the country.

At the same time, Belarus has not acceded to key international instruments specifically aimed at protecting the rights of migrant workers – above all, the ILO Migration for Employment Convention (Revised), 1949 (No. 97) and the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). These instruments contain provisions to prevent exploitation, ensure access to social guarantees, regulate the activities of intermediaries, and guarantee equal treatment of migrant workers.

Despite numerous recommendations from relevant UN bodies, Belarus has also not signed the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted in 1990. This document is considered fundamental in the international system for the protection of migrant workers' rights.

Thus, while basic labor guarantees exist within the framework of general international labor law, Belarus remains outside specialized international mechanisms designed to protect the rights of migrant workers. Against the backdrop of information received by Human Constanta about violations of procedures for engaging foreign citizens in labor in the country, this indicates the need to strengthen legal and institutional protection for this category of workers.

National Legislation on Labor Migration

The legislation of the Republic of Belarus in the field of labor migration includes constitutional provisions, labor and migration legislation, subordinate acts, as well as conceptual documents defining the strategy in this area.

Main Sources of Legal Regulation

The basis of Belarusian migration policy consists of the following normative acts:

- **Article 11 of the Constitution** establishes the principle of equality of foreign citizens and stateless persons in rights and obligations with Belarusian citizens, except in cases provided by law.
- **The Labour Code** applies to foreigners engaged in labor activity on the territory of the Republic of Belarus and enshrines the right to work, occupational safety and health, and protection of rights through trade unions.
- **The Law “On the Legal Status of Foreign Citizens and Stateless Persons”** contains provisions defining the conditions of employment, obtaining residence permits, compensation upon relocation, as well as grounds for expulsion and inclusion in the list of persons prohibited from entering.
- **The Law “On External Labor Migration”** regulates the employment of foreign citizens, including through the mechanism of obtaining a special permit.
- **The Law “On Granting Refugee Status, Additional Protection, Asylum and Temporary Protection to Foreign Citizens and Stateless Persons”** defines the right of persons seeking international protection to work and obliges state bodies to assist their employment and professional adaptation.
- **The Law “On Trade Unions”** grants foreigners the right to join trade unions to protect labor, social and economic interests, including students receiving education in Belarus.
- **The Law “On Healthcare”** defines the differences in access to medical care for migrants with different (temporary/permanent) residence permits.
- **Regulations of the Ministry of Labour**, including Resolution No. 99 of 12 December 2024, which establishes the list of in-demand professions for which foreigners may be hired without restrictions to protect the national labor market, i.e. without special permits.
- **Presidential Decrees**, including No. 12 and No. 8, regulating employment in the High-Tech Park (HTP), which establish simplified procedures for attracting foreigners into the digital economy. Presidential Decree No. 202 establishes new forms of control over labor migrants and employers.

Description of the Legal Regime

A distinctive feature of the employment of migrant workers on the territory of the Republic of Belarus is that they may work only if the employer has obtained a special permit – a document confirming the employer’s right to conclude an employment contract and hire a foreign worker.

This permit is issued for up to one year, and for highly qualified specialists – up to two years.

However, there are categories of foreign citizens who do not require such a permit to be employed. In particular:

- Citizens of the member states of the Eurasian Economic Union (EAEU):
 - Republic of Belarus
 - Republic of Kazakhstan
 - Russian Federation
 - Republic of Armenia
 - Kyrgyz Republic
- Foreigners granted refugee status, additional protection, or asylum in the Republic of Belarus, as well as those applying for refugee status or additional protection.
- Foreign students and pupils enrolled in vocational, secondary specialized, and higher educational institutions in the Republic of Belarus, employed under employment contracts with a working time not exceeding half of the normal working time established by labor legislation.
- Foreigners who received education in Belarus and are employed in their acquired specialty and/or qualification.
- Foreigners employed in professions (positions) included in the list of in-demand professions.
- Other categories of migrant workers specified in Article 2 of the Law on External Labor Migration ⁽¹⁾

The list of jobs and professions for which no special permit is required has expanded significantly in the last two years, which indicates a liberalization of labor legislation.

The Migration Policy Concept for 2024–2028, approved by Resolution of the Council of Ministers No. 48 of 23 January 2024, defines the state’s strategic goals: meeting the needs of the economy in labor, reducing the outflow of Belarusian specialists, and facilitating access of qualified foreign workers to the labor market.

Key areas of implementation include:

- analysis of employment, education, and demographic processes;
- conducting information campaigns abroad;
- developing mechanisms for permanent and temporary registration of migrants;
- developing a medical insurance system;
- addressing the issue of granting permanent residence permits (PRP) to graduates of Belarusian educational institutions;
- introducing electronic notifications of the conclusion and termination of employment contracts.

1. Lecturers and specialists (for up to 90 days); staff of diplomatic missions and international organizations; accredited journalists; employees and heads of representative offices of foreign organizations (for up to 2 months); clergy; athletes and coaches; interns and student work groups; winners of professional competitions working in their field; seasonal agricultural workers (for up to 6 months per year); individuals covering the cost of child support; workers in the fields of culture and creative projects.

New Acts and Monitoring Practice

A key document strengthening administrative supervision over migrant workers is Presidential Decree No. 202 of 21 May 2025, the provisions of which enter into force on 23 August 2025.

The decree:

- 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, which should be considered a positive measure;
- prohibits temporary transfers to another employer, thereby tying the migrant to a single employer, which potentially limits both workers' rights (since such a transfer can be made only with the worker's consent) and the employer's ability to address production needs;
- grants the employer the right to check the level of knowledge of the state language and to terminate or not conclude a contract in case of an "unsatisfactory" result. At the time of writing this report, there are no instructions on language testing, and many aspects of this procedure remain unclear;
- 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.

Thus, Decree No. 202 violates both the Constitution of the Republic of Belarus and Belarus's international human rights obligations (including those concerning freedom of movement and choice of work, privacy, and inviolability of the home), unjustifiably dividing migrant workers into two categories (citizens of EAEU countries, to whom the decree does not apply, and citizens of all other countries), granting them significantly different volumes of rights and obligations. This constitutes discrimination based on nationality, increases migrants' legal vulnerability, and creates conditions for corrupt practices by employers and controlling bodies.

Main Problems of Legislation

Despite the fact that the legislation of the Republic of Belarus declares equality of rights and non-discrimination (including Article 14 of the Labour Code and Article 11 of the Constitution), in practice the situation of migrant workers is determined by numerous legal norms and administrative procedures that significantly limit their freedom, access to rights, and stability of residence in the country. The general systemic problems of human rights violations in Belarus only exacerbate the situation of migrants

An analysis of the existing regulations makes it possible to identify the following key problems:

Complete Dependence on the Employer

Under the Law "On External Labor Migration" and the new Presidential Decree No. 202 of 21 May 2025, all foreign citizens entering Belarus for work are obliged to:

- conclude fixed-term employment contracts for the period of validity of the work permit;
- work exclusively for one employer, with no possibility of temporary transfer to another (Article 1 of Decree No. 202);
- provide access to their residence for inspections.

If the fixed-term employment contract is terminated, the temporary residence permit is annulled (Article 53 of the Law “On the Legal Status of Foreign Citizens”), and the migrant is obliged within 15 days either to leave the country or to find a new employer and obtain a new permit. In 2025, against the background of active attempts to attract foreigners to Belarus, Human Constanta began to record complaints from foreigners facing violations of the law, in particular, non-payment of promised wages and lack of legal protection.

For example, a group of Lebanese citizens arrived in Belarus under official employment contracts. The employer did not pay their salaries for 8 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.

It is important to note that with the entry into force on 1 July 2023 of the new edition of the Law on External Labor Migration, 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 labor relations is not considered a change in working conditions and does not entitle the worker to compensation. This example of legislative change demonstrates the vulnerable legal status of migrant workers compared to Belarusian citizens.

Thus, all aspects of a migrant’s legal stay in Belarus (work, housing, healthcare, legal status) are tied to one employer. This creates a structure of complete dependence, in which any deterioration of relations with the employer—even through no fault of the migrant—leads to loss of legal status and the threat of expulsion.

Lack of Mechanisms for Appealing Employers’ Decisions

Decree No. 202 grants employers broad powers, including the right to independently assess workers’ language skills and make decisions on their employment. Although current legislation provides for the possibility of appealing an employer’s refusal to conclude an employment contract in court, the procedure for language testing is not regulated in any way. In particular, no mechanisms are established for appealing a refusal of employment based on such a test or early dismissal, for example, for refusing to allow inspectors into one’s home. This creates virtually unlimited and non-transparent power for the employer, especially over foreign citizens who do not have permanent residence permits (PRP).

Vague Legal Formulations and Risk of Arbitrary Application

In a number of provisions of the law, vague and imprecise terms are used, which allow broad administrative discretion and unpredictability of interpretation. Key examples include:

- **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 organizations, 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.

- **Decree No. 202** establishes a requirement for “sufficient knowledge of the language for communication” as a condition for concluding an employment contract with a foreigner. However, the concept of “sufficient knowledge for communication” is not defined in law, and there are no clear criteria for evaluation, which makes it possible to refuse employment on subjective grounds.
- **Article 57 of the Law on the Legal Status of Foreign Citizens and Stateless Persons** 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 provide for automatic review procedures or protection of the rights of the foreign citizen. This is especially dangerous in conditions of limited access to legal aid and information for migrants.

Problems with Access to Healthcare

According to Article 5 of the Law on Healthcare, the right to free medical care is granted only to foreigners with PRP. All others are required to pay for medical services themselves or may rely on the employer to cover the costs if this obligation is stipulated in the employment contract. However, inclusion of healthcare provision in the contract is not mandatory and depends entirely on the goodwill of the employer. At the same time, access to healthcare is a mandatory requirement for employment (especially under special permits), but the actual implementation mechanism is not regulated.

If Belarus has signed an interstate agreement with the worker’s country of citizenship, its provisions apply. For example, conditions regarding healthcare for Ukrainian workers are regulated by the Agreement on the Employment of Citizens of Belarus and Ukraine.

The absence of a universal mechanism for medical insurance or a state program of medical coverage for foreigners creates risks of violating the right to health and complicates the integration of migrants into Belarusian society.

Risk of Losing PRP Due to Temporary Unemployment

According to Part 6 of Article 57 of the Law on the Legal Status of Foreign Citizens and Stateless Persons, a permanent residence permit may be annulled if a foreigner does not have a legal source of income sufficient to ensure the subsistence minimum for the last six months, as well as if the employment contract on the basis of which such a permit was obtained was terminated. After dismissal, a person is obliged to leave Belarus within 15 days if they have not managed to conclude a new employment contract during this time. This period is extremely short, especially in a situation of economic instability.

Migration authorities, as a rule, recognize only official employment as a source of income and ignore alternative forms (alimony, family support, savings, freelance). This particularly negatively affects women who are temporarily not working or cannot work full-time due to childcare responsibilities. The consequence is the annulment of residence permits and deportation, which violates the principle of proportionality and destroys families (2)

For example, a citizen of Azerbaijan permanently residing in Belarus on the basis of a residence permit obtained through marriage to a Belarusian citizen received a notice from the migration authorities requiring her to confirm her own income and employment. At the same time, the applicant's husband had a stable and sufficient income to support the family, but this circumstance was not considered a legitimate basis for retaining PRP.

Such law enforcement practice does not correspond to the principle of proportionality, violates the right to family life, and does not take into account the real-life circumstances of migrants. Moreover, it contradicts Belarus's international human rights obligations, including the International Covenant on Civil and Political Rights, as well as national norms aimed at ensuring social justice.

Lack of Institutional Guarantees Against Discrimination and Xenophobia

Despite constitutional provisions on non-discrimination, in practice there is no effective mechanism for their implementation:

- The country has no specific anti-discrimination legislation.
- Decree No. 202 introduces a distinction between migrants from EAEU countries and other foreigners – the former are exempt from many restrictions, while the latter are subject to strict control. This is a direct violation of the principle of equality.
- There is no state anti-xenophobia policy or specialized institutions aimed at protecting the rights of migrants.
- There are no mechanisms for monitoring, reviewing complaints of discrimination, or appealing against abuses by employers.
-

In 2022, after the start of Russia's full-scale invasion of Ukraine, Ukrainian citizens approached us with employment problems. For example, a Ukrainian woman applied to the employment center but was refused any 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 also complained that in employment they encountered "dishonesty, being drawn into financial dependence, and violations." People were looking for reliable employers, fearing that their rights would be violated or that they themselves could become violators of local laws.

It is obvious that the problem of abuse by employers and discrimination against foreigners in the labor sphere is extensive and ignored by the state. As a result, foreign citizens become vulnerable not only to economic, but also cultural, social, and institutional barriers.

2. Human Constanta has documented cases in which foreign nationals were deported from Belarus to their countries of citizenship, despite having no meaningful ties to those countries at the time of deportation. In December 2018 and January 2019, two foreign nationals who were permanent residents of Belarus took their own lives due to the threat of deportation. These decisions by Belarusian authorities were based on minor administrative offenses committed by the individuals. The fact that deportation is meant to be an extreme measure reserved for cases posing a real threat to public safety was not taken into account, nor was the fact that the individuals had strong ties to Belarus and no viable option to live in their countries of origin. Belarusian legislation lacks clearly defined mitigating factors when making such decisions — for example, length of residence in Belarus, the presence of family members who are Belarusian citizens, the protection of children's rights, and similar considerations.

The analysis of legislation and law enforcement practice shows that the existing system of labor migration regulation in Belarus creates serious risks and restrictions for foreign workers. Despite the principles of equality and non-discrimination formally enshrined in Belarusian legislation, in practice, norms are applied that strengthen control, dependence, and legal vulnerability of migrants.

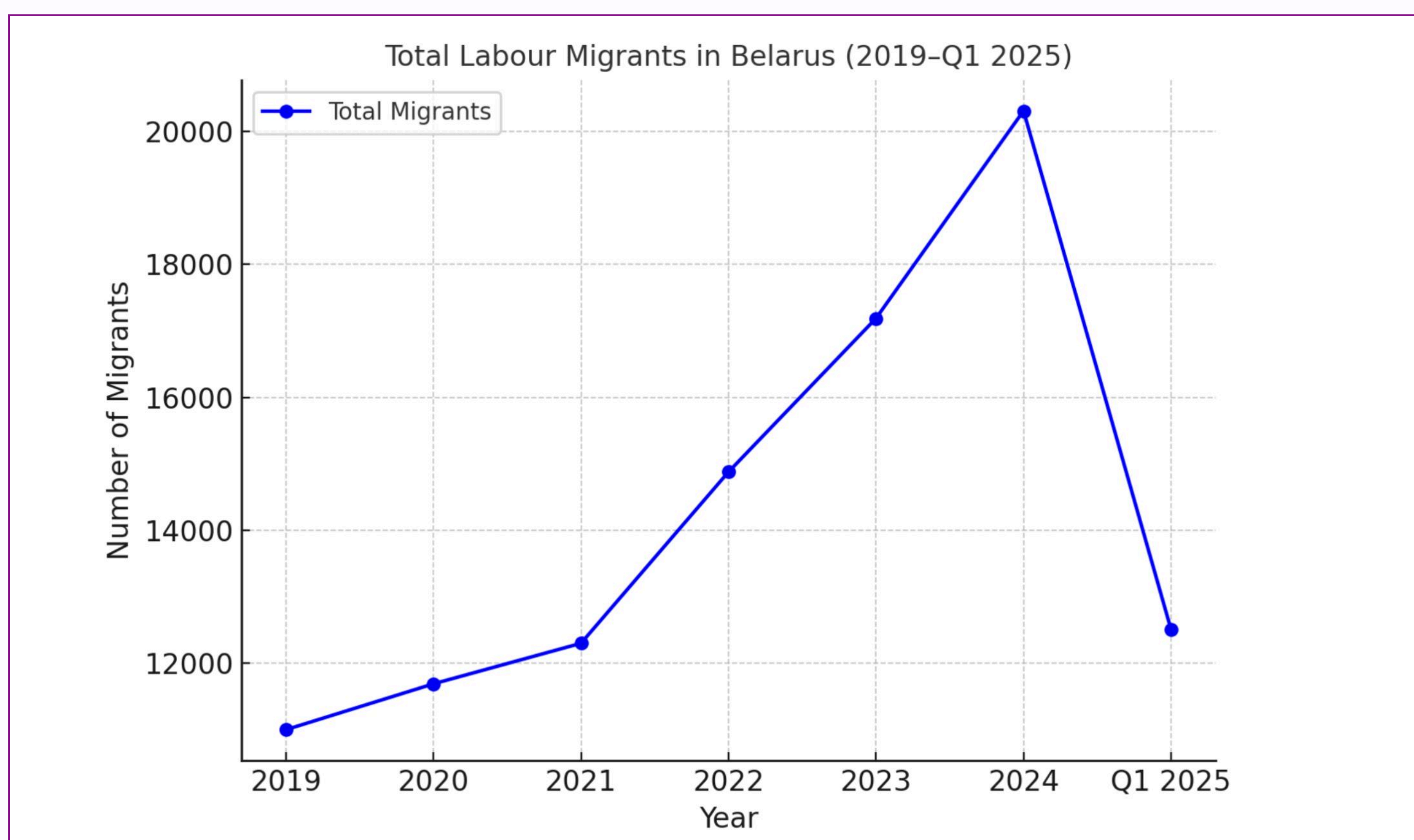
Key features of the Belarusian model – the binding of a migrant’s legal status to a specific employer, limited freedom to choose another employer without risking the loss of residence permit in the country, the absence of mechanisms for the protection of migrant workers’ rights and for appealing employer’s decisions within a reasonable timeframe, the vagueness of legislative formulations allowing the state to arbitrarily interpret norms and interfere with the rights of labor migrants – up to revoking a residence permit for unemployment or denying access to housing. In the conditions of an authoritarian political regime and repressive regulation, such features of the migration legal regime increase the legal and social vulnerability of migrants, limiting their access to fair treatment, protection from exploitation, and respect for fundamental rights.

Statistics and Demography

Analysis of labor migration dynamics to the Republic of Belarus (2019–2025)

According to official data, in 2025 more than 60,000 foreign citizens from over 130 countries of the world are working in Belarus, but the majority come from the former USSR. ⁽³⁾ The Ministry of Internal Affairs annually publishes data on the number of incoming labor migrants, however, it is unknown whether all of them remain in the country or leave after the expiration of their employment contracts ⁽⁴⁾

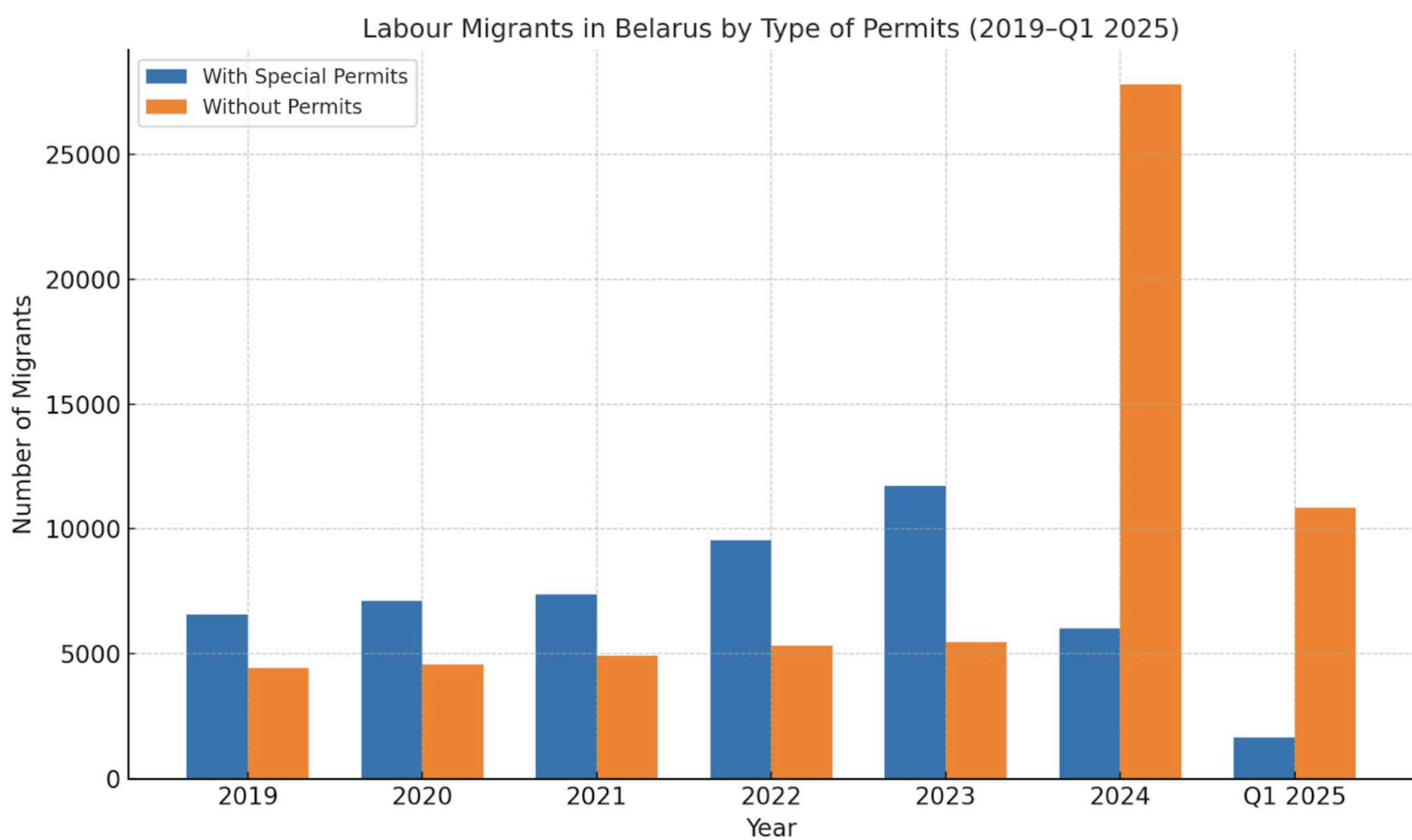
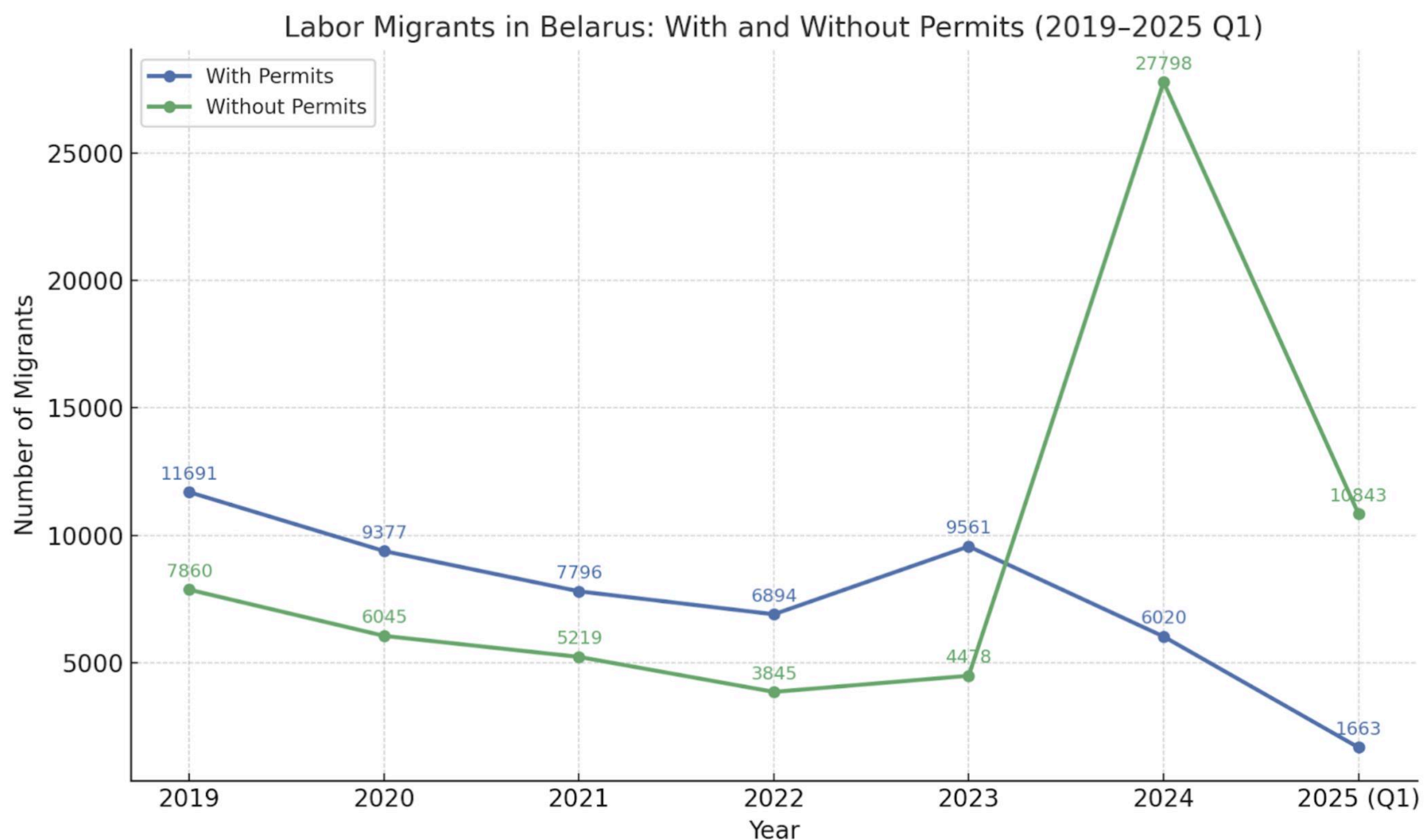
The total number of labor migrants over the past seven years shows a wave-like dynamic. In 2019, 19,551 people arrived in Belarus. Against the background of the COVID-19 pandemic, in 2020 and 2021 a decrease was observed to 15,422 and 13,015 respectively. The minimum was in 2022 — 10,739 people. In 2023, the situation stabilized (14,039), and in 2024 — a sharp increase to 33,818 migrants, which is linked to the beginning of the migration strategy implementation and the simplification of employment in a number of professions without obtaining special permits. In the first quarter of 2025, 12,506 migrants were already registered, which suggests that by the end of the year the 2024 figures will be exceeded.



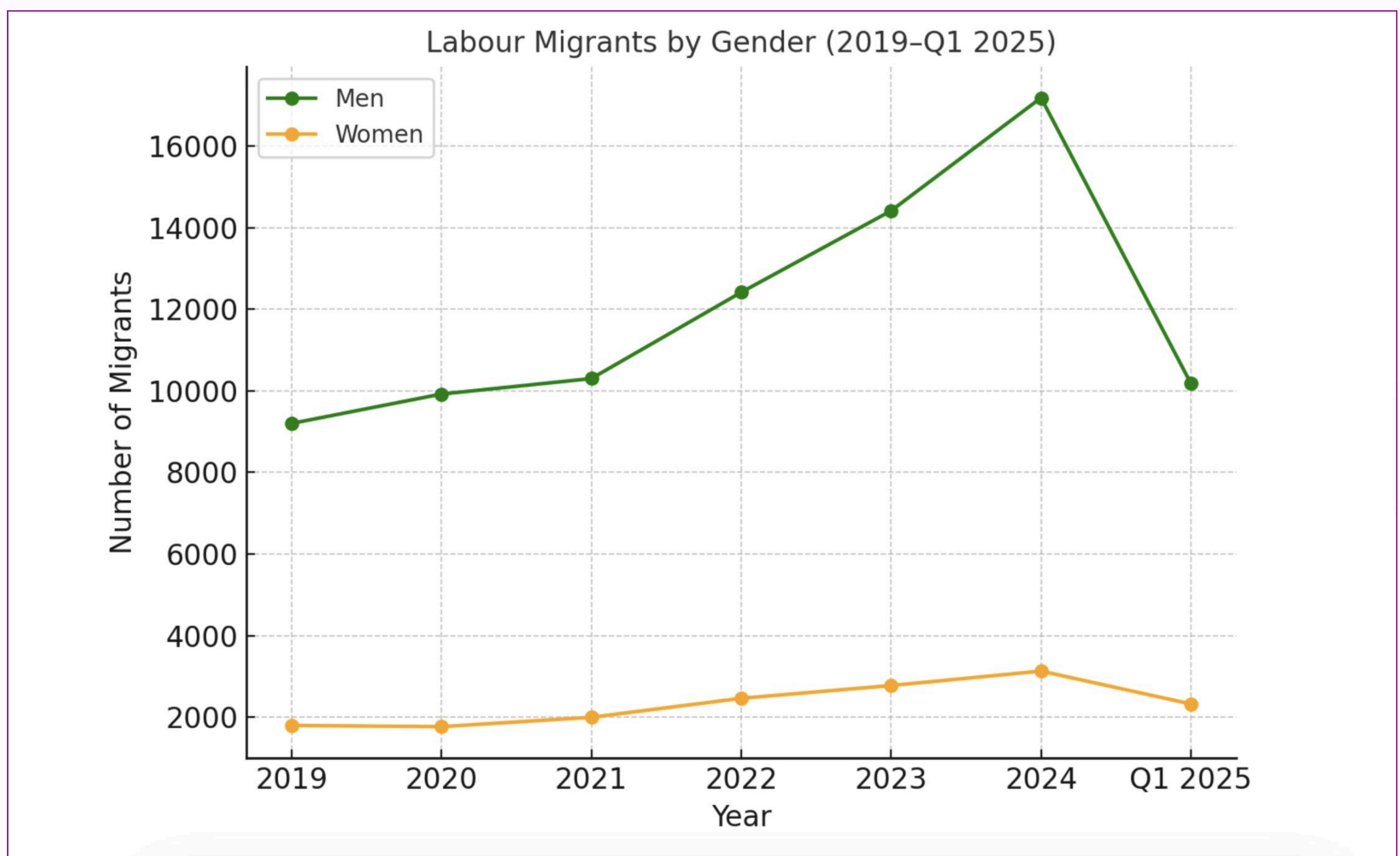
The share of migrants employed with special permits remained relatively stable until 2023: 59.8% in 2019, 60.8% in 2020, 59.9% in 2021, and 64.2% in 2022. In 2023, it reached its peak — 68.1%. However, in 2024 the situation changed drastically: only 6,008 migrants arrived and were employed with permits, while 27,810 — without them, that is only 17.8%. In the first quarter of 2025, the trend toward liberalization continues — only 13.3% entered and were employed with permits (1,659 out of 12,506).

3. [The Ministry of Labor forecasts a continued increase in labor migration in Belarus.](#)

4. [Registration of labor migrants.](#)

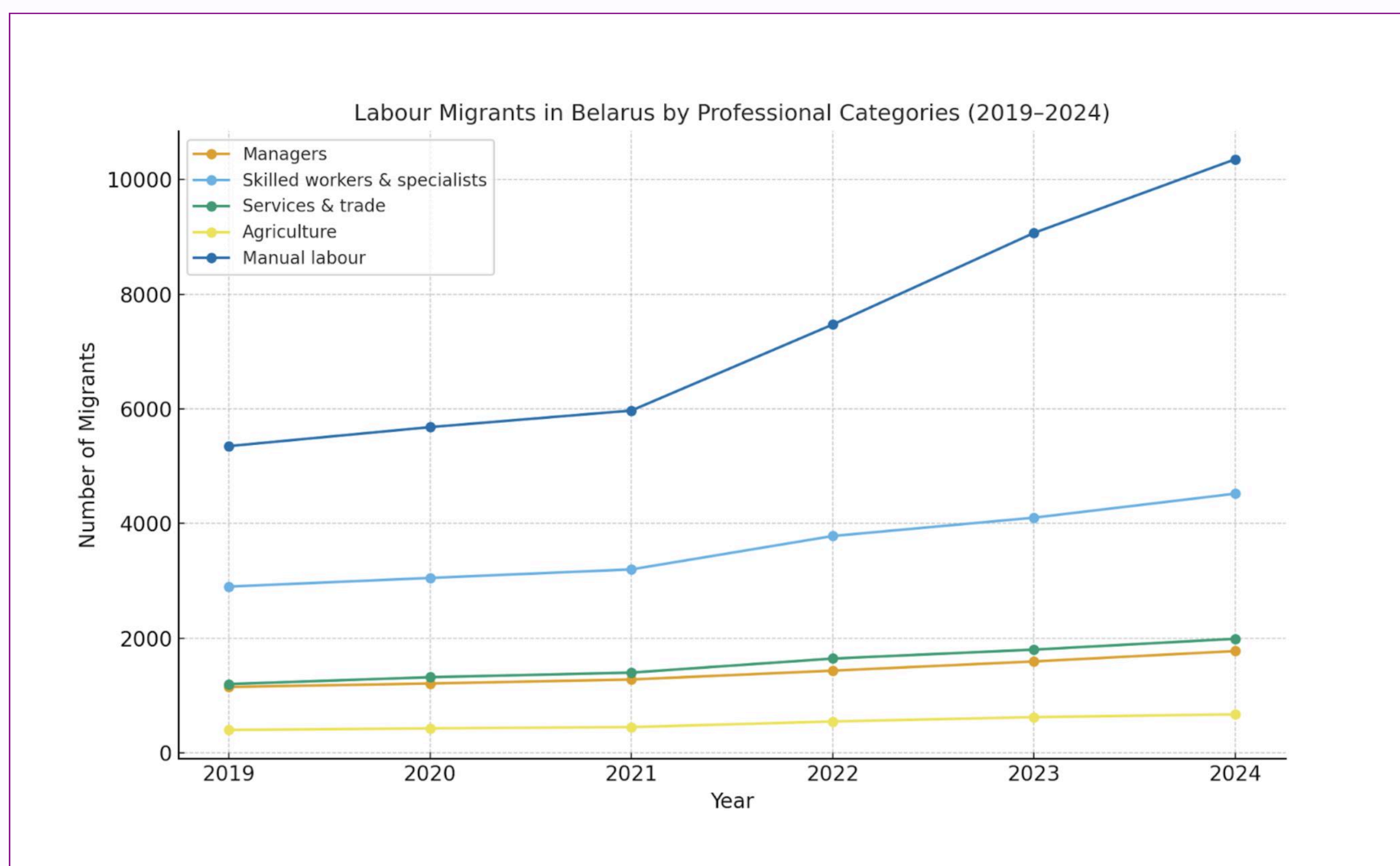


Gender data up to 2022 covers only migrants with special permits. In 2019, women accounted for 15.1%, in 2020 — 14.8%, in 2021 — 16%. Since 2022, with the expansion of employment practices, the share of women among all migrants began to grow: 19.6% in 2022, 20.7% in 2023, 21.2% in 2024, and 18.6% in the first quarter of 2025.



The leading countries from which labor migrants arrive remain Russia, China, Ukraine, Uzbekistan, and Turkmenistan. Russia was the main country of origin from 2019 to 2023, but in 2024 and especially in 2025 it yielded leadership to Turkmenistan (16,310 people in 2024 and 6,278 in the first quarter of 2025). China shows a steady decline (from 4,318 in 2019 to 1,121 in 2025), while Ukraine and Uzbekistan maintain stable figures.

As for the professional structure of migrants, the majority have traditionally been employed in manual labor. Their number decreased from 5,681 in 2019 to 2,616 in 2022, but then increased: 3,885 in 2023 and 11,209 in 2024. The number of skilled workers and specialists also fell to 1,793 in 2022, but since 2023 a sharp rise has been observed — 2,155 in 2023 and 13,603 in 2024. The number of migrants in managerial positions is decreasing: from 1,210 in 2019 to 469 in 2025. In agriculture, on average up to 500 people are employed per year (the maximum — 993 in 2024), while the service and trade sectors show steady growth: from 1,024 in 2020 to 6,416 in 2024.



Implementation of the New Migration Policy

The last two years indicate Belarus’s transition from a permit-based migration model to a more liberal one. The share of workers in skilled and service sectors is growing, female migration is increasing, and the geography of migration flows is becoming more diverse.

Against the backdrop of growing problems in the labor market — mass emigration, staff shortages, and distrust of state institutions — the government is increasingly relying on external labor resources.

In April 2025, Alexander Lukashenko announced an agreement with Prime Minister of Pakistan Shehbaz Sharif to attract up to 150,000 labor migrants from that country ⁽⁵⁾. The goal of the initiative is to fill the shortage of skilled specialists and at the same time strengthen internal labor discipline. According to official rhetoric, migrants from Pakistan are seen as motivated, resilient, and ready to work for wages that are relatively low by European standards but attractive by local ones. Their arrival is expected to serve as an incentive for Belarusian workers, whose productivity, according to Lukashenko, is 2–3 times lower than in the EU.

Public reaction to the initiative turned sharply negative: social networks were flooded with xenophobic comments and rumors about job losses. In response, the authorities applied repressive measures, including detentions and threats of criminal cases for comments on social media. The Ministry of Internal Affairs and state media claimed that the discontent was inspired by so-called “fugitives” and foreign hostile structures.

The suppression of public discussion instead of open dialogue demonstrates a weak communication strategy. The population perceives migrants as a threat rather than a resource, especially in the context of economic instability. Against the backdrop of the growing demand for foreign labor, labor migrants play an increasingly important role in the economy of Belarus. However, their legal and social position remains vulnerable. Despite the liberalization of entry and employment for labor migrants, basic conditions for their full integration are still lacking: from language courses and legal aid to mechanisms of protection against exploitation. The authorities' repressive response to public debate on migration policy reinforces distrust not only on the part of society but also among the migrants themselves.

Without systemic changes in labor and migration policy aimed at respecting migrants' rights and creating integration infrastructure, Belarus risks not only failing to resolve the staff shortage but also aggravating social tensions surrounding the attraction of foreign labor.

Irregular Migration

For the past 17 years, Belarus has conducted an annual operation to counter illegal migration under the CSTO format “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, markets, areas around markets, shopping facilities, drinking and entertainment establishments, and local and national roads across the country to detect violations of migration legislation. Special attention is paid to verifying the legality of employing foreigners for labor activities.

Overall statistics for the republic are not published, but some regional and oblast-level police departments report the results of specific stages of the operation. For example, in 2024, following the second stage of the operation “Illegal-2024,” it was reported that the highest number of violations of the established procedure for engaging in labor activity by foreigners was found in Minsk region — 51 violations, 13 of which were recorded during inspections of market complexes in Minsk. At the same time, only 2 violations of labor legislation were registered in Vitebsk region, in trading points by citizens of Azerbaijan and Uzbekistan. There is no available information on the number of labor legislation violations in other regions identified as a result of the operation.

According to the Ministry of Internal Affairs of the Republic of Belarus, after a noticeable decrease in the number of detected violations of the labor activity procedure in 2020, the following years recorded a sharp increase in such cases, followed by stabilization. Thus, in 2020, 198 foreigners and 54 employers (officials) were held administratively liable, which is significantly lower than in 2019 (443 foreigners and 171 employers) and may be related to movement restrictions due to the COVID-19 pandemic. However, in 2021 a peak of violations was observed: the number of foreigners held liable sharply 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. This may indicate stabilization of the situation against the backdrop of the control measures carried out.

Recommendations

1. Ratify key international documents

- Accede to ILO Conventions No. 97, No. 143, No. 187, the 2014 Protocol to the Forced Labour Convention of 1930, and the UN International Convention on the Protection of the Rights of All Migrant Workers. Harmonize domestic legislation with their provisions and report regularly to international mechanisms.

2. Revise domestic legal norms creating vulnerability of labor migrants

- Eliminate vague grounds for revocation of residence permits and dismissal (for example, “discrediting circumstances”). Revise Article 57 of the Law on the Legal Status of Foreign Citizens and Stateless Persons to recognize alternative sources of income. Amend Decree No. 202 to remove discriminatory provisions violating the right to inviolability of housing and other provisions leading to arbitrary termination of employment contracts.

3. Ensure effective mechanisms of legal protection

- Provide an effective mechanism for reviewing migrants’ complaints against employers and state authorities. Guarantee access to free legal aid in labor disputes, and establish that the burden of proof of non-discrimination in such cases lies with the employer.

4. Take measures to counter discrimination and xenophobia

- Develop an anti-xenophobia policy, including awareness-raising, training of state officials and employers in the principles of equal treatment, and monitoring of discrimination cases.

5. Improve integration conditions for migrants

- Introduce adaptation programs (language courses, professional counseling, recognition of qualifications, access to information on labor rights in migrants’ languages), and develop support infrastructure (temporary housing, kindergartens, and schools).

6. Improve access to healthcare

- Introduce a minimum guaranteed package of medical services, and establish the obligation of the employer or the state to insure migrants.

7. Revise the migration management strategy

- Review the Concept of Migration Policy with a focus on human rights, ensuring broad involvement of all stakeholders at the drafting stage.

How to contact us?

If your rights have been violated in Belarus, you can contact our public reception office for free legal consultation:

☎ via phone: +4915774002500 (Telegram, WhatsApp, Signal)

✉ e-mail: legal@humanconstanta.org

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