



Observatoire ARGA

INTERNATIONAL ANALYTICAL REPORT

D-29. Belarus: Proceedings in Absentia

Cross-Border Consequences

Extradition, International Protection and Property

Author:

Sergey Khrabrykh - President of ARGA, PhD

Organization: Observatoire ARGA

Correspondence: 21 rue de l'Aviation, 64600 Anglet, France

Contact: info@argaobservatory.org, +33 7 58 49 62 27

Website: www.argaobservatory.org

28 September 2026

Contents

Executive summary	3
1. Scope, method and limits	3
2. Special proceedings: identifying the underlying process	4
3. How a domestic case produces foreign consequences	5
4. The international standard of participation	6
5. Notification: publication and actual knowledge	7
6. Defence counsel and access to the case file	7
7. Fresh determination and the significance of Sejdivic	8
8. Political purpose and ordinary criminal allegations	9
9. Extradition: the initial legal assessment	10
10. Return risk: torture, the death penalty and denial of justice	10
11. Asylum and the assessment of an in absentia accusation	11
12. Refugee status granted by another state	12
13. INTERPOL: what a wanted notice does and does not establish	13
14. Applying to the CCF and confirming protection status	13
15. Travel, transit and urgent protection	14
16. Passports, citizenship and receiving-state documents	15
17. Property: restraint, confiscation and civil recovery	16
18. Recognition of foreign decisions and public policy	16
19. Banks, employers and commercial databases	17
20. The evidential file and consistent translation	18
21. Six hypothetical practical scenarios	19
22. International mechanisms and their jurisdictional limits	21
23. Organising the defence: immediate and continuing action	22
24. ARGA's position and practical recommendations	23
Sources and references	24

Source cut-off: 28 September 2026. Keywords: Belarus; proceedings in absentia; extradition; asylum; INTERPOL; property.

Executive summary

A Belarusian criminal proceeding conducted in the defendant's absence can affect a person well beyond the country in which the judgment was delivered. It may support an extradition request, a police alert, an application concerning assets, or an adverse entry in a commercial database. Yet each of those consequences depends on a separate legal process. The transition from a domestic decision to a foreign measure is therefore the point at which the legality of cooperation, the quality of the evidence and the availability of an effective defence must be examined.

This report does not determine the guilt of individual defendants. It examines the conditions under which a foreign authority may give legal effect to a Belarusian criminal case conducted in absentia. Its subjects include special proceedings, international standards of participation, extradition, asylum, INTERPOL, restrictions on identity documents, property and financial services. The practical recommendations are intended for legal representatives, human rights organisations and institutions making decisions on the basis of such material.

The central proposition is that five questions must be kept separate: whether an authentic procedural decision exists; whether the individual had a genuine opportunity to defend the case; what conduct is actually alleged; what would happen on return; and what particular consequence is being sought abroad. Establishing the first does not resolve the others. Authenticity establishes the origin of a document. It does not, by itself, cure procedural defects or establish the accuracy of the allegations recorded in it.

Reports issued by United Nations mechanisms in 2026 describe transnational repression and substantial interference with defence rights in cases involving government opponents. They provide important context, but an individual file must connect that context with the person's own circumstances. Political activity does not automatically exclude ordinary criminal conduct. Equally, a criminal label does not automatically disprove a political purpose behind the proceedings. [3; 4]

An effective strategy requires a consistent chronology, separate applications to the competent bodies and follow-through on implementation. Refusal of extradition is not annulment of the conviction. Deletion of INTERPOL data does not remove every national restriction. Recognition as a refugee does not resolve every property dispute. Each strand requires its own documented outcome and confirmation that the responsible institution has acted on it.

1. Scope, method and limits

The research question is as follows: what legal and evidential conditions must be satisfied before a Belarusian criminal decision delivered in absentia affects a person's liberty, status or property in another jurisdiction? This formulation avoids both mechanical acceptance of official documents and indiscriminate rejection of all information originating in Belarus. The assessment must concern the particular act, the procedure through which it was adopted and the use that is proposed for it abroad.

The report distinguishes legal rules, judicial holdings, findings by international investigative mechanisms and ARGA's own analytical recommendations. A communication from UN special procedures records information transmitted to a government and questions raised with it; it is not a judgment by an international court. A report by an independent group of experts operates under its

own methodology and standard of factual assessment. Decisions of the European Court of Human Rights and the Court of Justice of the European Union are considered within the scope of their respective proceedings. The practical scenarios below are hypothetical.

The legal structure of Belarusian special proceedings is examined through the 2022 reform and its description in official international materials. In an individual case, the applicable version of the legislation must be identified for each procedural act. A later version cannot simply replace the rules applicable when notice was given, counsel appointed or an appeal attempted. Lists of eligible offences and domestic procedural deadlines should not be copied from an older publication without checking the legislation governing the relevant date. [1; 2]

The cross-border analysis focuses principally on states bound by the European Convention on Human Rights and on EU practice, with a separate French example. These standards are not presented as a uniform procedural code for every country. In another jurisdiction, the treaty basis for extradition, applicable non-refoulement duties, judicial remedies and rules on recognition of foreign acts require separate analysis. The law of the receiving state determines the procedural form of protection; international obligations set its minimum boundaries.

A useful distinction also concerns the question being put to an institution. A criminal court deciding guilt, an extradition court considering surrender and a data-review body examining an alert do not apply an identical test. Evidence that falls short of proving innocence may nevertheless demonstrate that an alert is inaccurate or that a proposed surrender would be unlawful. Conversely, a procedural objection that succeeds in one setting may not determine a separate commercial claim. The report uses that distinction throughout its practical analysis.

2. Special proceedings: identifying the underlying process

Belarusian Law No. 199-Z of 20 July 2022 introduced special proceedings concerning an accused person who is outside Belarus and is considered to be evading appearance before the authority conducting the criminal process. The relevant framework is located in Chapter 49³ of the Criminal Procedure Code, including Article 468-25 and subsequent provisions. In this context, “special proceedings” means a criminal procedure. It should not be confused with similarly named categories of civil procedure. [1; 2]

The first task is to obtain the decision placing the case under this procedure, or reliable evidence of its contents. It should identify the authority, date, legal basis, charges and circumstances relied on to justify proceeding without the accused. Counsel should determine whether the ordinary statutory conditions were invoked or a special decision by an authorised senior official was used. Failure to receive an answer from a foreign state and a refusal of extradition are distinct events. They should not be reduced to an undated statement that “extradition did not take place”.

A domestic description of the individual as evading proceedings requires its own factual assessment. The person may have left before the case began, lived at a known address, sought protection or offered to participate through a representative. A foreign court needs to understand what opportunities to participate actually existed and whether they were safe and practically accessible. A finding of non-appearance by an investigating authority does not, without more, establish a voluntary waiver of procedural rights.

A case record should distinguish the opening of an investigation, formal accusation, commencement of special proceedings, preventive measures, wanted status, referral to trial, conviction and the point at which the judgment became enforceable. Every event should be tied to a document and a stated level of verification. If the only available evidence is an announcement by an investigating authority, it should be described as an announcement. This precision strengthens the defence by preventing uncertain assumptions from becoming facts apparently conceded by the applicant.

It also makes later updates manageable. A request initially based on an arrest decision may subsequently rely on a conviction. That change can affect the documents required abroad and the explanation of any retrial guarantee. Maintaining separate entries for each procedural stage allows counsel to identify a change in the legal basis rather than merely adding another press release to an already confused file.

3. How a domestic case produces foreign consequences

A criminal case conducted in absentia does not cross a border as a single legal object. It enters different systems as a request, alert, judgment, register entry or customer-screening item. Each recipient acts within a distinct jurisdiction. Border authorities decide whether a check or detention is permitted; courts determine extradition or recognition; asylum authorities assess protection; banks identify customers and decide what services can lawfully be provided. An explanation sufficient for one recipient may be inadequate for another.

A map of actual consequences should be prepared before a lengthy legal submission. It should identify the country, institution, underlying document, current measure, next deadline and relief sought. A conviction may exist without a foreign request having been sent. A request may have been sent without an arrest. An asset may be frozen temporarily without a confiscation decision. These distinctions determine urgency and the available remedies.

Procedure	Matter to establish	Separate outcome required
Extradition	Request, warrant and return risk	Decision on the proposed extradition
INTERPOL	Existence and compliance of data	Data decision and its implementation
Asylum	Individual risk and protection grounds	Decision by the competent asylum authority
Property	Basis of restraint or recognition	Refusal, limitation or discharge of the measure
Documents	Validity and replacement options	Document or decision from the receiving state
Financial services	Identity, source and meaning of an entry	Correction or reasoned reconsideration

The map should also show the connections between proceedings. A protection decision may matter to INTERPOL and extradition, but it must reach the relevant bodies through a separate step. A

court's refusal based on a risk of torture may assist a return-risk assessment elsewhere without automatically binding every other state. The responsible representative must track both the existence of a useful document and its proper use.

For practical case management, a restriction should be treated as resolved only when the institution controlling it has acted. A favourable letter stored in counsel's file does not itself update a border record, release an account or discharge a registration against property. The map is therefore both an analytical instrument and an implementation record. It should remain concise enough to be used during an urgent hearing or a change of representative.

4. The international standard of participation

Article 14 of the International Covenant on Civil and Political Rights protects fair-trial guarantees, including information about the accusation, preparation of the defence and the accused's participation. In General Comment No. 32, the Human Rights Committee accepts that trials in absentia may be permissible in certain circumstances, while requiring appropriate steps concerning notification and defence rights. Absence from the courtroom therefore establishes neither the fairness nor the unfairness of a proceeding on its own. [6; 7]

For practical purposes, four checks should be made in sequence. First, establish knowledge: did the person learn of the charge and hearing sufficiently early? Second, examine the genuine opportunity to participate, including access to documents and chosen counsel. Third, assess waiver: did the person's conduct amount to a knowing and unequivocal decision to relinquish a particular right? Fourth, consider the remedy: is a full reconsideration available where no valid waiver occurred?

These questions are not interchangeable. Appointment of a lawyer does not prove that the accused was notified. Reading an internet announcement does not provide access to the evidence. A lawyer's attendance does not establish that instructions were received from the client. The ability to lodge an appeal is not necessarily a fresh determination of the facts with the convicted person's participation. A legal assessment should answer each question separately and identify the evidence supporting the answer.

Absolute proof of a negative is rarely possible. An applicant can instead present concrete circumstances: a genuine address, communication channels known to the authorities, the absence of service, attempts to obtain the materials and the replies received. The foreign authority can then be asked to obtain evidence of notification and the safeguards actually afforded. This turns a dispute between general assertions into an examination of verifiable procedural steps.

The significance of a defect should also be explained. Lack of notice may have prevented a challenge to a witness; inaccessible documents may have concealed a change in the alleged loss; inability to contact counsel may have prevented production of a contract. Showing that connection helps the decision-maker understand why the problem was substantive rather than a complaint about form alone.

5. Notification: publication and actual knowledge

In communication AL BLR 8/2024, UN special procedures described the use of internet publication in special proceedings and difficulties faced by accused persons in obtaining procedural documents. The September 2026 report of the independent experts records related problems. For cross-border protection, the issue is not simply whether a webpage existed, but what opportunity that method of notification gave the particular individual. [2; 4]

The assessment starts with the contents of the notice. Does it identify the court, hearing date and time, case number, accusation and means of exercising defence rights? Does the name match the person's documents? When was the page published or amended? If the authority relies on an earlier publication, counsel should distinguish the page's creation date, its modification date and the date on which the accused actually learned of it. A screenshot without a URL or capture date answers these questions poorly.

A representative can prepare a technical and factual record of access: the location from which a check was attempted, whether the page opened, how a copy was obtained and what requests were sent. Original files, correspondence and message headers should be preserved. A single failed attempt should not be overstated. It establishes an unsuccessful access attempt at a particular time, not universal inaccessibility throughout the proceedings.

Knowledge of the existence of a criminal case also needs precise treatment. An individual may have heard of an accusation without knowing the hearing date, an amended legal classification or a new group of allegations. A submission should acknowledge what was genuinely known and contest what has not been established. Saying "I knew nothing at all" while the file contains the applicant's public comments about the case creates an unnecessary contradiction. A stronger account explains the limits of that knowledge and why those limits prevented preparation of a defence.

Evidence of actual awareness and proof of legally adequate notification should therefore be assessed together without being collapsed into one question. Counsel should also identify what the individual did after learning of the proceedings. Prompt requests for the accusation or an opportunity to participate may be relevant to the claim that the person had not chosen to abandon the defence. The evidential value lies in the documented conduct, not in a formula inserted retrospectively into an affidavit.

6. Defence counsel and access to the case file

The quality of legal assistance must be assessed through work actually performed, rather than a lawyer's name appearing in a hearing record. The relevant matters include appointment, confidential communication, instructions, access to the file, applications made and action after judgment. Documents recording an appointment and documents showing genuine interaction are different evidence. A failure to reply should likewise be recorded by date and channel, without attributing unproven motives to the lawyer.

The client and foreign representative can prepare a short set of concrete requests: identify the accusation; supply available copies; state the next deadlines; confirm which applications have been made; and explain any appeal route. This correspondence may both obtain information and

demonstrate efforts to participate. The need for contact and the information disclosed must nevertheless be assessed in light of risks to the individual and relatives. A foreign residential address should not be distributed more widely than the chosen lawful defence route requires.

A distinction is also needed between a lawyer's domestic procedural powers and the client's actual instructions. If appointed counsel accepted a fact, abandoned a witness or did not appeal, a foreign court should understand whether the action was authorised. This does not make every act of appointed counsel automatically ineffective. The issue is whether it can properly be used as evidence that the accused personally made a knowing choice to waive participation or an objection.

Materials on the legal profession and access to justice help assess the plausibility of the obstacles described. The 2023 OSCE report and subsequent UN materials supply relevant context. Instead of simply asserting that “there was no defence”, counsel can present a table showing the action required, the client's request, the response, the actual outcome and its effect on a particular allegation. That structure explains why the deficiency mattered to the case. [4; 5]

It is equally important to preserve uncertainty. Where the representative does not know whether counsel examined the file or challenged evidence, the submission should say so and seek the records. Unsupported accusations against a lawyer distract from demonstrable failures. A careful record can show the absence of meaningful access without claiming knowledge of every action taken inside an inaccessible proceeding.

Paragraph 94 of A/HRC/63/CRP.1 records a woman living abroad who sought information about the charges, counsel and remote participation, but was subsequently sentenced in absentia to ten years and did not receive a copy of the judgment. This account documented by UN experts illustrates the practical value of preserving requests and replies; it is not a separate international judicial determination of her case. [4]

7. Fresh determination and the significance of Sejdivic

In *Sejdivic v. Italy*, decided on 1 March 2006, the Grand Chamber of the European Court of Human Rights examined a conviction entered in the applicant's absence. It emphasised the importance of a fresh determination of the accusation in fact and law where a valid waiver of participation had not been established. The judgment concerned Italy's obligations under Article 6; it did not annul Belarusian judgments. Its relevance here lies in the criteria for assessing whether a procedural safeguard is real. [11]

Assessment of a promised retrial should start with who can initiate it and when. Is there a right to a fresh hearing, or merely an opportunity to request extraordinary intervention? Will the evidence be examined again? Can the individual call witnesses, challenge expert reports and give evidence? Will the original sentence be enforced while reopening is considered? An answer that “an appeal is available” is too imprecise to evaluate the consequences of extradition.

A written assurance must be tested against domestic law and the powers of the body giving it. A prosecutor's promise should not be presented as binding a court unless the legal mechanism is explained. Counsel can request a step-by-step account of the procedure, the governing provision, filing periods and consequences for enforcement of the sentence. Examples of actual use of

comparable safeguards may also be informative. A general declaration that the justice system is lawful does not establish an effective remedy.

An invitation to return in order to see the case file requires separate analysis. Access to materials is not a sufficient safeguard if the person faces an independent real risk of prohibited treatment before obtaining access. The retrial assessment and the return-risk assessment must therefore be coordinated while retaining separate conclusions. Even a persuasive mechanism for a new hearing does not automatically answer questions about detention after transfer.

The practical request should identify the missing guarantee. If the difficulty is discretionary reopening, ask whether a fresh determination is legally assured. If the difficulty is access to evidence, ask what will be disclosed and when. If the concern is detention before the hearing, address that period directly. This approach is more useful than asking the requesting state to repeat an undifferentiated promise of a “fair trial”.

8. Political purpose and ordinary criminal allegations

Political context should be demonstrated through the relationship between state action, the accused's position and the substance of the allegation. A working file may include the sequence of public activity, threats, inspections, prosecution, changes in classification and measures against relatives. Documents showing which statements or actions triggered proceedings are especially useful. A domestic label such as “extremism” must be explained through the alleged conduct rather than carried into a foreign submission without qualification.

Business activity or public office does not exclude a political purpose behind prosecution. Equally, opposition activity does not make every commercial transaction lawful. Mixed allegations require separate examination of each episode: which concerns expression, which alleges loss to an identifiable victim, which rests on financial documents and which depends on a judgment about loyalty to the state. This detail assists both an extradition court and a review of INTERPOL data.

A chronology is a way to test causation, not proof of causation by itself. Prosecution following a public speech may be significant, but the dates of the alleged conduct, discovery of loss and emergence of evidence must also be compared. If a commercial dispute predates the political activity, that should be addressed openly. Concealing it makes the whole file appear selective and undermines otherwise strong arguments.

A sound submission also examines adverse material. A transfer may be authentic while its purpose is disputed. A publication may be attributable to the accused without advocating violence. A claimant may allege a loss without substantiating its amount. Each issue should produce a verifiable response. The representative's task is not to replace criminal analysis with a political declaration, but to explain why the particular consequence sought abroad should not follow on the material supplied.

Counsel should also distinguish motive from the legal test used by the receiving body. A human rights argument may focus on the consequences of return even where political purpose cannot be conclusively established. A data challenge may focus on an inaccurate description of conduct. Treating political motivation as the only possible objection can leave stronger, independently available grounds unexplored.

9. Extradition: the initial legal assessment

The first task in extradition defence is to identify the exact basis for detention and the request received. The file should establish the requesting state, authority, warrant, purpose of extradition and current accusation. Extradition for prosecution and extradition to enforce a sentence call for different supporting material. Where an in absentia conviction may be followed by a fresh hearing, counsel must establish how the requesting state characterises its demand and what safeguards it offers in connection with surrender.

The relevant treaty and the requested state's law must then be examined: dual criminality, seriousness, limitation, political grounds, competing proceedings, specialty and applicable grounds for refusal. The titles of offences may differ between criminal codes. Dual criminality requires a legal assessment of the conduct alleged. A general claim of “financing extremism” does not permit that assessment without identifying the recipient, transaction, mental element and alleged unlawful purpose.

France provides an example of the independent role of domestic safeguards. Article 696-4 of the French Code of Criminal Procedure includes obstacles relating to political character or purpose, punishment contrary to French public policy and the absence of fundamental procedural and defence guarantees. Its application must be considered alongside the treaty basis of the particular request. These grounds should be argued specifically rather than replaced by a single reference to the general situation in Belarus. [17]

During provisional arrest, priority should be given to access to counsel, interpretation, the relevant documents and judicial review, together with time limits governing receipt of a formal request. A complete analysis of every alleged transaction need not be finished before the risk of prohibited return or an existing protection status is raised. At the same time, counsel should not assume that a formal request will necessarily arrive or that the same deadline applies in every country. The calendar must follow the procedure actually engaged.

The requested relief should be precise. An application for release, an objection to extradition and a request for additional information may be related, but they are not identical. A representative should identify which authority can decide each issue and preserve the opportunity to contest surrender even where detention has already ended. Release pending proceedings does not necessarily dispose of the extradition request itself.

10. Return risk: torture, the death penalty and denial of justice

An extradition assessment is not exhausted by examination of the accusation. Article 3 of the Convention against Torture prohibits transfer where there are substantial grounds for believing that the person would be in danger of torture. Under the European Convention, a real risk of treatment prohibited by Article 3 is a separate obstacle to return. That prohibition cannot be replaced by balancing the seriousness of the accusation against the convenience of international cooperation. [8; 9]

An individual assessment should examine the likely sequence after surrender: which authority would receive the person, where detention might occur, which charges would apply and what access

to protection and outside scrutiny would exist. Relevant material includes the applicant's previous treatment, the situation of comparable persons, health conditions and specific threats. Country evidence explains the context. A strong file shows why the identified mechanism is likely to affect this person.

In *Othman (Abu Qatada) v. the United Kingdom*, decided on 17 January 2012, the European Court separated the risk of ill-treatment from the risk of a flagrant denial of justice. In light of the assurances examined, it did not find an Article 3 obstacle, but found an Article 6 obstacle because of the real risk that torture evidence would be used at retrial. A promise of a new hearing therefore does not, by itself, resolve the origin of the evidence. [12]

If the offence permits capital punishment, its applicability and the adequacy of any undertaking not to impose or execute it require separate scrutiny. The word “terrorism” alone does not establish that risk: the actual provision and the individual's position must be examined. Nor should the issue be ignored merely because the existing *in absentia* sentence is imprisonment. An amended accusation or fresh proceedings may require further analysis. Every assurance should address the risk identified and be capable of verification.

A practical submission can therefore separate the risks into distinct parts: physical treatment, detention conditions, punishment and the integrity of the future trial. For each, it should identify the evidence, legal prohibition and unresolved question. This avoids the misleading impression that one broadly worded assurance necessarily answers all of them. It also helps a court identify exactly what further information would be material to its decision.

11. Asylum and the assessment of an *in absentia* accusation

For international protection, a criminal case conducted in *in absentia* may have two implications. It may substantiate a risk of persecution while also raising questions about the conduct alleged. The assessment must examine the reason for persecution, the seriousness of the consequences, the reliability of the materials and any possible exclusion ground. A foreign conviction does not relieve the asylum authority of its own assessment; an assertion of political persecution does not remove the need to explain the facts. The 1951 Convention distinguishes refugee definition, exclusion and non-refoulement. [10]

In *Y.P. and L.P. v. France*, decided on 2 September 2010, the European Court held that returning the applicants to Belarus would violate Article 3. It examined their individual political activity and risk, rather than establishing an automatic prohibition on returning every Belarusian national. The practical lesson is to connect country information with the person's own history and with information available to the authorities about that person. [13]

The file should distinguish activity before departure from conduct abroad. Publications, organisational involvement or public appearances after leaving may change the assessment. The evidence should show actual recognisability: a name, image, dissemination of the material, official reaction or reference in a procedural document. A list of links without an explanation of their connection to the applicant does little to establish awareness by the feared authorities. New public activity should not be manufactured to strengthen a claim; the assessment concerns the person's genuine history.

As of the report date, the transition to the new EU instruments must also be considered. An official corrigendum changed the application date of Regulation 2024/1347 to 12 June 2026. Regulation 2024/1348 has its own application and transitional provisions. Procedures should therefore not be described solely through the former directives. The filing date, governing instrument, the state's participation in the relevant regime and national appeal routes must be identified for each application. This is particularly important when relying on judgments delivered before the reform. [15; 16]

A protection submission should remain internally consistent with other proceedings without becoming a copy of the extradition defence. It must explain the feared persecution and the relevant grounds for protection. A transaction analysis prepared for a financial allegation may be attached where useful, but it should not obscure the personal history or the reasons the applicant cannot safely obtain state protection in the country of origin.

12. Refugee status granted by another state

The Court of Justice's judgment of 18 June 2024 in C-352/22, Generalstaatsanwaltschaft Hamm, concerned Türkiye's request for extradition of a person recognised as a refugee by Italy and present in Germany. The Court identified an obstacle to extradition to the country of origin while the granting authority had not revoked or withdrawn that status, and required cooperation between the competent authorities. The judgment is relevant to coordination between extradition and international protection. [14]

Applying this approach to a Belarusian case first requires confirmation of current status, the state that granted it and the country in relation to which protection was recognised. A residence card may not establish all those matters. It is useful to obtain a decision or official confirmation connecting the person's identity, form of protection and its continuing validity. Detailed information from a confidential asylum file should be transmitted only to the extent necessary and through an appropriate channel.

The rule established by the Court should not be replaced with the claim that any EU residence permit blocks extradition. A work permit, humanitarian document, pending asylum application and recognised refugee status have different legal bases. Nor should the conclusion be extended without analysis to surrender to a third country other than the country of origin or to states outside the relevant European framework. Those situations require separate examination of direct and onward return risks.

The representative's procedural task is to ensure that confirmation of status actually reaches the extradition file. The application should identify the granting authority, decision date and reference and request appropriate inter-authority verification. Counsel should separately track whether a protection-review procedure has begun and what participation rights it provides. Closing one procedure or transferring a request between institutions must not leave the individual unable to contest an immediately threatened surrender.

It is also essential to distinguish the effect of a protection decision from the practical position during verification. A detention hearing may take place before an official response arrives. Counsel should therefore present the available evidence promptly, explain what confirmation has been requested

and ask for relief appropriate to that interim position. A document's absence from the local file should not be mistaken for proof that the underlying status does not exist.

13. INTERPOL: what a wanted notice does and does not establish

An INTERPOL Red Notice is a request to locate a person and provisionally arrest them for extradition, surrender or a comparable lawful action. It is not an international arrest warrant and does not determine whether arrest is mandatory in every country. The public website contains only some notices. Absence from the public search does not establish that no data are held in the system. These distinctions matter particularly where the client has only a Belarusian announcement that an international search has been initiated. [20]

INTERPOL's Constitution connects police cooperation with respect for human rights and prohibits activity of a political, military, religious or racial character. The Rules on the Processing of Data impose additional requirements concerning quality, purpose and legal basis. An application concerning a Belarusian case should examine the compliance of particular data with those requirements rather than ask INTERPOL to act as an appellate criminal court. [18; 19]

The practical file should identify what facts have been communicated internationally. The offence named in the domestic decision may differ from the short description in an alert. Politically significant circumstances may disappear in translation, while a complex dispute becomes a brief allegation of fraud or financing. Counsel should compare versions of the accusation, dates, amounts, the person's status and supporting documents. A discrepancy should be described precisely, without assuming deliberate falsification where it has not been established.

Data deletion and cancellation of a national search require different action. Even a favourable CCF decision does not guarantee the absence of a bilateral request or an independent national entry. After deletion, the competent local authority can be asked to identify any remaining basis for its measure. The CCF should not be asked to issue directions beyond its jurisdiction. The purpose is to obtain a defined result within INTERPOL's system and then use that result where it has legal relevance.

The applicant should also avoid treating the colour or public visibility of a notice as a substitute for the underlying legal analysis. The practical question is what data exist, why they are being processed and what measure the receiving state is taking. That approach remains useful where the exact communication channel is initially unknown. It allows a request for access or clarification to be framed without asserting the existence of a particular notice that has not been confirmed.

14. Applying to the CCF and confirming protection status

The CCF's official guidance states that, from 26 March 2026, new requests must be submitted through its dedicated secure online portal, subject to the specified exceptional circumstances for alternative means. Existing cases may follow separate migration arrangements. Repeating an older instruction to send a new request by ordinary email risks failing to submit it through the accepted channel. [22]

The substance of the application should follow the Commission's jurisdiction. It should begin with identity, representation, the relief requested and known restrictions. Facts should then be linked to

exhibits, followed by distinct grounds such as political character, serious interference with rights, inaccuracy, absence of a continuing basis or incompatibility with the processing purpose. Any request for provisional measures needs an explanation of actual urgency and consequences. Filing an application does not automatically block the data.

INTERPOL's refugee policy provides for deletion of notices and diffusions from the country of persecution once the relevant status is confirmed by a member country. A pending asylum application must not be represented as recognised refugee status. The type and continuing validity of protection, the requesting country and official confirmation all matter. The policy does not mean that INTERPOL grants asylum or excludes every review involving requests from other countries. [21]

Before submission, names and identifying details should be checked across the passport, protection decision, translations and authority to act. Russian and Belarusian transliterations can be explained in a short identity table. Exhibits should be arranged by significance rather than by the order in which they happened to arrive: the core decision, evidence of defects, confirmation of protection and foreign decisions. Unstructured volume makes it harder to identify the decisive fact. Once a decision is issued, counsel should record its exact scope, date, disclosure restrictions and the steps needed in other proceedings.

A further practical safeguard is to retain the submitted version and the filing confirmation together. If information changes during consideration, the update should identify the earlier statement affected and attach the new document. This is preferable to repeatedly resubmitting the entire narrative with silent alterations. It allows the reviewing body to see whether a development concerns identity, the charge, protection status or the continuing basis for a notice.

15. Travel, transit and urgent protection

A cross-border strategy must address the actual travel route as well as the country of residence. A connection, diversion, land-border crossing or altered return itinerary may involve different authorities. No responsible assessment can guarantee that detention will not occur solely because a country has a favourable general reputation or a name does not appear in an open database. The assessment must rest on documents, existing restrictions and available judicial safeguards.

Before travel, it can be useful to prepare a short file for local counsel: identity documents, status confirmation, known judicial decisions, representative contact details and a clear chronology. This is not a travel clearance or a method of avoiding control. Its purpose is to make lawful representation available quickly if a check occurs. A complete confidential asylum history should not form part of a bundle routinely shown to every carrier or check-in agent.

If detention occurs, the immediate questions are location, time, legal basis, responsible authority and the next judicial step. Access to an interpreter and lawyer should be requested, and health conditions and medication needs recorded. Counsel should establish whether the proposed action is extradition, deportation, refusal of entry or transfer to a neighbouring state. The procedural label does not remove non-refoulement obligations, including where a transfer through an intermediate state creates a substantiated risk of onward return to Belarus.

Where a state party to the European Convention is involved and there is an imminent risk of irreparable harm, a request under Rule 39 may be considered. It requires specific information about impending enforcement, domestic remedies and the risk, rather than a general fear of possible future arrest. It is not a means of annulling a Belarusian case in advance or obtaining worldwide travel guarantees. National proceedings must continue in parallel; sending an urgent request does not itself establish that surrender has been stayed. [8; 30]

The emergency record should distinguish an application made from an order granted. If a court or international body indicates a measure, the exact terms and addressee should be transmitted promptly to the authority controlling the transfer. Confirmation of receipt matters. Counsel should also check whether a later change of destination or procedure affects the protective measure, rather than assuming that a previous intervention automatically covers every subsequent action.

16. Passports, citizenship and receiving-state documents

Restrictions on documents create an independent vulnerability. They may make it difficult to renew residence, establish identity, obtain banking services or register family relationships. Decree No. 278 of 4 September 2023 restricted a range of consular procedures for Belarusian nationals abroad. In April 2026, the UN group of experts also reported invalidation of passports belonging to some former political prisoners expelled after release. These are distinct mechanisms and require separate evidence. [23; 24]

Expiry of a passport, invalidation, refusal to issue a new one and loss of nationality are not the same legal event. An invalid passport does not by itself establish statelessness. The status question is whether the relevant state considers the person its national under the operation of its law. The practical inability to obtain usable documents warrants attention, but should not be described as established legal statelessness without the necessary basis.

Work should begin with the purposes for which documentation is needed. Residence may require one set of evidence, travel another and registration of a birth a third. In France, civil-status documentation for protected persons and travel documents fall under different responsibilities: OFPRA performs its protection and civil-status functions, while applications for a travel document are made to the prefecture. Possession of a travel document does not remove the need to check admission requirements in the destination country. [25]

If an authority asks the person to contact a consulate of the feared state, counsel should explain the protection status, the risk and available alternative evidence in writing. Contact with the authorities of origin requires an individual assessment. It should neither be treated as automatic loss of protection in every circumstance nor assumed to have no possible consequences. Previous documents, identity evidence from the asylum procedure, certificates and official replies may be useful. The objective is lawful identification without compelling a return to danger.

A separate list of expiry dates helps prevent a documentary problem from becoming an avoidable loss of lawful residence. It should identify which authority can extend or replace each document and what evidence it accepts. A pending request should be preserved with its receipt and any interim document issued. The person should not be left relying on an informal explanation that an expired passport will “probably be accepted” for every purpose.

17. Property: restraint, confiscation and civil recovery

Property consequences require their own legal classification. A freezing or restraint measure preserves an asset during proceedings; confiscation finally changes the proprietary position; a fine creates a monetary obligation to the state; civil compensation may be awarded to an injured party. Using “confiscation” to describe every one of these measures makes it harder to identify the competent court and formulate the correct objection.

The first questions are the asset's location and the holder of the relevant right. A Belarusian decision may directly affect property in Belarus, but coercive action against an asset abroad requires an applicable mechanism in the state where the asset is located. EU Regulation 2018/1805 governs mutual recognition of freezing and confiscation orders within the system of cooperation it establishes between Member States. It does not convert a Belarusian order into an automatically enforceable EU instrument. [29]

For a foreign restraint, counsel should obtain the local act and identify its basis: mutual legal assistance, an independent domestic investigation, civil interim relief or another procedure. Objections must address that basis. If a local authority has independently identified grounds for restraint, relying solely on defects in the Belarusian judgment may be insufficient. Counsel must examine the connection between the asset and the alleged conduct, proportionality, duration and the availability of a less burdensome measure.

Third-party rights need separate attention. A spouse, co-owner, secured lender or creditor should establish the right claimed, when it arose and the source of the relevant funds. Family relationship alone does not establish that property belongs to the accused, but registration in a relative's name does not prevent examination of the underlying facts. A sound defence preserves records and explains transactions transparently. Moving assets to conceal them from lawful control creates additional problems and is not a substitute for judicial challenge.

The remedy should match the asset and the measure. Discharge of a bank-account freeze may need an instruction to the account holder's bank; removal of a registration affecting real estate may require action in the property register. Where partial relief is sought, the application should identify the amount or share affected and explain why the remainder can be treated separately. A general request to “return all property” may overlook the legal distinction between ownership, control and temporary restraint.

18. Recognition of foreign decisions and public policy

Recognition should be considered separately for each component of the foreign decision. A criminal punishment, compensation award, corporate consequence and factual finding may fall under different regimes. A foreign court need not treat the operative part as an indivisible whole. Counsel should therefore establish what the applicant is actually seeking: recovery of money, alteration of a register, transfer of property or use of findings as evidence.

A public-policy objection normally requires more than disagreement with foreign legislation. It must identify a significant defect relevant to the recognition sought, such as the absence of a genuine opportunity to defend, an impermissible political basis, a breach of fundamental safeguards

or conflict with a particular prohibition in the receiving state. The precise test and limits of review depend on local law. A procedure concerned only with recognition should not be presented as an opportunity to retry the entire criminal accusation.

In practice, counsel can link each defect to the proposed consequence. If compensation concerns an allegation of which the defendant received no notice, the submission should identify the evidence and objections the person was unable to present. If the claimant relies on finality, counsel should establish whether this means exhaustion of ordinary appeal or merely expiration of a period of which the defendant was unaware. Translating a decision as “final” should not conceal the particular features of the domestic procedure.

An apostille, consular authentication and a certified translation address form and origin, not procedural fairness. A copy may be authentic while recording disputed findings. This matters to courts, notaries and counterparties: formal admissibility does not answer what legal effect the document may properly receive. A precise defence does not dispute an authenticated signature unnecessarily. It explains the separate conditions for recognition and evidential use.

It is also useful to distinguish recognition of an obligation from proof of the amount claimed. Interest, currency conversion, costs and the identity of the creditor may require their own examination. Where the foreign decision contains several monetary components, a schedule should explain each one and the proposed basis for enforcement. This avoids allowing a broadly described criminal judgment to obscure a specific, contestable civil demand.

19. Banks, employers and commercial databases

Public information about an in absentia accusation can spread beyond official proceedings through search engines and screening databases. A person may then lose access to services without a foreign restraint order or sanctions designation. The immediate questions are the source of the entry, identity and the current stage of the case. A Belarusian “extremist” list should not automatically be described as an EU or UN sanctions list. The legal effect of each entry depends on the applicable regime.

A submission to a bank should address the actual reason for its restriction. A name match calls for identifying information. A concern about the origin of funds calls for evidence of the transaction, income and business activity. An outdated entry calls for the subsequent decision. Political context may explain the character of the source, but it does not replace evidence of the lawful origin of a particular payment. The accusation, protection status, sanctions and the bank's own risk assessment should be kept distinct.

Where the GDPR applies, processing requires a lawful basis and compliance with accuracy requirements; Article 10 provides a specific regime for data relating to criminal convictions and offences. Access, rectification and other rights have conditions and exceptions. A request should not promise that every adverse publication must disappear. In some cases, the appropriate outcome is an accurate account of the stage, source and later disposition of proceedings rather than removal of a true historical fact. [28]

The practical sequence is to obtain an intelligible explanation to the extent permitted by law, correct an error at the database source and request reconsideration by the institution using it. A vendor may

amend a profile while a bank continues using an older extract. Conversely, a bank may reconsider while the public profile remains unchanged. Both strands require follow-through. Disclosure to an employer or business partner should be limited to what is necessary for the particular lawful assessment, preserving sensitive protection information.

Counsel should also distinguish a duty to investigate a complaint from a duty to provide a particular financial product. A successful correction may remove one obstacle without eliminating every lawful reason for declining service. The request is more credible when it identifies the factual error, its effect on the decision and the remedy within the recipient's control, instead of demanding a blanket finding that the client presents no risk of any kind.

20. The evidential file and consistent translation

The core of the file should be a single chronology with separate fields for event, source, verification and legal significance. The date of an act must be distinguished from receipt, publication and enforceability. Where an original is unavailable, the available material should be used with a precise account of its origin. Lack of a complete judgment need not prevent urgent protection, but the reader must be able to tell which propositions rest on the operative part, an official announcement or the applicant's account.

Legal terminology should be translated consistently. “Special proceedings” should be explained as the Belarusian criminal procedure conducted in absentia. A reference to a wanted person should not invariably become “Red Notice”: a domestic search, an international request and a confirmed INTERPOL notice are different. Restraint of property is not always confiscation, and a judgment becoming enforceable does not necessarily mean that every form of review is unavailable.

An identity table should connect Russian and Belarusian spellings, passport transliteration, previous documents and variants in court records. A single-letter difference does not necessarily indicate another person, but a common-name match does not prove identity either. Where sensitive information is involved, a complete version can be prepared for the competent authority and a reduced version for other lawful recipients. Redactions should be apparent so that an extract is not mistaken for the complete original.

A witness account is more useful when it separates personal observation from information received from others. Counsel should preserve the questions, date, language, recording method and permission to use the account. An expression of fear should not become a categorical claim about an event the witness never saw. Digital material should retain its original file, link, acquisition date and context. This discipline allows facts to be used across proceedings without contradiction or artificial strengthening in translation.

A short exhibit index should state what each document proves. An identity document establishes identity; a delivery receipt establishes transmission; a refusal letter records an institutional response. None should be described as proving more than it does. That discipline is particularly valuable when the file contains many overlapping screenshots or copies. It reduces volume while making the genuinely decisive material easier to find.

21. Six hypothetical practical scenarios

21.1. A published summons and an unknown lawyer

A person living abroad learns of a conviction through the news. A summons appears on the court website, and the operative part records the attendance of appointed counsel. The person says they never communicated with that lawyer. The representative first reconstructs the dates: when the summons appeared, what it contained, when the client learned of the hearing and which contact details were known to the authorities. Available procedural documents and confirmation of appointment are requested. For a foreign court, the central issue is meaningful participation rather than the existence of a formal entry recording representation.

If an unanswered letter from counsel is discovered, it should not be omitted. The explanation must address whether it was received, what information it contained and whether time for preparation remained. That inquiry may support a narrower and stronger objection: even if the accused knew a case existed, the accusation and evidence were not available before judgment. Depending on the procedure, the relief may be refusal of the proposed foreign consequence or a request for additional safeguards.

The file should also identify what remains unknown. If no hearing record is available, the representative should not assert that counsel said nothing. Instead, the request can seek that record and explain the significance of the documented absence of client communication. The result is a substantiated procedural challenge rather than an allegation built on inaccessible events.

21.2. A refugee detained in another EU state

A recognised refugee crosses into another EU state and is detained following a Belarusian request. The residence card is with a relative, and the local authority initially has only the passport. The priority is to obtain official confirmation of the type and validity of protection, provide it to counsel and request cooperation between the competent authorities. C-352/22 is invoked within the applicable legal framework, alongside the individual's return risks.

The representative should not stop at saying that the client has “European documents”. The granting state and the connection between protection and the country of origin must be established. The independent basis for detention and the possibility of release require parallel examination. Even where extradition cannot lawfully proceed, immediate termination of detention requires an appropriate procedural decision. The outcomes of those two strands should be recorded separately.

Counsel should preserve proof that the status confirmation reached the decision-maker. If an urgent hearing occurs before verification is complete, the submission should state what evidence is available and what official response remains outstanding. This prevents an administrative delay from being misunderstood as a substantive absence of protection.

21.3. Political activity and an allegation of misappropriation

A business owner participated in a public campaign and was later convicted in absentia on a financial charge. There are genuine bank transactions and a contractual dispute. The defence does not deny that payments occurred. It examines their purpose, signatory authority, contractual performance and calculation of loss. Political threats and changes in official treatment are presented through a separate chronology. The foreign recipient receives both strands rather than only the favourable portion of the history.

If part of the demand is an ordinary civil claim, that should be explained through documents and the applicable legal test, not the slogan that the case is “purely commercial”. Different episodes may require different objections. This approach assists examination of dual criminality, proportionality and political purpose without asking the foreign court to declare the person innocent of every issue in advance.

A useful schedule can show each disputed transfer, the prosecution's description and the defence document relied on. Where information is missing, the gap is identified. That makes it possible to distinguish a disagreement about legal classification from a disagreement about what transaction actually occurred. The political context remains important without replacing the financial analysis.

21.4. A foreign account restricted after publication

A bank stops transactions after a report that its customer has been added to a Belarusian list. The customer has received no local judicial order. Counsel first establishes whether the measure concerns sanctions, an AML review, an official direction or a contractual decision. Identity errors are then addressed and the procedural status explained. The source of funds and economic purpose of the particular transaction are documented separately.

Any refusal of extradition is described accurately: for example, a risk of prohibited treatment rather than a finding that no offence occurred. If the bank relied on an outdated entry, an update is requested. The desired result is reconsideration of a specific restriction and lawful access to funds, not exemption from all customer checks. Dates, replies and practical consequences are preserved for any complaint or litigation.

If the institution identifies a separate court order, the strategy changes. A data-correction request cannot discharge that order. The customer may need a judicial application concerning the restraint while continuing to correct inaccurate background information. The two matters should be managed together without suggesting that either procedure has powers it does not possess.

21.5. An invalid passport and an expiring residence permit

A passport has been invalidated, and the receiving authority requires a valid document to renew residence. Evidence of nationality remains available, so an immediate assertion of statelessness would be inaccurate. Counsel collects previous identity documents, confirmation of invalidation and evidence that obtaining a new passport cannot safely be pursued. The available national procedure for alternative identity verification or documentation is then identified.

If the person benefits from international protection, that information should reach the competent authority before the next deadline. Travel documentation is addressed separately: renewal of residence is not permission for an international journey. The practical objective is continuity of

lawful status and verified identity. A requirement to return for a passport is contested through the actual risk and applicable safeguards.

The applicant should retain the renewal receipt, any interim document and written requests for additional evidence. Those records matter if a later institution treats the absence of a current passport as proof that the person has failed to cooperate. A documented explanation distinguishes inability to obtain a document from refusal to establish identity.

21.6. Enforcement against a spouse's property

An in absentia judgment includes a monetary award, followed by an application abroad to freeze an apartment owned by the convicted person's spouse. She purchased it before the events in the case using her own funds. Counsel identifies the basis on which the local authority treats it as the debtor's asset and supplies evidence of acquisition, payment and the property regime. Her independent right to participate should not disappear within the accused's defence.

The nature of the monetary award and the conditions for recognising that part of the judgment are examined at the same time. If the apartment is already restrained, separate steps may be needed to challenge the measure and protect immediate housing needs. Records are preserved; fictitious transfers and backdated documents are not legal remedies. The objective is a decision about the identified asset and confirmation that the local register or custodian has implemented it.

Where ownership is shared, the submission should explain the shares claimed and the evidence for them. A request concerning the spouse's independent interest should not overstate her rights over the entire asset. Accurate separation of interests makes the application easier to decide and avoids weakening a legitimate third-party claim through an unnecessarily broad demand.

22. International mechanisms and their jurisdictional limits

Belarus is not a party to the European Convention on Human Rights. An application to the European Court is therefore not a direct appeal against a Belarusian judgment. However, a Convention state's own decision to detain, extradite or remove a person may engage its obligations. The respondent state, impugned act, risk, domestic remedies and procedural time limits must be correctly identified. A compelling account of persecution cannot cure an application directed against the wrong respondent. [8]

Belarus's denunciation of the Optional Protocol to the International Covenant on Civil and Political Rights took effect on 8 February 2023. Earlier submissions retain the treatment provided for by the Protocol, but an ordinary new individual communication against Belarus should not be promised as though denunciation had not occurred. The Covenant itself remains relevant. Withdrawal from an individual-complaint procedure is not equivalent to termination of the state's substantive obligations. [6; 26]

UN special procedures may receive information about alleged violations and issue communications within their mandates. This differs from a judicial decision and does not automatically stay extradition or enforcement. A submission should contain a reliable chronology, individual risk, necessary exhibits and a clear account of urgency. Consent to disclose identity and possible

publication should be considered in advance, particularly where relatives remain in the country of origin. [27]

International documentation may also preserve evidence and support accountability. Those objectives should not be confused with immediate protection against transfer. Investigation of alleged international crimes has separate jurisdictional and evidential requirements. Providing information to such a mechanism does not mean that every domestic conviction has been declared invalid. The client should have a clear account of the intended outcome: preventing return, reviewing data, protecting property, documenting abuse or pursuing later reparation.

Coordination is especially important where several mechanisms receive the same facts. Counsel should keep a record of submissions, permissions and disclosure restrictions. A document supplied confidentially to one body should not simply be republished as an annex elsewhere. Consistent facts and appropriately controlled disclosure allow parallel procedures to reinforce one another without creating avoidable risks for witnesses and relatives.

23. Organising the defence: immediate and continuing action

Initial assessment should begin with the next irreversible event. If surrender is scheduled, urgent judicial protection comes first. If an asset sale is imminent, interim property relief may be the priority. If documentation is expiring, continuity of lawful status must be addressed. A general research report does not replace a specific procedural application. The responsible representative records the deadline, competent recipient, filing method and proof of submission, then tracks actual receipt.

A common factual bundle should be prepared alongside separate legal positions for each procedure. It includes identity, chronology, procedural acts, protection confirmation and principal risk evidence. The extradition submission explains why transfer is impermissible. The CCF application addresses compliance with INTERPOL's rules. The property objection challenges the conditions for the particular restraint or recognition sought. Shared facts remain consistent while the legal requests follow the recipient's jurisdiction.

A version log is essential. An amended charge, new asylum decision, cancelled warrant or changed passport status must reach the representatives who need it. Particular problems arise where one document calls the person a suspect, another a convicted defendant and a third states that proceedings ended without explaining when or how. An update should identify the new act and its effect through a short supplement, rather than silently rewriting the previously submitted account.

Success is assessed through implementation. After refusal of extradition, counsel checks release and the relevant national record. After a CCF decision, its scope and remaining local measures are examined. After discharge of restraint, account access or the property registration is checked. Resolution of one strand is documented separately from continuing risks. This reduces the chance that a legal success remains only in correspondence while a restriction continues in another system.

A practical allocation of responsibility can be simple: one person maintains the factual chronology, local counsel controls national deadlines and each specialist confirms the result within their procedure. The purpose is not bureaucracy but prevention of gaps. The client should know who is responsible for the next step and which outcome remains outstanding. Where a deadline cannot yet

be calculated because a document is missing, that uncertainty should be actively resolved rather than hidden in a general progress update.

24. ARGA's position and practical recommendations

ARGA recommends individual assessment of the legal basis and genuine opportunity to defend in Belarusian cases conducted in absentia. A receiving authority should distinguish authenticity, evidential weight and the permissibility of the consequence requested. Reasons for absence, access to materials, counsel's actual work and the ability of a later process to repair a defect require separate examination. These questions should appear in the reasons for a decision rather than disappear behind a general reference to international cooperation.

For extradition and asylum authorities, coordinated assessment of return risk is a priority. Current protection status, foreign judicial decisions and new persecution evidence should reach the file in time. A promised retrial requires scrutiny of its content and enforceability. Torture, capital punishment and a flagrant denial of justice remain distinct concerns; one safeguard does not substitute for another. The decision should explain which individual circumstances were assessed and why the proposed measures are sufficient or insufficient.

For financial institutions and data providers, ARGA recommends distinguishing foreign accusation, international wanted status, sanctions designation and recognised protection needs. Screening should preserve accurate identity, source dates and the current procedural position. Corrections must reach the systems in which the data are actually used. Access to lawful remedies should not depend on production of documents that cannot safely be obtained where the applicable law permits alternative evidence.

For representatives, the controlling standard is specificity. Every material claim should have a source, every risk a procedural setting and every request a competent recipient. The proposed approach does not promise universal immunity from the consequences of a foreign case. It supports verifiable decisions concerning liberty, status, data and property, followed by checks that those decisions have been implemented. That sequence makes international safeguards practically usable.

Sources and references

- [1] Belarus, Law No. 199-Z of 20 July 2022 amending the Criminal Procedure Code; Chapter 49³.
<https://pravo.by/document/?guid=12551&p0=H12200199>
- [2] UN special procedures. Communication AL BLR 8/2024, 18 December 2024. Information received and legal concerns.
<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29548>
- [3] Group of Independent Experts on Belarus. A/HRC/61/57, 6 February 2026, especially the section on transnational repression. <https://docs.un.org/en/A/HRC/61/57>
- [4] Group of Independent Experts on Belarus. The involvement of Belarusian State institutions in human rights violations in the criminal justice process. A/HRC/63/CRP.1, 14 September 2026, paragraphs 80-98. <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session63/a-hrc-63-crp-1.pdf>
- [5] OSCE Moscow Mechanism. Hervé Ascensio. Report on the serious threat to the OSCE human dimension in Belarus since 5 November 2020. May 2023.
<https://cdn.osce.org/sites/default/files/f/documents/b/8/543246.pdf>
- [6] International Covenant on Civil and Political Rights, 1966, Articles 7, 9 and 14. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
- [7] Human Rights Committee. General Comment No. 32. CCPR/C/GC/32, 23 August 2007, especially paragraphs 31 and 36. <https://www.refworld.org/legal/general/hrc/2007/52583>
- [8] European Convention on Human Rights, Articles 3, 5, 6, 13, 34 and 35.
https://www.echr.coe.int/documents/d/echr/convention_ENG
- [9] Convention against Torture, 1984, Article 3; Committee against Torture, General Comment No. 4, CAT/C/GC/4. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>
- [10] 1951 Refugee Convention and 1967 Protocol; Convention Articles 1, 25, 27, 28, 32 and 33.
<https://www.unhcr.org/sites/default/files/2025-02/1951-refugee-convention-1967-protocol.pdf>
- [11] ECtHR, Grand Chamber. Sejdic v. Italy, application No. 56581/00, 1 March 2006, paragraphs 81-95.
<https://hudoc.echr.coe.int/eng?i=001-72629>
- [12] ECtHR. Othman (Abu Qatada) v. the United Kingdom, application No. 8139/09, 17 January 2012. Official Registry summary. <https://hudoc.echr.coe.int/eng?i=003-3808707-4365533>
- [13] ECtHR. Y.P. and L.P. v. France, application No. 32476/06, 2 September 2010, paragraphs 62-74.
<https://hudoc.echr.coe.int/eng?i=001-100305>
- [14] CJEU, Grand Chamber. C-352/22, Generalstaatsanwaltschaft Hamm, 18 June 2024, ECLI:EU:C:2024:521. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62022CJ0352>
- [15] Regulation (EU) 2024/1347 of 14 May 2024; corrigendum of 25 November 2025, OJ L 2025/90926, application date in Article 42. <https://eur-lex.europa.eu/eli/reg/2024/1347/corrigendum/2025-11-25/oj>
- [16] Regulation (EU) 2024/1348 of 14 May 2024 establishing a common procedure for international protection, including transitional provisions. <https://eur-lex.europa.eu/eli/reg/2024/1348/oj>
- [17] France. Code de procédure pénale, Article 696-4; grounds for refusing extradition.
https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006577394
- [18] INTERPOL. Constitution, Articles 2 and 3.
<https://www.interpol.int/en/Who-we-are/Legal-framework/Legal-documents>
- [19] INTERPOL. Rules on the Processing of Data; processing requirements and provisions on Red Notices.
https://www.interpol.int/en/content/download/5694/file/26%20E%20RulesProcessingData_RPD.pdf

- [20] INTERPOL. About Red Notices. Official explanation of purpose and legal effect.
<https://www.interpol.int/en/How-we-work/Notices/Red-Notices>
- [21] INTERPOL. Refugee Resolution, GA-2017-86-RES-09, and official policy explanation.
<https://www.interpol.int/Who-we-are/Legal-framework/INTERPOL-Refugee-Resolution>
- [22] CCF. How to submit a request. Online filing arrangements from 26 March 2026. <https://www.interpol.int/en/Who-we-are/Commission-for-the-Control-of-INTERPOL-s-Files-CCF/How-to-submit-a-request>
- [23] Belarus, Presidential Decree No. 278 of 4 September 2023 on the procedure for issuing documents and performing actions. <https://pravo.by/document/?guid=12551&p0=P32300278>
- [24] UN Group of Independent Experts. Belarus: UN experts condemn Government move to invalidate passports of exiled opponents, 20 April 2026. <https://www.ohchr.org/en/press-releases/2026/04/belarus-un-experts-condemn-government-move-invalidate-passports-exiled>
- [25] OFPRA. Frequently asked questions for protected persons. Civil-status documentation and travel.
<https://www.ofpra.gouv.fr/faq/i-am-protected-ofpra>
- [26] UN depositary notification C.N.400.2022.TREATIES-IV.5. Belarusian denunciation of the Optional Protocol, effective 8 February 2023. <https://treaties.un.org/doc/Publication/CN/2022/CN.400.2022-Eng.pdf>
- [27] OHCHR. What are communications? Scope and operation of special-procedure communications.
<https://www.ohchr.org/en/special-procedures-human-rights-council/what-are-communications>
- [28] Regulation (EU) 2016/679 (GDPR), especially Articles 5, 6, 10 and 15-18.
<https://eur-lex.europa.eu/eli/reg/2016/679/oj>
- [29] Regulation (EU) 2018/1805 on mutual recognition of freezing and confiscation orders, Article 1 and subsequent provisions. <https://eur-lex.europa.eu/eli/reg/2018/1805/oj>
- [30] ECtHR. Applying for interim measures; Rule 39 and current instructions for urgent requests.
<https://www.echr.coe.int/web/echr/applying-for-interim-measures>