



3.2.2. Fair trial guarantees and access to legal counsel

The absence of judicial independence has led to a systematic violation of fair trial guarantees in politically motivated cases.[348](#) Court proceedings often involve linguistic ‘expert examinations’, which are conducted by employees of state universities, rather than by independent specialists. As a result, courts classify any content that contradicts the official discourse as extremist or ‘insulting’ the authorities.[349](#)

At the same time, the transparency of court proceedings has significantly declined[350](#) since March 2025, when the Supreme Court of Belarus removed the ‘Schedule of hearings’ section from its website,[351](#) preventing access to information on politically motivated court trials.[352](#) As of March 2026, the ‘Schedule of Hearings’ webpage remains inactive, which limits the ability of human rights defenders to monitor cases of prosecution.[353](#)

The right to legal defence in cases involving politically motivated prosecution is also severely affected by the systematic harassment of lawyers.[354](#) Since 2020, lawyers defending individuals subjected to politically motivated prosecution faced removal from bar associations and license revocations,[355](#) and in many cases have been compelled to leave the country.[356](#) By late 2023, the number of independent lawyers has declined significantly,[357](#) making it difficult for people facing criminal prosecution to hire a lawyer privately.[358](#) In such situations, defence counsel may be assigned by the state.[359](#) As noted by Viasna, state-appointed lawyers often encourage defendants to plead guilty, regardless of the evidence.[360](#)

Since 2020, individuals under politically motivated prosecution have reportedly been denied legal representation at the time of arrest, during preliminary investigations, and at trial,[361](#) and have been very often prevented from contacting family members.[362](#) At the same time, many were compelled to provide self-incriminating statements, sometimes on camera and, in some cases, in the presence of state-appointed counsel.[363](#)

According to Human Constanta, Belarus has approximately 1 600 licenced and registered lawyers in Belarus, which is not enough to serve the country’s population of 9 million. The source also noted that in some areas, there may be only one lawyer per relatively large town, who is theoretically responsible for representing all criminal cases. The shortage of lawyers affects not only politically motivated cases but also a broader range of criminal proceedings.[364](#)

- [348](#)

UN Human Rights Council, Situation of human rights in Belarus, Report of the Group of Independent Experts on the Situation of Human Rights in Belarus, 6 February 2026, [url](#), paras. 16, 23; Human rights specialist, Online interview with EUAA, 20 March 2026

- [349](#)

Dissidentby and Human Constanta, From streets to screens: digital repression in Belarus (2020-2025), 12 December 2025, [url](#), pp. 8-9

- [350](#)

HRW, Belarus – Events of 2025, 4 February 2026, [url](#)

- [351](#)

RFE/RL, «Спроба прыхаваць рэпрэсіі», — праваабаронца Судаленка пра зьмены на сайце Вярхоўнага суду ["An attempt to hide repressions," — human rights activist Sudalenka on changes to the Supreme Court website], 1 April 2025, [url](#)

- [352](#)

HRW, Belarus – Events of 2025, 4 February 2026, [url](#)

- [353](#)

Human Constanta, Email correspondence with EUAA, 13 March 2026

- [354](#)

UN Human Rights Council, Situation of human rights in Belarus, Report of the Group of Independent Experts on the Situation of Human Rights in Belarus, 6 February 2026, [url](#), para. 22

- [355](#)

UN Human Rights Council, Report of the Group of Independent Experts on the Situation of Human Rights in Belarus, 7 February 2025, [url](#), para. 29; Human rights specialist, Online interview with EUAA, 20 March 2026

- [356](#)

Bertelsmann Stiftung, BTI 2026 Country Report – Belarus, 2026, [url](#), p. 13

- [357](#)

UN Human Rights Council, Report of the Group of Independent Experts on the Situation of Human Rights in Belarus, 7 February 2025, [url](#), para. 29

- [358](#)

UN Human Rights Council, Situation of human rights in Belarus, Report of the Group of Independent Experts on the Situation of Human Rights in Belarus, 6 February 2026, [url](#), para. 22; Human rights specialist, Online interview with EUAA, 20 March 2026

- [359](#)

Human rights specialist, Online interview with EUAA, 20 March 2026

- [360](#)

Viasna Human Rights Centre, Online interview with EUAA, 12 March 2026

- [361](#)

UN Human Rights Council, Situation of human rights in Belarus, Report of the Group of Independent Experts on the Situation of Human Rights in Belarus, 6 February 2026, [url](#), para. 23

- [362](#)

UN Human Rights Council, Report of the Group of Independent Experts on the Situation of Human Rights in Belarus, 7 February 2025, [url](#), para. 37

- [363](#)

UN Human Rights Council, Situation of human rights in Belarus, Report of the Group of Independent Experts on the Situation of Human Rights in Belarus, 6 February 2026, [url](#), para. 23

- [364](#)

Human Constanta, Online interview with EUAA, 25 February 2026