

## **BELARUS (Tier 2)**

Belarus is a source and transit country for women, men, and children trafficked from Belarus and neighboring countries to Russia, Germany, Poland, the Czech Republic, Lithuania, Latvia, Austria, the Netherlands, Israel, the United Arab Emirates (UAE), Turkey, Egypt, Ukraine, and the Republic of Togo for the purposes of commercial sexual exploitation and forced labor. Authorities registered 591 trafficking victims of whom 458 were trafficked for sexual exploitation (including 96 minors) and 133 for forced labor; 366 were female (including 42 minors) and 225 were male (including 61 minors). Authorities identified 246 victims trafficked within Belarus. A 2008 IOM study on the trafficking of men found that more than 60 percent of assisted Belarusian trafficked men from 2004 to 2006 had some job training or college education. There was one ongoing case against residents of Belarus for trafficking Russian homeless persons into servitude in Belarus. The Government of Belarus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated sustained efforts to prosecute and punish trafficking offenders, though support for victim assistance programs remained lacking, and the government did not refer the majority of identified trafficking victims to service providers for assistance.

**Recommendations for Belarus:** Increase resources devoted to victim assistance and protection within Belarus; ensure male and child victims' access to appropriate assistance and protection; continue streamlining administrative processes related to all victim protections; encourage public reporting of allegations of law enforcement officials' complicity in trafficking; continue to improve relations with and cultivate a climate of encouragement for NGO partners providing victim services; and take steps to

reduce the demand for commercial sex acts and forced labor.

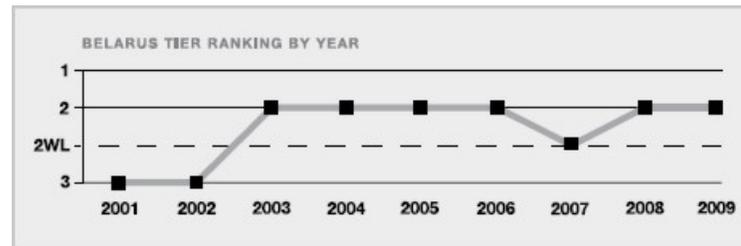
### **Prosecution**

The government sustained its significant law enforcement efforts in 2008. Belarusian law prohibits trafficking in persons for the purposes of both sexual exploitation and forced labor through Article 181 of its criminal code, which prescribes penalties ranging of five to 15 years' imprisonment, in addition to the forfeiture of assets. These penalties are sufficiently stringent and are commensurate with penalties prescribed for other grave crimes. Belarusian authorities registered 333 human trafficking investigations in 2008. The government prosecuted 69 cases under article 181 and reported an additional 160 trafficking offenses prosecuted under other statutes such as pimping, kidnapping, and involving minors in antisocial behavior. The government reported 17 convictions under article 181 and 112 additional convictions of trafficking offenders on related offenses in 2008. The majority of convicted trafficking offenders were sentenced to jail for over eight years with property confiscation. There were no investigations, prosecutions, or convictions of officials complicit in human trafficking. There were no reports of government complicity in trafficking, although such information may have been limited because of lack of press freedom and imprisonment of citizens for criticizing government officials in Belarus. During the reporting period, the government continued specialized training in victim identification and protection to members of law enforcement, courts, and the Prosecutor General's Office through its government anti-trafficking training center in the Ministry of Interior. The high turnover rate for law enforcement officials, interagency coordination problems, and other bureaucratic obstacles hampered overall law enforcement effectiveness in combating trafficking.

## Protection

The government demonstrated mixed efforts to protect and assist victims during the reporting period. The government again failed to provide funding for specialized victim assistance programs pledged in a 2005 presidential decree. The government reported referring only 125 out of 591 victims to service providers in 2008 using the national referral mechanism. Law enforcement officials generally refer trafficking victims to IOM or NGO shelters – which rely on donor funding – to provide short and longer term protection and rehabilitation. The government operated 156 governmental social centers, which in theory can provide services to returned trafficking victims, but only 17 have specialized trafficking-related services. Officials refer child trafficking victims to one of the 146 government social care and education centers under the Ministry of Education. Under Belarus' state health care system, victims may seek medical assistance free of charge, but most victims decline medical assistance from government facilities due to their reluctance to divulge information to clinic staff or because of the poor quality of services provided. While government coercion of victims to cooperate with investigations still occurs, law enforcement agencies permitted NGO specialists to attend police interviews and closed court hearings upon victims' requests. Belarusian law allows for authorities to grant temporary residency status to foreign victims. The 2005 presidential decree stipulates that trafficking victims should not be deported or penalized for unlawful acts committed as a direct result of their being trafficked. Belarusian courts awarded \$79,000 in compensation to trafficking victims from 2002 to 2008. While NGOs in Belarus are often subjected to government intimidation and strict control, anti-trafficking NGOs in general reported that the government decreased some delays related to red tape and burdensome

project registration procedures during the reporting period.



## Prevention

The Government of Belarus demonstrated sustained public awareness and trafficking prevention activities in 2008. The government continued to fund its antitrafficking training academy. The government also funded and aired a series of anti-trafficking public service announcements on state owned television channels. Officials continued to conduct press conferences and briefings on the anti-trafficking situation in Belarus during the reporting period. The education ministry distributed a manual for teachers on activities aimed at preventing human trafficking. The Ministry of Interior continued to operate a hotline regarding the licensing status and legitimacy of employment agencies involved in work and study abroad but referred callers to NGO run and funded hotlines for other services. NGOs reported close cooperation from authorities in distributing NGO-funded public awareness materials. There were reports that some policies described by the Belarusian government as anti-trafficking measures, such as the enforcement of foreign travel controls on students and others groups, were unduly restricting Belarusian citizens' ability to travel abroad for legitimate purposes.