U.S. DEPARTMENT of STATE

Belarus

Country Reports on Human Rights Practices - 2007
Released by the Bureau of Democracy, Human Rights, and Labor
March 11, 2008

Under its constitution, the Republic of Belarus, with a population of 9.7 million, has a directly elected president and a bicameral National Assembly. Since his election in 1994 as president, Alexander Lukashenko has systematically undermined the country's democratic institutions and concentrated power in the executive branch through authoritarian means, flawed referenda, manipulated elections, and arbitrary decrees that undermine the rule of law. Presidential elections in March 2006 that declared Lukashenko president for a third consecutive term again failed to meet international standards for democratic elections. The government continued to ignore recommendations by major international organizations to improve election processes and human rights. Civilian authorities generally maintained effective control of the security forces; however, members of the security forces committed numerous human rights abuses.

The government's human rights record remained very poor and worsened in some areas as government authorities continued to commit frequent serious abuses. The government failed to account for past disappearances of opposition political figures and journalists. Prison conditions were extremely poor, and there were numerous reports of abuse of prisoners and detainees. Arbitrary arrests, detentions, and imprisonment of citizens for political reasons, criticizing officials, or for participating in demonstrations were common. Court trials occasionally were conducted behind closed doors without the benefit of independent observers. The judiciary branch lacked independence and trial outcomes were usually predetermined. The government further restricted civil liberties, including freedoms of press, speech, assembly, association, and religion. The government seized published materials from civil society activists and closed or limited the distribution of several independent newspapers. The few remaining independent publications often were fined, usually for alleged libel or for not following restrictive registration procedures. State security services used unreasonable force to disperse peaceful protesters. Nongovernmental organizations (NGOs) and political parties were subjected to harassment, fines, prosecution, and closure. Religious leaders were fined, imprisoned or deported for performing services, and churches were either closed, deregistered, or had their congregations evicted. Trafficking in persons remained a significant problem, although some progress was made to combat it.

There was official discrimination against Roma, ethnic and sexual minorities, and use of the Belarusian language. Authorities harassed independent unions and their members, severely limiting the ability of the workers to form and join independent trade unions and to organize and bargain collectively.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

During the year there were no confirmed reports that the government or its agents committed any politically motivated killings.

There were no developments in the 2004 murder of journalist Veronika Cherkasova, who was found dead in her apartment with multiple stab wounds. Her colleagues linked her death to her professional activity and research into the government's alleged arms sales to Iraq. In October 2006 the Minsk prosecutor's office stated that Cherkasova was murdered. However, authorities suspended the investigation because they could not identify any suspects in the case.

b. Disappearance

There were no confirmed reports of politically motivated disappearances during the year, and there were no developments in the investigations of the disappearances in 1999 and 2000 of two opposition activists, a businessman, and a journalist. The government continued to deny any official involvement in the disappearances.

In March 2006 authorities suspended the investigation into the disappearance and presumed killing in 2000 of television journalist Dmitriy Zavadskiy. Credible evidence indicated that government agents killed Zavadskiy for his reporting that government officials may have aided Chechen separatists in Russia.

Investigations into the 1999 disappearances and presumed murders of opposition figures Yuriy Zakharenko and Viktor Gonchar and businessman Anatoliy Krasovskiy remained open, but no developments were reported.

In December the UN General Assembly for a second consecutive year adopted a resolution that expressed deep concern over the human rights situation in Belarus. Among other problems, the resolution noted that senior government officials were implicated in the disappearance and/or summary execution of Zakharenko, Gonchar, Krasovskiy, and Zavadskiy.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices; however, the Belarusian Committee for State Security (BKGB), the Special Purpose Detachment riot police (OMON), and other special forces on occasion beat detainees and demonstrators.

Police also occasionally beat individuals during arrests and in detention for organizing or participating in demonstrations or other opposition activities. On January 12, police severely beat opposition youth activist Ales Kalita as he was arranging legal representation for a fellow youth activist, who had refused to act as a BKGB informant. Two days later, police kicked and hospitalized opposition activist Anastasiya Shashkova, a minor, after detaining her for participating in a protest against the country's fraudulent January 14 local elections.

On March 23, Mogilyov police incarcerated activist Kristina Shatikova in a local psychiatric hospital as she was coordinating preparations for a major Freedom Day opposition demonstration. During her three-day detention, Shatikova reported that she was drugged and interrogated about her connections to political prisoners Dmitriy Dashkevich and Artur Finkevich.

On August 16, police officers beat 18-year-old Tatyana Tyshkevich as she and other opposition youth activists gathered in Minsk to show solidarity with the jailed political prisoners. She was treated at a local hospital for head and stomach injuries. According to credible sources, a policeman visited Tyshkevich at the hospital and pressured her not to file a complaint against police.

On December 12, after violently dispersing a peaceful opposition demonstration on Minsk's October Square, police severely beat opposition youth leader Dmitriy Fedaruk and abandoned him unconscious on a sidewalk. Fedaruk was hospitalized for eight days and treated for serious head trauma.

Credible sources and eyewitnesses reported that, during demonstrations following the March 2006 presidential elections, OMON riot police and other special forces, such as the antiterrorist unit ALMAZ, beat demonstrators in custody and threatened others with death or rape.

In March 2006 special forces and OMON riot police used truncheons and tear gas to break up a peaceful march to Okrestina prison to protest the detention of 250 demonstrators. Ministry of Interior Colonel Dmitriy Pavlichenko, who was implicated in the 1999 disappearances and presumed deaths of opposition activists, personally beat opposition presidential candidate Aleksandr Kozulin before he was tied up and transported by ALMAZ forces to a pretrial detention center. Kozulin suffered head and spine injuries from the beatings by Pavlichenko and ALMAZ officers. Neither Pavlichenko, ALMAZ officers, nor other special forces were punished for their actions. In July 2006 Kozulin was sentenced to five and one- half years in prison on politically motivated charges of alleged hooliganism and disturbing the public peace. He remained in prison at year's end.

Hazing of new army recruits by beatings and other forms of physical and psychological abuse continued, according to official sources; however, the number of reported cases declined.

Other parts of this report contain information related to this subsection; see subsections 1.d, 1.e, 2 and 2.b and section 3.

Prison and Detention Center Conditions

Prison conditions remained austere and were marked by occasional shortages of food and medicine and the spread of diseases such as tuberculosis and HIV/AIDS. In March Leila Zerrougui, chairperson of a UN working group on arbitrary detention, reported that conditions in detention centers were worse than those in prisons because of poor sanitary and living conditions and restrictions on visitation, phone, and mail privileges. According to domestic human rights monitors, prison conditions have somewhat improved over the past 10 years. However, these groups reported that prisoners did not receive adequate food or warm clothing and were often denied a bed, sheets, change of clothes, and restroom privileges. As a result, tuberculosis, pneumonia and other diseases remained widespread. Former prisoners reported that medical check-ups were rare and conducted by under-qualified medical personnel and that examination results were often fabricated. Dental services were even less available.

The law permits family and friends to bring detainees food and hygiene products, but in many cases authorities did not respect this law.

Overcrowding in prisons, detention centers, and in work release prisons, also known as "khimya," was a serious problem. Persons sentenced to khimya, which is a form of internal exile, live in prison barracks and are forced to work under conditions set by the government. According to the government, the total number of confined persons in the country was more than 38,000, which included 30,000 inmates in prisons and nearly 8,000 convicts in open-type correctional facilities. In addition an estimated 7,000 persons were awaiting trials in detention centers.

Some former political prisoners reported that they were treated worse than murderers, subjected to psychological abuse and often had to share a cell with violent criminals. They also reported that their legal rights were neither explained nor protected. Prisoners who complained about abuse of their rights often were threatened with death, humiliation, or other forms of punishment.

Credible reports indicated that police and prison officials continued to mistreat, torture, and blackmail prisoners. Numerous credible sources claimed that applications for parole frequently depended on bribing prison personnel. While standard bribes were generally between $200 to $300 (430,000 to 646,000 Belarusian rubles) high-profile prisoners were often asked to pay larger sums. For example, on June 5, the independent Belarusian Committee for Protection of Prisoner's Rights, Nad Baryerom, reported that a parole board denied Dmitriy Korolyov, a former intelligence officer, early release in March after Korolyov refused to pay $2,000 (4.3 million Belarusian rubles) to a fellow inmate who claimed to be demanding the bribe on behalf of prison officials.

Authorities frequently kept persons arrested for political activities in the Okrestina jail or the Volodarskogo detention center in Minsk. Many former detainees described food and medical conditions in Volodarskogo as inadequate but better than those in Okrestina, where demonstrators were usually held for short-term, pretrial detention.

There were reports that Aleksandr Kozulin's health seriously deteriorated in prison. Although his living conditions were said to be decent, associates claimed that he did not receive adequate medical attention after he was severely beaten by police during his March 2006 arrest and following a 53-day hunger strike to protest his jailing and the fraudulent results of the presidential election. Authorities denied Kozulin's wife and attorney visitation rights during the hunger strike.

During the year there were no reported instances of the government permitting independent monitoring of prison conditions by local or international human rights groups, independent media, or the International Committee of the Red Cross**.** However, the government granted some international experts access to the general prison population. In September an official German delegation visited inmates in three correctional facilities in and around Minsk. On occasion, authorities granted foreign diplomats access to political prisoners in the presence of officials; however, most requests to visit political prisoners were denied.

d. Arbitrary Arrest or Detention

The law limits arbitrary detention; however, the government did not respect these limits in practice. Authorities continued to arrest individuals for political reasons and to use administrative measures to detain political activists before, during, and after protests.

Role of the Police and Security Apparatus

The Ministry of Interior has authority over the police, but the BKGB and presidential security forces also exercised police functions. The president has the right to subordinate all security bodies to his personal command. Petty corruption among police was widespread, although the government made attempts to limit official corruption. Impunity remained a serious problem. While the law gives individuals the right to report police abuse to the prosecutor, the government often did not investigate abuses by the security forces or hold perpetrators accountable.

Arrest and Detention

Police frequently detained and arrested individuals without a warrant. Under the law, police must request permission from the local prosecutor's office to detain persons for longer than three hours. In practice, however, these "protocols" were usually a formality. Detained persons suspected of a crime may be held for up to 10 days without formal charge and for up to 18 months after charges are filed. Under the law, prosecutors and investigators have the authority to extend detention periods without consulting a judge. Detainees have the right to petition the legality of their detention; however, in practice, appeals by suspects seeking court review of their detentions were frequently suppressed or ignored.

Police often detained individuals for several hours, ostensibly to confirm their identity. This tactic was frequently used to detain members of the opposition and demonstrators, to prevent the distribution of leaflets and newspapers, or as a pretext to break up civil society meetings.

During the year scores of individuals were detained or arrested for politically motivated reasons. On February 16, Vitebsk police arrested Gomel opposition party leader Denis Denisov on charges of organizing disorderly activities for allegedly hanging a traditional flag on a local tower; the offense carries a sentence of up to three years in prison. Although another activist was found guilty of the offense, authorities continued to detain Denisov until April 11, when supporters raised $7,280 (15,673,840 Belarusian rubles) in bail. Authorities dropped charges against Denisov in late June.

In July authorities detained more than 60 activists in the run- up to the anniversary of the country's independence from the Soviet Union on July 27. For example, On July 20, a Minsk court sentenced opposition activists Kirill Matskevich and Aleksandr Chernyshov to 10 days in jail for hanging signs connected with the demonstration. On July 23, police arrested Christian activist and opposition party leader Aleksey Shein; he was sentenced on July 24 to 15 days in jail for organizing unsanctioned demonstrations. On July 25, a Minsk court sentenced opposition youth activist Aleksey Shylovskiy to 15 days in jail on charges of petty hooliganism for allegedly pasting stickers connected to the demonstration in public places such as kiosks and buildings.

On July 4, police detained 14 activists at a Roman Catholic festival in Budslav who were circulating a petition that called for changes to the country's religion law. They were held for three hours and released without charge. The same day police in Minsk arrested and detained six Protestants in an apartment and confiscated religious tracts. They were released later that day without charge.

In February and March 2006 authorities detained or arrested approximately 1,000 persons throughout the country for political reasons before and after the March presidential election. Many of those detained or arrested were bringing food and warm clothing to demonstrators camped in Minsk's October Square to protest the fraudulent poll. Most were sentenced to 10-15 days detention in trials that lasted no longer than 10 minutes.

The government also arbitrarily detained representatives of the independent media.

Amnesty

On November 22, President Lukashenko signed an amnesty bill pardoning 3,512 convicts. However, by year's end, no political prisoners were pardoned.

Other parts of this report contain information related to this subsection; see subsections 2.a and 2.b, and section 3.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however the government did not respect judicial independence in practice. There was credible evidence that prosecutors and courts convicted individuals on false and politically motivated charges.

The president appoints six of the 12 members of the Constitutional Court, including the chairman, and the chairmen of the Supreme Court and the Supreme Economic Court. He also has authority to appoint and dismiss all district and military judges. Corruption, inefficiency, and political interference in the judiciary were prevalent.

The criminal justice system has three tiers: district courts, regional courts, and the Supreme Court. The Constitutional Court is empowered to adjudicate constitutional issues and to examine the legality of laws; however, in practice it was wholly subservient to the executive branch.

Prosecutors are organized into offices at the district, regional, and national levels. They answer to and serve at the pleasure of the prosecutor general, who is appointed by the president. Prosecutors are not independent and do not have authority to bring charges against the president or members of his executive staff.

In January 2006 the UN special rapporteur on Belarus released a report that described the authority of prosecutors as "excessive and imbalanced" because prosecutors could extend detention without the permission of judges. In addition, investigations by prosecutors were conducted without effective judicial oversight. The report stated there also was an imbalance of power between the prosecution and the defense. Defense lawyers could not examine investigation files, be present during investigations, or examine evidence against defendants until a prosecutor formally brought the case to court. Lawyers found it difficult to call some evidence into question because technical expertise was under the control of the prosecutor's office. According to many defense attorneys, these imbalances of power had intensified at the beginning of the year. As a result, there were very few cases in which criminal defendants were found innocent.

By presidential decree all lawyers are subordinate to the Ministry of Justice, which compromised their independence. Lawyers must be licensed by the ministry and are required to work for the state in regional collegiums. The law prohibits private attorneys from practicing, and lawyers must renew their licenses every five years. Unlike in previous years, there were no reports during the year of the authorities officially revoking lawyers' licenses for defending NGOs or opposition political parties. However, in February Igor Rynkevich resigned from the lawyers' collegium after receiving multiple reprimands for violating "professional discipline" in connection with his representing imprisoned former opposition presidential candidate Aleksandr Kozulin.

Trial Procedures

The law provides for public trials; however, trials were occasionally closed and frequently held in judges' offices, which often prevented interested observers from attending. Judges adjudicate all trials; there is no system of trial by jury. However, in the case of grave crimes, judges adjudicate the trial with assistance of two civilian advisors. Judges depended on executive branch officials for personal housing. There were widespread reports that executive and local authorities dictated the outcome of trials.

On July 30, a court in Minsk sentenced opposition politician Andrey Klimov to two years in prison for publishing his criticism of the government on the Internet. The trial was not publicly announced and was held behind closed doors. Credible sources maintained that the prosecution pressured Klimov's family not to discuss the proceedings, which only became known publicly several days after the trial.

On September 4, courts in Nesvizh and Soligorsk convicted opposition youth activists Anastasiya Azerka and 16-year-old Ivan Shylo on criminal charges of running an unregistered (NGO). Authorities fined Azerka $578 (1,240,000 Belarusian rubles) and issued a warning to Shylo. During the trials, prosecutors relied on hearsay testimony unrelated to the charges and introduced audio recordings without revealing sources and methods to the defense during discovery, as mandated by law.

On September 11, a court in Baranovichi fined 17-year-old opposition activist Yaroslav Grishchenya $435 (930,000 Belarusian rubles) after convicting him for running an unregistered NGO. During the proceedings the judge questioned several minors regarding apparent discrepancies between their oral testimony and pretrial depositions. According to credible sources, police pressured the youths to write the depositions after lengthy interrogations. During the trial, the judge repeatedly taunted one of the minors for testifying in Russian instead of Belarusian; under the law, both languages have equal status.

Also on September 11, a court in Baranovichi jailed opposition party leader Pavel Severinets for 17 days on charges of participating in an unauthorized demonstration and disorderly conduct. Police arrested Severinets and 20 other activists for leading a peaceful protest outside Grishchenya's trial. Although Severinets' arraignment was open to the public, the court did not allow international observers and human rights defenders to observe his trial.

In February 2006 authorities arrested four leaders of the independent election monitoring NGO Partnership: Nikolay Astreyko, Timofey Dranchuk, Aleksandr Shalayko, and Enira Bronitskaya. They were held incommunicado in pretrial detention until their July 2006 trial in a closed courtroom. Astreyko and Dranchuk were sentenced to two years and one year in prison, respectively, for operating an unregistered NGO. Shalayko and Bronitskaya were sentenced to six months in prison on the same charge. Similarly, in September 2006 authorities arrested youth opposition leader Dmitriy Dashkevich for operating an unregistered NGO and denied him family contact until November, when he was sentenced to 18 months in prison.

The laws provide for the presumption of innocence; however, in practice defendants frequently had to prove their innocence. Information obtained from forced interrogations was often used against defendants in court.

The law provides for access to legal counsel for detainees and requires that courts appoint lawyers for those who cannot afford one; however, at times these rights were not respected, and some detainees were denied access to a lawyer. The law provides for the right to choose legal representation freely; however, a presidential decree prohibits members of NGOs from representing individuals other than members of their organizations in court.

Defendants have the right to attend proceedings, confront witnesses, and present evidence on their own behalf; however, in practice these rights were not always respected.

Defendants also have the right to appeal court decisions, and most criminal cases were appealed; however, in the vast majority of those cases, lower court verdicts were upheld. In an appeal, defendants and witnesses seldom appear before the court; in most cases, the court only reviews the protocol and other documents from a lower court trial.

Political Prisoners and Detainees

During the year the government released several political prisoners. Although the overall number of reported long-term political prisoners appeared to decrease to six, authorities harassed former political prisoners and detainees with short-term detentions and jail sentences on the basis of highly questionable evidence and dubious charges. In several cases, authorities refused amnesty or to otherwise release political prisoners; some were threatened with additional charges.

On January 10, authorities released opposition party leader Ivan Kruk. He was sentenced in May 2006 to six months in jail on the basis of police testimony that he resisted arrest. On May 25, 60-year-old human rights activist Yekaterina Sadovskaya was released. She was sentenced in October 2006 to two years in prison for allegedly insulting President Lukashenko and fined $1,860 (4 million Belarusian rubles) for allegedly insulting and threatening a judge.

On May 21, the Supreme Court refused to order the release of imprisoned former opposition presidential candidate Aleksandr Kozulin, who is serving a five-and-a-half year sentence. On May 28, the Clemency Commission refused to consider a petition from Kozulin's family for his release.

On May 22, opposition politicians Nikolay Statkevich and Pavel Severinets were released after serving two years in khimya for organizing unsanctioned protests after the fraudulent 2004 constitutional referendum to abolish presidential term limits. After his release, Severinets was sentenced three times to a total of 47 days in jail for allegedly organizing three unauthorized activities: a commemoration of the country's independence, a book reading, and a protest outside a politically motivated trial.

On June 4, authorities denied parole to opposition youth activist Artur Finkevich, who was sentenced in May 2006 to two years of khimya for allegedly painting antigovernment graffiti. During his trial the judge suspended proceedings for a week because the prosecution could not document the damage Finkevich allegedly caused. On June 26, according to credible sources, authorities accused Finkevich of violating khimya rules by leaving his room at night to use the lavatory and requesting medication, and transferred him to a prison. On December 20, a Mogilyov court sentenced Finkevich to 18 months in jail for tardiness and other violations of khimya rules.

On July 30, opposition politician Andrey Klimov was sentenced to two years in a high-security prison for publishing criticism of the government on the Internet. In December 2006 Klimov had been released after serving 18 months of khimya following a politically motivated trial for organizing an unsanctioned protest in 2005. He had previously spent four years in prison for alleged embezzlement.

On September 25, Aleksander Galiyev, attorney for imprisoned opposition youth leader Dmitriy Dashkevich, reported that authorities threatened to charge Dashkevich under Article 402 of the criminal code, which carries a penalty of three years in prison, for refusing to testify against another member of his organization. Dashkevich was at the time serving an 18-month sentence for operating an unregistered organization. In June, prison authorities denied Dashkevich parole for numerous alleged violations of prison regulations. On November 9, Shklov district Judge Tatsyana Kashkina fined Dashkevich $870 (1,860,000 Belarusian rubles) after declaring him guilty of refusing to testify against another opposition youth activist who faced two years in prison for allegedly running an unregistered organization.

At year's end opposition businessmen Nikolay Avtukhovich and Yuriy Leonov remained in prison, and authorities reportedly did not grant permission for visits from international observers. In July 2006 a Grodno region court sentenced Avtukhovich and Leonov to three years and six months and three years and five months in prison, respectively, for alleged tax evasion and illegal business activities, although they were charged only after they became active as leaders of a local independent entrepreneurs' organization.

Civil Judicial Procedures and Remedies

Individuals can file lawsuits seeking damages for, or cessation of, a human rights violation; however, the civil judiciary is not independent and rarely impartial in such matters.

On June 28, a Minsk court dismissed a slander suit by Galina Yubko against an official of the Presidential Administration. According to witnesses, the official refused to accept Yubko's petition relating to an investigation of her sister's murder in 2005 on the grounds that her sister "deserved to be killed because of her lifestyle." Earlier, in March, the court dismissed Yubko's suit against the government's decision to forbid her to picket on a local square to focus attention on additional evidence relating to her sister's death.

On June 29, a Mogilyov court dismissed opposition activist Kristina Shatikova's suit to compel local prosecutors to investigate her March 23 arrest by Mogilyov police, who incarcerated Shatikova for three days in a local psychiatric hospital. Shatikova reported that she was drugged and interrogated during the detention.

On August 17, a Minsk appeals court refused to overturn a July 10 lower court ruling that denied opposition youth group Malady Front official registration, on the grounds that the organization might participate in upcoming parliamentary elections and cause "political destabilization." Over the past decade, authorities denied the organization registration six times. During the year, eight Malady Front members were convicted of participating in an unregistered organization.

Other parts of this report contain information related to this subsection; see subsections 2.a and 2.d and section 4.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions; however, the government did not respect these prohibitions in practice. Under the law, persons who obstruct BKGB officers in the performance of their duties, even actions that in principle may be illegal, could be penalized or charged with an administrative offense. Such obstruction includes any effort to prevent BKGB officers from entering the premises of a company, establishment, or organization, and any refusal to allow BKGB audits or to deny or restrict BKGB access to information systems and databases.

The law requires a warrant for searches; however, the BKGB entered homes, conducted unauthorized searches, and read mail without warrants. A 2005 law grants the BKGB authority to enter any building at any time, as long as it applies for a warrant within 24 hours after the entry. There were credible reports that government agents covertly entered homes of opposition activists and offices of opposition groups and monitored the actions of individuals.

Authorities conducted searches of residences and offices for clearly political reasons. For example, on February 4, BKGB officers raided a private apartment and detained 26 youth activists for several hours as they confiscated computer equipment reportedly being used to coordinate an opposition demonstration on St. Valentine's Day.

On March 30, Minsk police raided the home of opposition party activist Vladimir Kishkurna. Although the officers claimed to be searching for illegal narcotics, they seized a high-volume photocopier, a paper cutter, and 20 opposition leaflets.

On August 28, Ivyanets police raided a private apartment, where opposition leader Aleksandr Milinkevich was meeting with 20 civil society activists, and confiscated several copies of a booklet titled *What the European Union Could Give Belarus*. Authorities said the raid was undertaken "to prevent criminal activities."

Unlike in the previous year, there were no reports of diplomats being forced to submit to searches and detentions.

While the law prohibits authorities from intercepting telephone and other communications without a court order, in practice authorities continued to monitor residences, telephones, and computers. The BKGB, the Interior Ministry, and certain border guard detachments may use wiretaps but must first obtain a prosecutor's permission; the lack of independence of the prosecutor's office rendered the due process protections relating to wiretaps meaningless.

The government owned a controlling share in all but one cellular telephone company. Ministry of Communications contracts for telephone service prohibited subscribers from using such services for purposes contrary to state interests and public order. The ministry has the authority to terminate telephone service of those who breach the law.

Nearly all opposition political figures reported that authorities monitored their activities and conversations. For example, during the September 6 trial of 16-year-old opposition youth activist Ivan Shylo, the prosecutor introduced as evidence transcripts of Shylo's phone conversations. Representatives of certain NGOs also said that their conversations and correspondence were monitored routinely by the security services.

There were numerous reports that the government coerced young people, university students, and military conscripts to join the pro-Lukashenko state-funded NGO Belarusian Republican Youth Union (BRYU). In addition, the government employed and encouraged a widespread system of informants organized into civilian patrol squads. At the beginning of the year, there were an estimated 3,633 civilian patrol squads with as many as 43,000 members. In July 2006 Interior Ministry official Andrey Solodovnikov stated that civilian patrols at educational institutions were formed to encourage students to become law-abiding citizens. Solodovnikov said that almost 200 "voluntary" squads had been created, with 49 of them policing higher educational institutions, 77 operating at general educational schools, and 66 at vocational training schools. According to Solodovonikov, universities offer discounts on tuition to patrol members. University students reported that proof of BRYU membership was often needed to register for popular courses or to acquire a dormitory room.

There also were reports that authorities threatened to punish family members for alleged violations or opposition activities by relatives. On February 9, credible sources reported that the 80-year-old mother of independent pollster Andrey Vardomatskiy received threatening telephone calls apparently related to Vardomatskiy's public opinion surveys regarding the government.

There were numerous reports of family members of opposition activists losing their jobs at government controlled organizations. For example, in March the Vitebsk school district fired Tatyana Severinets, mother of a former political prisoner and opposition youth leader, from her job as a high school teacher. Severinents, who was considered a model teacher for the previous 14 years, was fired allegedly for attending a teachers' conference in Warsaw without permission. On September 27, Olga Kozulina, the daughter of imprisoned opposition leader Aleksandr Kozulin, was fired from a private enterprise, ostensibly for unauthorized absence when she attended a conference in Lithuania in July.

Other parts of this report contain information related to this subsection; see subsection 2.a.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press; however, the government did not respect these rights in practice.

On April 12, during a press conference, President Lukashenko stated that control of radio and television stations remains a high priority for the government and that private stations would not be allowed to operate in the country. He also stated that state publishing houses would never sign contracts with independent media publications that violated media laws.

Individuals could not criticize the government publicly without fear of reprisal, and authorities impeded criticism of the government by videotaping political meetings, conducting frequent identity checks, and other forms of intimidation. The law also limits freedom of expression by prohibiting the wearing of masks and use of unregistered flags, symbols, and placards bearing messages deemed threatening to the government or public order.

The law limits the freedoms of speech and assembly by criminalizing actions such as giving "false" information about the political, economic, social, military, or international situation of the country to a foreigner; providing information on government agencies or the rights of citizens; participating in the activities of unregistered NGOs and in public demonstrations; training people to demonstrate publicly; financing public demonstrations; and soliciting foreign countries or international organizations to "act to the detriment" of the country. Violations are punishable by up to three years in prison.

In April 2006 the Organization for Security and Cooperation in Europe (OSCE) reported that freedom of the media had deteriorated in the country over the previous few years, with fewer independent media outlets and greater use of administrative pressures by the government to limit free expression.

The highest circulation newspapers and other publications were state owned and printed only materials supportive of the government. There were some independent small circulation newspapers and magazines, many of which criticized the government. However, local authorities frequently warned independent editors to avoid certain topics and not to criticize the government. Authorities also warned businesses not to advertise in newspapers that criticized the government.

During the year the government did not grant permits to any new independent newspapers.

State-owned stores continued to refuse to sell all but eight independent newspapers. While independent newspapers could still be purchased from independent vendors, their circulation was seriously restricted by these measures.

During the year the state-owned postal system, Belpochta, and the state-owned kiosk system, Belsoyuzpechat, continued refusing to deliver 14 and to sell 16 independent newspapers, including *Brestskiy Kuryer, Vitebskiy Kuryer, Nasha Niva, Intex-Press, Lyakhavitskiy Chas*, and *Tovarishch.* In addition, Belpochta announced that it was removing three popular Russian newspapers from its mail subscription list, *Kommersant, Moskovskiy Komsomolets,* and *Nezavisimaya Gazeta*. According to media analysts, the newspapers were banned due to their critical reporting of President Lukashenko's policies.

International media, including Deutsche Welle and Reuters, were generally permitted to operate, but not without some interference and harassment. Euronews and Russian channels TV Center, NTV, and RTR were generally available, although in many parts of the country only through paid cable services. However, their news programs were at times blocked or replaced with local programming. In March 2006 cable television company Kosmos Television stopped transmitting Russia's RTVi channel to 57,000 subscribers, citing technical problems. RTVi Director Mikhail Borshchevskiy reported receiving an order from authorities to cut off transmission during the election. Broadcasts from other countries, including Poland and Lithuania, could be received in parts of the country, usually along the border.

The government tightly controlled the content of domestic broadcast media. In January 2006 President Lukashenko declared that the country's radio and television industry "is an integral part of state policies and ideology, a powerful communication tool for subjects of society." In July 2006 Lukashenko signed an order empowering the State Security Council to control the distribution of radio frequencies. By October there were 60 television and 156 radio broadcasting companies officially registered by the government. There were 55 registered nonstate broadcast outlets; all were subject to strict control by national and regional authorities.

Only state-run radio and the state-run television networks ONT, the First National Channel (formerly Belarusian Television), and Capital Television were allowed to broadcast nationwide. The government continued to make use of its virtual monopoly on television and radio broadcasting to disseminate its version of events and to minimize opposing points of view. State television coordinated its propaganda documentaries with the country's security services. For example, the First National Channel frequently aired video footage of meetings between opposition activists and representatives of international organizations and foreign embassies that was filmed by security-service personnel.

State-owned broadcast media continued to marginalize the political opposition by depicting it negatively or ignoring it altogether.

During the campaign for local elections, the Central Election Commission granted candidates a single five-minute radio spot free of charge. However, numerous opposition candidates reported that radio stations systematically denied them the full five minutes, aired their speeches at off-peak hours, or did not broadcast them at all. For example, authorities in Gomel did not broadcast opposition candidate Vladimir Shitikov's address. Immediately after recording the speech, which sharply criticized the government's policies, the local election commission charged Shitikov with an unspecified violation of the electoral code. On January 3, the Berezovskiy radio station failed to broadcast opposition candidate Anatoliy Sakharusha's radio spot during peak listening hours. Sakharusha's address was moved to another, less popular time. However, campaign statements by government-backed candidates were broadcast twice during peak hours.

Local independent television stations operated in some areas and reported local news relatively unhindered by the authorities; however, most were under government pressure to forego reporting on national issues or be censored. Such stations were frequently pressured into sharing materials and cooperating with authorities to intimidate local opposition and human rights groups during meetings with foreign diplomats.

The government harassed and arrested journalists. On January 14, during the campaign for local elections, authorities in Vitebsk charged 65-year-old independent journalist and human rights advocate Valeriy Shchukin with insulting election committee officials by distributing leaflets that alleged vote-rigging. On June 8, a local court fined Shchukin $578 (1,240,000 Belarusian million rubles) and ordered him to pay $117 (250,000 Belarusian rubles) in "moral damages." A higher court rejected Shchukin's appeal on July 25.

On March 19, a Grodno court sentenced Igor Bantser, correspondent for the independent *Polish Magazine in Exile*, to 10 days in detention for allegedly swearing in public. The arrest followed Bantser's series of articles highly critical of a progovernment Polish organization.

On July 12, police in Shklov briefly detained *Solidarnost* newspaper reporter Alena Yakzhyk for photographing a house belonging to President Lukashenko's wife. Police did not release Yakzhyk until she deleted the photographs.

On October 8, the BKGB in Grodno summoned two independent journalists for questioning about their alleged connection to the Polish BelSat satellite television network. The next day, the prosecutor's office in Grodno summoned independent journalist Ivan Roman as a witness. However, authorities instead questioned Roman about his articles that were posted on the Web site of the independent Polish radio station Radio Racyja on grounds that they "discredited state institutions."

On September 10, authorities in Baranovichi detained photographer Vasil Fedaseyenka and reporters Sevyaryn Kvyatkowskiy and Viktar Drachov as they covered the arrest of opposition leader and former political prisoner Pavel Severinets and 20 other peaceful demonstrators outside a courthouse.

Some foreign journalists were prevented from entering the country or were detained or arrested after their arrival. For example, on July 16, border guards near Brest escorted Polish independent journalist Waclaw Radziwinowicz off a Moscow-bound train and detained him for five hours before ordering him to return to Poland. In February 2006 border guards turned away Radziwinowicz, who had a visa and press accreditation, as he attempted to enter the country to cover the 2006 presidential elections.

Under the law, the government may close a publication after two warnings in one year for violating a range of restrictions on speech and the press. In addition, regulations give authorities arbitrary power to prohibit or censor reporting. The State Committee on the Press can suspend periodicals or newspapers for three months without a court ruling. The law also prohibits the media from disseminating information on behalf of unregistered political parties, trade unions, and NGOs.

The government censored the media. Authorities frequently imposed heavy fines on journalists and editors for criticizing the president and his supporters, and many publications were forced to exercise self-censorship. Authorities fined, warned, or jailed members of the media who publicly criticized the government. The libel law makes no distinction between private and public persons in lawsuits concerning defamation of character. A public figure who was criticized for poor performance while in office may sue both the journalist and the media outlet that disseminated the critical report.

On September 18, the prosecutor general questioned opposition party leader Anatoliy Lebedko regarding criticism Lebedko posted on the Internet of the government's decision to suspend another opposition party. Prosecutors warned Lebedko to respect the court and obey the law.

On October 1, a Minsk court fined independent newspaper *Narodnaya Volya* $11,655 (25 million Belarusian rubles) and one of its journalists $932 (two million Belarusian rubles) for allegedly defaming Oleg Proleskovskiy, head of the Main Ideological Office of the Presidential Administration.

On December 20, a Minsk court ordered independent newspaper *Novy Chas* and journalist Aleksandr Tamkovich to pay $22,223 (50 million Belarusian rubles) and $465 (1 million Belarusian rubles), respectively, to a member of parliament, Nikolay Cherginets, for libel. Despite defense arguments that Tamkovich's article was mainly an analysis of information posted on Cherginets' own Web site, Judge Alena Ananich ruled that Tamkovich and the paper had defamed the lawmaker by linking him to a controversial Soviet-era criminal prosecution and criticizing his involvement in the state-controlled writers' union.

The government took numerous other actions during the year to limit the independent press, including limiting access to newsprint and printing presses. Several independent newspapers, including *Narodnaya Volya* and *Tovarishch* printed materials in Russia because domestic printing presses (mostly state-owned) refused to print them. Other independent newspapers, such as *Solidarnost*, disseminated Internet-only versions due to printing and distribution problems created by the government.

During the year the government confiscated independent and opposition newspapers. For example, on July 27, authorities briefly detained two editors and a distributor of the unregistered independent newspaper *Nash Mogilyov* and seized 109 copies of the paper. On September 27, police in Minsk raided the editorial offices of the opposition newspaper *Tovarishch* and confiscated 9,600 copies of the paper.

Authorities also seized leaflets and other printed materials the government deemed to be illegally printed. On February 27, BKGB officers raided an apartment in Minsk and confiscated 200,000 allegedly illegal leaflets that promoted better relations with the European Union. On September 26, police seized approximately 800 leaflets from a small business association that encouraged market vendors to commemorate Entrepreneurs' Day on October 2.

In December 2006, opposition candidates in the January 14 local council elections complained that Minsk-based printers refused to print their campaign leaflets. They said that printers often demanded written permission from the Central Election Commission. State-owned printing presses often claimed they were "backlogged" with orders, and private presses openly said that the BKGB pressured them not to print opposition materials.

Internet Freedom

The government restricted access to the Internet, and monitored e-mail and Internet chat rooms. Many individuals and groups could not engage in the peaceful expression of views via the Internet, including by electronic mail.

On August 2, while visiting the largest state-controlled newspaper, *Sovetskaya Belorussiya*, President Lukashenko declared, "it is time to end the anarchy in the Internet." Two weeks later, deputy information minister Aleksandr Slabadchuk announced creation of a government working group to review laws that apply to the Internet in order to better identify those responsible for online violations.

The government telecommunications company Beltelekom has a monopoly on Internet service, allowing authorities to monitor practically all e-mail. On February 10, the government issued a decree ordering Internet cafe owners to maintain records on their customers and submit them to government security services.

In February 2006 the Ministry of Communications announced new laws effectively giving Beltelekom and other organizations authorized by the government the exclusive right to maintain Internet domains.

In the run-up to the annual March 25 Freedom Day rallies marking the country's 1918 independence from Russia, there were numerous reports that the government blocked independent media Web sites, including *Solidarnost*, *Nasha Niva*, and Charter 97. In response to the government's interference and Internet restrictions, many opposition groups and independent newspapers switched to Internet domains operated outside the country. According to credible sources, the remaining few independent media sites with domestic ".by" domains practiced heavy self-censorship during campaigning for local elections in January and in the run-up to the March 25 demonstrations.

Academic Freedom and Cultural Events

The government restricted academic freedom, in part by requiring educational institutions to teach an official state ideology that combined reverence for the achievements of the Soviet Union and for the country under the leadership of President Lukashenko. Use of the word "academic" is restricted. In June 2006 President Lukashenko signed a decree prohibiting any NGO from including the word "academy" in its title.

During the year authorities dismissed teachers and researchers on political grounds. For example, on March 19, the state-controlled Belarusian National Academy of Sciences forced doctoral candidate Yauhen Anishchanka to resign as a senior history researcher, a position that Anishchanka had held for nearly 20 years. According to credible sources, authorities regarded Anishchanka's research on late 18th-century Russian imperialism as failing to comply with state ideology.

In November 2005 Education Minister Aleksandr Radkov issued a directive that all schools, including private institutions, are political bodies, which must follow state orders and cannot be headed by opposition members. Radkov also asserted his right as minister to appoint and dismiss the heads of private educational institutions. On February 7, Education Ministry official Yuriy Miksyuk reaffirmed this right while addressing members of the country's parliament.

The government tasked the state youth organization, BRYU, with ensuring ideological purity. Students reportedly were pressured to join the BRYU to receive benefits and rooms in dormitories, and local authorities pressured BRYU members to campaign on behalf of government candidates. In addition, authorities at times pressured students to act as informants for the country's security services.

Government-mandated textbooks contained a heavily propagandized version of history and other subjects. In June 2006 President Lukashenko stated that government censorship of texts was necessary because modern books about heads of state and historical personalities contain "80 percent lies," and those about Soviet-era leaders Vladimir Lenin and Joseph Stalin contain "100 percent lies."

In March the government-controlled Supreme Certification Commission rejected a history thesis by doctoral candidate Irina Kashtalyan on the grounds that it insinuated that "the Soviet state was not a natural mother but an evil, heartless stepmother" that "contravened human nature." On March 16, police confiscated approximately 1,000 history books by dissident Belarusian historians from a private apartment.

At least 20 students were dismissed during the first nine months of the year for political activities. Credible sources noted that this was lower than the more than 100 reported politically motivated expulsions in 2006 and that university authorities formally cited poor academic performance or missed classes as reasons for expulsion. For example, on May 15, the country's Presidential Management Academy expelled civil society activist Yuriy Aleynik for alleged truancy. Despite his "A" grade average, physician's statements explaining his absences, a petition signed by 250 fellow students in his support, in July and October, Minsk courts ruled against his reinstatement.

The expulsions were consistent with a 2005 directive from the ministry to educational institutions to expel students that engaged in antigovernment or unsanctioned political activity and to maintain the proper ideological education of students. The expulsions were also consistent with other efforts by the defense and foreign affairs ministries to curb study abroad because such programs allegedly "threaten the country's security" and posed life threatening dangers.

The government also restricted cultural events. Authorities denied civil society leaders Igor Rynkevich and Viktor Ivashkevich permission to organize a July 27 concert commemorating Belarus' 1990 declaration of independence, because it would interfere with preparations for Minsk City Day, which is held in September. In 2006 authorities denied writer Vladimir Orlov and activists Valentina Svyatskaya and Aleksandr Zhuchkov permission to hold a similar concert.

During the year the government continued to force opposition theater groups into venues such as bars and private apartments and to suppress unofficial commemorations of historical events. This included Free Theater's productions of Techniques of Breathing in a Closed Space, which was based on the testimony of the wives of missing dissidents. On August 22, police raided a Minsk apartment during the Free Theater's performance of Eleven Vests and detained 50 actors and theatergoers, including three small children, for several hours at a police station.

On September 8 and 9, Orsha police arrested 57 activists, including prominent singer-songwriter Andrey Melnikov and poet Ales Pushkin, after sealing off the venue for a traditional festival. Although authorities released most activists, a court sentenced Pushkin to seven days in jail for petty hooliganism.

Other parts of this report contain information related to this subsection; see subsections 1.b, 1.d, 1.e, 2.b and sections 3 and 4.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of peaceful assembly; however, the government severely restricted this right in practice. Only political parties, trade unions, or registered organizations may request permission for a demonstration of more than 1,000 persons. Police and other security officials beat and detained demonstrators following unsanctioned but otherwise peaceful demonstrations.

By law organizers must apply at least 15 days in advance for permission to conduct a demonstration, rally, or meeting. Government officials must respond no later than five days prior to the scheduled event. However, authorities either did not grant permits to opposition groups or granted them only for demonstrations in out-of-the-way locations. Moreover, authorities used intimidation and threats to discourage people from participating in demonstrations, regularly issued heavy fines or jail sentences for participating in demonstrations for which they had refused permission, and took other measures to restrict the ability of prodemocracy and civil society groups to meet.

On March 19, authorities in Minsk denied civil society activists permission to rally in October Square to commemorate the March 25 Freedom Day anniversary. As activists rallied, police used city buses to obscure the demonstration and drowned out speakers with loudspeakers broadcasting police warnings about demonstrating in unauthorized locations. Elsewhere in Minsk, police forcibly dispersed 300 activists who attempted to gather in October Square in spite of the ban.

On September 25, authorities in Brest denied local opposition activists permission to hold a series of rallies near residential areas to protest the government's abolition of social benefits. Nationwide, out of 450 applications, authorities approved only three permits for demonstrations to protest the benefit cuts. In many cases authorities violated the law by failing to respond at least five days before the planned demonstrations or by failing to give a reason for denying the permits. During the year demonstrations in Minsk varied in size from a few participants to approximately 5,000 persons. Authorities maintained strict surveillance of all demonstrations, and police and plainclothes officers openly videotaped participants.

Police also used preemptive arrests to combat protests. According to the local human rights NGO Vyasna, authorities detained at least 45 activists on charges of public obscenity or petty hooliganism in the run up to the opposition's annual March 25 Freedom Day demonstration.

For example, on March 13, police arrested human rights defender Vyacheslav Sivchik and opposition party leader Vintsuk Vyachorka for allegedly swearing and urinating in public. They were found guilty on April 4 but were released without punishment.

In the run-up to the July 27 anniversary of the country's independence from the Soviet Union, authorities detained or arrested more than 60 activists. On July 23, police arrested activists and opposition party leaders Pavel Severinets and Aleksey Shein; they were sentenced the next day to 15 days in jail for organizing unsanctioned demonstrations.

On December 12, authorities forcibly dispersed a peaceful pro-Belarusian sovereignty demonstration on the eve of Russian President Putin's visit to Belarus. Chanting "Long live Belarus," up to 50 opposition activists converged on Minsk's October Square with European Union and traditional Belarusian flags. Approximately 100 uniformed riot police violently shoved the demonstrators, and several bystanders who voiced support for the demonstrators, off the square. During the crackdown, police severely beat opposition youth leader Dmitriy Fedaruk, who was hospitalized with serious head injuries.

As in previous years, the government failed to protect demonstrators from violence and used unrestrained or indiscriminate tactics to disband demonstrations. According to credible sources, in some instances, the government encouraged and coordinated with progovernment groups to instigate violence at opposition demonstrations. For example, at the November 4 "Social March," about 50 members of the progovernment skinhead group Belaya Volya (White Will) attacked opposition demonstrators who were peacefully protesting the government's reduction of benefits to students, retirees, and children. Despite the numerous security officials filming the march, no arrests were made. State television later used this video footage in an attempt to discredit the demonstrators.

In March 2006 up to 12,000 persons gathered on and around October Square to protest the fraudulent outcome of the presidential election. Security forces arrested approximately 250 persons and transported them to Okrestina jail. Most received five to 15-day jail sentences for participating in unauthorized demonstrations. On March 25, after approximately 7,000 persons attempted to gather in October Square to protest the crackdown and to celebrate the anniversary of Freedom Day, riot police forcibly prevented demonstrators from entering the square. They used smoke and stun grenades to break up the rally, which was led by opposition leaders Aleksandr Milinkevich and Aleksandr Kozulin. Kozulin was arrested together with at least 100 people and brutally beaten by police.

Freedom of Association

The law provides for freedom of association; however, the authorities severely restricted it in practice.

The government enforced an elaborate system of laws and strict registration regulations to restrict formation of associations that might be critical of the government or immune to manipulation by the authorities. All NGOs, political parties, and trade unions must register with the Ministry of Justice. It is illegal to act on behalf of an unregistered organization.

The government's registration procedures were costly and onerous, requiring applicants to provide the number and names of founders, along with a legal address in a nonresidential building. Individuals listed as members are vulnerable to retribution. The government's refusal to rent office space to unapproved organizations and the expense of renting private space forced most organizations to violate the nonresidential address requirement, which allowed the authorities to deregister existing organizations and deny registration of new ones.

On July 21, the Justice Ministry denied registration to the civil society NGO For Freedom led by former opposition presidential candidate Aleksandr Milinkevich on grounds of improper payment of registration fees and irregularities in the organization's charter. On September 21, the Supreme Court rejected Milinkevich's appeal to overturn the denial. On December 18, the Supreme Court rejected a second appeal on the grounds that the organization's founding conference violated the country's mass events law.

On August 17, a Minsk appeals court refused to overturn a lower-court ruling denying registration of the opposition youth group Malady Front on grounds that it might participate in upcoming parliamentary elections and cause "political destabilization." Over the past decade, authorities denied Malady Front registration six times. During the year, eight Malady Front members were convicted of participating in an unregistered organization.

On September 25, the Minsk City Court issued a temporary injunction against the Justice Ministry's order to liquidate the civil-society NGO Supalnasts, one of the oldest prodemocracy NGOs in the country. In July the ministry moved to close Supalnasts because of its alleged activities with the Belarusian Association of Democratic NGOs. The case remained pending at year's end.

On October 26, the Supreme Court denied a registration appeal by the human rights NGO Vyasna. The justice ministry had refused to register the NGO because its name is identical to an organization the Supreme Court liquidated in 2003; its application contained misspelled names, and because its "vague" charter implies the opportunity for the NGO to engage in activities that are not stated in the charter.

During the year the Ministry of Justice again reported that it continued to issue written warnings to NGOs, political parties, and trade unions, and that the courts continued to suspend or deregister NGOs and political parties for "systematic or severe violations of the law." Harassment in the form of inspections by security officials and confiscation of political literature, usually without warrants, was widespread.

A government commission reviews and approves all registration applications. During the year it continued to base its decisions largely on the political and ideological compatibility of the applicant with the government's authoritarian philosophy. For example, one of only a few remaining nationally registered human rights organizations, the Belarusian Helsinki Committee, remained under threat of closure for alleged tax violations.

Other parts of this report contain information related to this subsection; see subsections 1.c, 1.d, 1.e, 2.a, 2.d, and sections 3 and 4.

c. Freedom of Religion

The law provides for freedom of religion; however, the government restricted this right in practice. While the constitution affirms the equality of religions and denominations, it also contains restrictive language, stipulating that cooperation between the state and religious organizations "is regulated with regard for their influence on the formation of spiritual, cultural, and country traditions of the Belarusian people."

The government continued to use the restrictive provisions of the law on religion to hinder or prevent activities of groups other than the Belarusian Orthodox Church. In particular the law restricts the ability of religious organizations to provide religious education, requires governmental approval to distribute literature, and prohibits foreigners from leading religious organizations. A concordat and other arrangements with the government provide the Belarusian Orthodox Church, which is a branch of the Russian Orthodox Church and the only officially recognized Orthodox denomination, privileges not enjoyed by other religious groups.

Despite the Orthodox Church's favored status, the government warned church leaders about its "excessive influence." In December 2006 President Lukashenko met with church bishops to explain his "pragmatic" approach to the church after it complained about an article in a state newspaper that warned citizens about church teachings that weaken state ideology.

The law requires that religious organizations register with the Office of the Plenipotentiary Representative for Religious and Nationalities Affairs of the Council of Ministers (OPRRNA) or with local and regional governments. During the year the OPRRNA refused to register some nontraditional religious groups, making their meetings illegal. As of January 1, the OPRRNA reported that 25 religious denominations with 3,103 religious organizations were officially registered.

The OPRRNA continued to deny registration to what it considered nontraditional faiths, mainly Protestant groups, such as the New Life Church and the Belarusian Evangelical Church. Most Christian communities campaigned for amendments to the country's 2002 religion law that severely suppresses freedom of religion by restricting their activities and legalizing criminal prosecution of individuals for their religious beliefs.

On April 22, Christian communities, including Protestants and Catholics, some Orthodox priests, and the unregistered Belarusian Christian Democracy movement, launched a petition campaign calling for the repeal of the 2002 religion law**.** On May 8, the Belarusian Orthodox Church, which receives funding and other benefits from the government, urged believers not to sign the petition, claiming that the law helps maintain peace and stability in the country. At year's end the campaign reported collecting over 40,000 of the 50,000 signatures needed to initiate change.

According to government regulations, residential property can only be used for religious services if it has been officially converted from residential use. Thus, all religious organizations must reregister their properties. However, authorities continued to reject reregistration requests from many Protestant churches and other nontraditional faiths. As a result, the groups often were forced to meet illegally or in the homes of individual members.

The government continued to deny registration to the Minsk-based Hare Krishna community. The group was forced out of its office in a vehicle service station following an inspection in December 2006 by government authorities. The inspectors, however, allowed all other tenants to remain. The Minsk and Bobruysk Hare Krishna communities had searched for a legal address since being denied registration in 2004. They attempted to register at the service station, but authorities denied the application.

In December 2006 authorities issued a written warning to Pastor Nikolay Borichevskiy of the Grace of Jesus Church in Krupki village for violating residence permit regulations. When Borichevskiy asked why he received the warning, officials responded that his repeated criticism of the government drew their attention. The government continued to limit the ability of groups to own or use property for religious purposes. For example, the case involving registration of the New Life Church in Minsk remained unresolved at year's end. The church faced closure because authorities refused to register it at a barn it owned and wished to use for worship; its unregistered status made all its activities illegal. In July 2006 the Minsk City Economic Court ordered the group to vacate the barn and to sell the property to the city at a price far below market value. At year's end the Supreme Economic Court has indefinitely postponed the group's appeal.

The law allows persons to gather in private homes to pray but requires that individuals obtain permission from local authorities to hold rituals, rites, or ceremonies in homes. Police interfered with religious meetings in residences several times during the year, and sometimes arrested and fined participants.

Baptists, Pentecostals, and other Protestants were warned or fined for illegally conducting religious services based on charges of disturbing public order or illegally gathering without prior permission. On April 11, authorities issued an official warning to Sergey Nesterovich of the unregistered God's Transfiguration Brotherhood for regularly conducting illegal religious meetings in his apartment and collecting donations. In March the BKGB raided his apartment during a prayer meeting, confiscated written materials, and questioned attendees.

On May 27, police officers arrested Antony Bokun, a pastor of the registered St. John the Baptist Church. On May 28, a court convicted him of conducting an illegal service and fined him $290 (622,050 Belarusian rubles). On June 4, a Minsk district court judge sentenced Bokun to three days in prison for leading an unauthorized religious service in his home.

On August 24, a Baptist pastor in Brest, Viktor Orekhov, was fined $60 (128,700 Belarusian rubles) for organizing a church summer camp at a private farm. Authorities accused him of leading an unregistered religious organization and educating children illegally. Two months earlier, in June police interrogated the children and threatened to close the camp. There were credible reports that local authorities and school teachers threatened students who attended Baptist Sunday schools and intimidated their parents.

On October 26, a district judge fined Baptist pastor Gennady Ryzhkov $115 (248,000 Belarusian rubles) for leading religious services of an unregistered Evangelical Christian Baptist church in Osipovichi.

On December 14, a Baranovichi district court judge fined Baptist pastor Dmitriy Osyko $65 (140,000 Belarusian rubles) for leading an unregistered religious organization, and Stepan Paripa and Nikolay Pestak $160 each (350,000 Belarusian rubles) for providing residential premises for illegal services.

There also were credible reports of government interference with religious travel. On January 3, the Belarus-based Christian Human Rights House reported that authorities stopped and searched a bus carrying approximately 40 young Catholics and Protestants at the Belarus-Poland border for about five hours. The group was returning to Belarus after a pilgrimage to Croatia.

The law allows citizens to speak freely about their religious beliefs; however, authorities continued their efforts to prevent, interfere with, or punish persons who proselytized for any religious group other than the Belarusian Orthodox Church.

For example, the government continued to harass and fine Hare Krishnas for illegally distributing religious literature. In January authorities confiscated 14 books and fined a member $15 (32,000 Belarusian rubles) for illegally distributing religious material.

On July 3, Minsk police raided an apartment and arrested activists Denis Sadovskiy and Tatyana Usinovich and four others for organizing a signature campaign to change the country's restrictions on religious freedom. Although authorities released the activists without charges several hours later, they confiscated several religious books and campaign leaflets.

The government did not permit foreign missionaries to engage in religious activities outside of their host institutions. The law requires one-year, multiple-entry "spiritual activities" visas for foreign missionaries. Observers expressed concern that lack of standardized government guidance on implementing visa laws could affect the ability of missionaries to live and work in the country.

The law also prohibits the establishment of offices by foreign organizations whose activities incite "national, religious, and racial enmity" or could "have negative effects on the physical and mental health of the people." On May 30, authorities fined Polish citizen Yaroslav Lukasik, an unofficial pastor of the St. John the Baptist Church, $14 (31,000 Belarusian rubles) for conducting unauthorized religious services at a fellow pastor's home; he was subsequently deported for "repeated violations of laws regulating the presence of foreigners."

On December 23, Polish citizen Grzegorz Chudek, who led the Holy Trinity Catholic parish in Rechytsa for 14 years, was forced to leave the country. Local authorities denied him registration over failure "to have a dialogue" with them. They also accused him of defaming Rechytsa in an interview with a Polish magazine and called departure "Chudek's personal problem."

Foreign citizens officially in the country for nonreligious work can be reprimanded or expelled if they participate in religious activities.

On March 14, authorities deported a Protestant U.S. citizen humanitarian aid worker, claiming he was involved in activities "aimed at causing damage to national security." Also in March authorities refused to renew a U.S. citizen's humanitarian-work visa, forcing him to leave the country. Authorities had questioned him after he addressed a Bible college graduation ceremony in May 2006.

In June judges in Mogilyov reversed an order to deport seven U.S. citizens, who were banned from the country for two years on charges of illegal teaching and illegal religious activities. Authorities claimed the seven had failed to obtain prior permission from the Ministry of Education before teaching English at a house of worship.

In October 2006 authorities refused to renew visas for 12 Polish Catholic nuns and priests who had been working in the Grodno region for more than 10 years, citing the need to provide local graduates of the Catholic seminaries with jobs.

On September 19, Deputy Prime Minister Kosinets ordered that foreign clergy in Belarus would be replaced with graduates of local religious schools within seven years. He cited foreigners' lack of local language skills and unfamiliarity with the "traditions and mentality of Belarusians" to justify the policy.

The law does not provide for the return of property seized during the Nazi occupation or the Soviet period and restricts the return of property being used for cultural or educational purposes. However, in July 2006 authorities returned the Holy Trinity Church in Minsk to the Roman Catholic Church. During the year the government also permitted the St. Pokrovsky Orthodox Cathedral use of a building in Grodno and granted the St. John the Baptist community a plot of land and permission to build a church in Minsk.

On December 6, Roman Catholic Church Archbishop Tadeusz Kondrusiewicz told the media about the talks with the Minsk city authorities to return the former Bernardine monastery and church to the St. Joseph Catholic parish in Minsk. On August 28, Minsk city authorities informed the parish of the suspension of conversion of the monastery into a hotel. More than 30,000 believers signed a petition urging return of the buildings, but no decision had been made by year's end.

Societal Abuses and Discrimination

There was a generally amicable relationship among religious groups and a widely held ethic of tolerance; however, hostile or intolerant attitudes by some media outlets encouraged negative attitudes toward some minority religious groups. The Belarusian Orthodox Church took some steps to counter propaganda that discriminated against other religious groups.

On May 12, a host on state television referred to the God's Grace Church community as a "totalitarian and destructive cult," accusing members of swindling money from sick people and warning that the wealthy "frequently become the focus of cults' attention."

On June 3, state television aired a program presenting Pentecostals and Full Evangelical Protestants as cults.

On June 15, the state newspaper *Respublika* published an article titled "New Crusaders" that compared Catholic missionary activities to the Crusades and characterized the involvement of Pope John Paul II and his alleged collaboration with the U.S. Central Intelligence Agency in the fall of communism as a "devilish enterprise." *Respublika* apologized after the Polish community criticized the article and called for criminal charges against its author and the newspaper's editor. In December 2006, *Respublika* urged authorities to treat "new" religions with extreme caution, alleging that religions such as Scientology, Kabbalah, and Buddhism combine different beliefs and practices that "do not teach their followers anything good."

Unlike in previous years, state-owned periodicals did not attack Jewish religious groups; however, the sale and distribution of anti-Semitic literature through state press distributors, government agencies, and stores affiliated with the Belarusian Orthodox Church continued. Anti-Semitic and Russian ultra-nationalist newspapers and literature, DVDs, and videotapes continued to be sold at the Orthodox bookstore in Minsk. An anti-Semitic tract written by a researcher at the Belarusian National Academy of Sciences was also available there. Since the state-run academy approved publishing the book, Jewish leaders and human rights activists considered it to be indicative of the government's ideology.

On October 12, President Lukashenko blamed Jewish residents for poor living conditions in the southeastern town of Bobruysk. Speaking extemporaneously to Russian journalists, Lukashenko was quoted as saying "If you have been to Bobruysk, have you seen the condition of the city? It was scary to enter; it was a pigsty. It was mainly a Jewish city, and you know how Jews treat the place where they live." His remarks, which were published in the Minsk edition of *Komsomolskaya Pravda,* were widely condemned as anti-Semitic; some foreign governments called for a retraction and an apology. Lukashenko denied charges of anti-Semitism, and his comments were not rebroadcast or reprinted in state-controlled media. However, on October 26, President Lukashenko attempted to revise his remarks, stating "if someone says that anti-Semitism is thriving in Belarus or that we are oppressing the Muslim population here, do not believe it."

According to government census figures, there were approximately 28,000 Jews in the country, but Jewish groups maintained that between 50,000 and 70,000 persons identified themselves as Jewish. During the year the number of anti-Semitic incidents increased; however, anti-Semitic acts were investigated only sporadically and the government did not promote antibias and tolerance education.

In February vandals damaged the Star of David on a memorial plaque in Kurapaty honoring Jewish victims of Stalinist purges.

On March 1, vandals removed part of a metal plaque on a monument memorializing the killing of the Minsk ghetto Bremen Jews.

On March 16 and January 1, respectively, police closed criminal investigations into the November 2006 vandalism of the Yama Holocaust memorial and the Israeli Information and Cultural Center in Minsk for lack of suspects. Vandals had desecrated the memorial with swastikas and left behind neo-Nazi and anti-Semitic leaflets signed by the Belaya Rus Aryan Resistance Front. The statement "Beat the Jews!" was painted on the center. Authorities dismissed the vandalism as teenage hooliganism; state media coverage of the incidents referred to Jewish culture as "alien to Belarus."

On May 9, vandals set fire to flowers laid at the monument to the victims of the Brest Jewish ghetto, the eighth act of vandalism at the monument since its construction in 1992 and the second in 2007. By the year's end, police had concluded their investigation of suspects in the case and sent it to court for prosecution. On May 3, Borisov police opened a criminal case for vandalism at the Jewish cemetery involving the removal or damaging of 16 tombstones in April. The case remained open at year's end; no suspects were identified.

On October 11, Jewish community members in Bobruysk discovered 15 smashed gravestones in the city's Jewish cemetery. It was the fourth attack on the graveyard since the beginning of the year. Anti-Semitic graffiti appeared near the cemetery and grave fencing was damaged earlier in the year. Other cemeteries in the city were also damaged. Police identified three suspects and sent the case to court.

Jewish community and civil society activists continued to express concern over the concept of a "greater Slavic union," popular among nationalist organizations, including the Russian National Union (RNU), which remained active despite its official dissolution in 2000. On July 27, a Gomel court sentenced an RNU activist to six months in

jail for participating in an unregistered organization. The Belarusian Helsinki Committee voiced concern over the mild sentence, citing that the criminal code provides harsher punishment for inciting ethnic and religious hatred.

In May local authorities in Volozhin rescinded a threat to confiscate a 200-year-old Jewish religious school that was returned to the Jewish community in the 1990s. The community began renovations with the help of a foreign group.

During the year there were several incidents of arson and burglaries of property belonging to other faiths. On January 15, vandals overturned six gravestones in a Muslim cemetery in Slonim that contains the graves of Russian Muslim soldiers killed in World War I. The attack was the third act of vandalism at the cemetery since 1996.

On December 14, a Mozyr district court sentenced four youths, believed to be followers of Satanism, to seven years in jail over church arson attacks. On March 27, vandals set fire to the Roman Catholic St. Michael Church in Mozyr and drew satanic graffiti on the exterior walls.

In December 2006, vandals set fire to the Orthodox St. George Church in Mozyr, completely destroying its roof and interior walls. The remaining external walls were covered with graffiti.

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement; however, the government at times restricted its citizens' right to foreign travel and to choose a place of residence. Internal passports served as primary identity documents and were required for permanent housing, work, and hotel registration.

Police continued to harass individuals because they lived at a location other than the legal place of residence indicated in their internal passport.

The law provides for freedom of movement in and out of the country; however, the government at times restricted this right. For example, citizens were required to obtain an exit stamp to travel abroad. On December 17, President Lukashenko abolished exit stamps in favor of a computerized system that verifies the validity of passports. At the same time, however, he authorized the Interior Ministry to ban travel by individuals who had access to state secrets, were facing criminal prosecution or civil suits, and persons with outstanding financial commitments.

In late December authorities included opposition party leader Anatoliy Lebedko on the travel ban list because he faced allegations of libel against government officials. Authorities also banned travel by opposition youth leader Aleksandr Atroshchenkov. Human rights observers feared that additional opposition activists would likely be included on the government's travel ban list, which will include the names of an estimated 100,000 persons.

In some cases opposition activists wishing to travel abroad were detained at the border for lengthy searches while leaving or returning to the country.

On January 25, a Minsk court fined former presidential candidate Aleksandr Milinkevich $2,173 (4,650,000 Belarusian rubles) for mistakenly using his son's passport. In November 2006 airport authorities detained and charged Milinkevich with using a forged document to cross a border after he returned from a North Atlantic Treaty Organization summit in Latvia. On September 22, police turned back spectators traveling by bus to an opposition rock music festival "The Right to Be Free" in the Ukrainian city of Lutsk. Police stopped the buses on the pretext that they exceeded the speed limit. The passengers were put on another bus and transported back to Minsk under police escort. Belarusian musicians who were to perform at the festival reached the Ukrainian border and were allowed to cross after waiting six hours.

In October 2006 Union of Belarusian Poles chair Anzhelika Borys and two associates were detained for seven hours upon their return to the country after authorities claimed they found an unidentified powder in the car in which they were traveling. Authorities seized the car and subjected the group to a drug test. In December 2006 authorities confiscated Borys' passport in connection with the investigation.

Under a presidential decree, any student who wishes to study abroad must obtain permission from the Minister of Education. The decree, ostensibly intended to counter trafficking in persons, also requires the Ministry of Interior to track citizens working abroad and travel agencies to report individuals who do not return from abroad as scheduled**.**

The law requires persons who travel to areas within 15 miles (25 kilometers) of the border to obtain an entrance pass. In 2005 police arrested several prodemocracy activists for violating this law after holding meetings in towns near the border. On July 17, police in Ostravets prevented former presidential candidate Aleksandr Milinkevich from meeting with supporters by detaining him for questioning about his presence in the border area.

The law does not allow forced exile; however, the government expelled long-term resident, Polish citizen, and Protestant minister Yaroslav Lukasik. On May 8, authorities canceled Lukasik's residency permit due to his alleged involvement in "activities aimed at causing damage" to national security. Lukasik had lived in the country for eight years with his Belarusian wife and three children.

Many university students who had been expelled or were under threat of expulsion for their political activities opted for self-imposed exile. Approximately 400 students chose to continue their studies at foreign universities, mostly in Europe, during the academic year.

The law provides for internal exile or khimya (see section 1.c.).

The law provides for the right to emigrate, and the authorities generally respected this right; however, there were restrictions for individuals with access to sensitive government information or citizens involved in criminal investigations. Persons who have been refused permission to emigrate have the right of appeal.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. Under the law, all persons who applied for or received asylum are protected against "refoulement," the return of persons to a country where there is reason to believe they faced persecution.

While all foreigners have the right to apply for asylum, authorities continued to refuse asylum applications from citizens of the Russian Federation. Both migration authorities and courts argued that, according to the treaties on the creation of the union between Belarus and the Russian Federation and on equal rights of the citizens, Russian and Belarusian citizens have equal rights.

Asylum seekers have freedom of movement within the country but must reside in the region where they filed their applications for refugee status and in a place known to the authorities. According to credible sources, authorities often require asylum-seekers to settle in rural areas. Change of residence is possible only with notification to the authorities. Registered asylum seekers are issued certificates that serve as identification documents and protect them from refoulement. In accordance with the law they must also register with local authorities to obtain internal passports.

The authorities cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers.

Stateless Persons

Under the law, citizenship is derived either by birth within the country's territory (jus soli) or from one's parents (jus sanguinis). A child of a Belarusian citizen is a Belarusian citizen regardless of place of birth, even if the other parent is not a citizen. Children of stateless or unknown parents are citizens only if born in Belarus.

According to official statistics, the number of stateless persons totaled 8,025 by year's end. Arbitrary detention of and violence against stateless persons generally were not problems. However, according to credible sources, stateless persons faced discrimination in employment because authorities often required them to settle in rural areas and forbade them from seeking jobs outside the regions where they were registered to reside. In practice, stateless persons were unable to change their region of residence.

Other parts of this report contain information related to this subsection; see section 5.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides the right for citizens to change their government peacefully; however, the government effectively denied citizens this right. The constitution allows the president to issue decrees, a provision Aleksandr Lukashenko has interpreted broadly to effectively undermine the rule of law in the country.

Since his election in 1994 to a five-year term as the country's first president, Lukashenko has consolidated power steadily in the executive branch and dominated all branches of government. Referenda in 1996 and 2004 amended the constitution to broaden his powers and extend his term in office. In March 2006 Lukashenko gained a third term in office through a fraudulent presidential election. In January Lukashenko consolidated his rule through local elections that failed to meet international standards.

Elections and Political Participation

Members of the OSCE international election observation mission were not allowed to enter polling stations or observe the vote count of the January 14 local elections. According to independent domestic observers and prodemocracy candidates, election commissions and local authorities routinely denied local observers access to voter information and prevented them from adequately observing the vote count. In several cities, domestic observers said they were required to stand as far as 20 yards (18 meters) away from ballot boxes. In Brest, police prevented an opposition candidate from observing a vote count by detaining him on a parking violation. Elsewhere independent observers reported that police and ideology officers confronted them inside polling stations, despite regulations prohibiting police presence.

The human rights NGO Belarusian Helsinki Committee (BHC) described such reports as consistent with broader election problems. According to the BHC, voter lists remained a "tightly held secret," which prevented observers from checking for fraud. Moreover, BHC observers witnessed ballot boxes with broken seals, numerous violations of official ballot counting procedures, and unauthorized persons at polling stations after polls were closed.

Despite the irregularities, Central Election Commission chair Lidiya Yermoshina announced that 79 percent of the country's seven million voters cast ballots. According to credible sources, however, voter turnout ranged from 30 to 60 percent. In the 2003 local elections, 80 opposition candidates won seats, as compared with 16 opposition candidates in the January election.

Throughout the campaign, opposition candidates faced significant inequities, including severe government restrictions on access to broadcast media and venues for campaign rallies. Moreover, state-owned printing houses refused to produce opposition leaflets, and there were numerous credible reports of BKGB pressure on privately-owned printing services not to contract with opposition candidates. Furthermore, authorities virtually excluded opposition parties from the election process by denying them positions on territorial and precinct election commissions.

The process for registering candidates highly disadvantaged the opposition, and election commissions applied double standards to opposition nominees. For example, the Central Election Commission allowed political parties, labor collectives, and initiative groups one month to nominate candidates for 22,641 seats. Candidates nominated by registered parties needed only to fill out minimal forms, including income and asset declarations. However, candidates nominated by unregistered parties and organizations, which were the majority of opposition nominees, had to collect 150 signatures in Minsk and major regions and 20 in smaller villages. According to numerous credible reports, authorities intimidated many who signed petitions into retracting their signatures. While applications from government candidates were accepted without review, the smallest error in applications from opposition candidates resulted in registration denial.

By late December 2006, the Central Election Commission had registered only 181 opposition-party candidates out of 23,791 total candidates. According to the three major opposition parties, authorities denied registration to 48 to 55 percent of their nominees. The head of the Central Election Commission conceded that territorial election commissions had been "excessively scrupulous" in registering candidates.

The March 2006 presidential election, which was observed by more than 500 international observers from 38 countries, fell significantly short of international standards for democratic elections. According to the OSCE's final election observation report, the election was characterized by arbitrary use of state power and widespread detentions. Problems included pressure from the BKGB on domestic election observers; scant and restricted media coverage of the three candidates opposing Lukashenko; highly questionable early voting; and ballot counting that was problematic and lacked transparency.

In November 2006 President Lukashenko stated during a press conference that the March 2006 presidential election results were falsified in favor of opposition candidates to appease Western leaders. Speaking to journalists, he said he actually won as much as 93.5 percent of the vote instead of the 83 percent announced by the Central Election Commission. He said the outcome was underreported in an attempt to have the results recognized by European and other western leaders.

During the year, authorities either detained or arrested opposition activists and often seized their private property or campaign materials. Authorities also regularly interfered with peaceful election-related demonstrations. Activists who participated in or led demonstrations were arrested.

Political parties continued to receive government warnings for minor offenses under the political parties law, which allowed authorities to suspend political parties for six months after one violation, and close them after two warnings. The law also prohibited political parties from receiving support from abroad. In September 2005 the Ministry of Justice issued a separate ruling that required political blocs and coalitions to register with it. On August 9, citing alleged inaccuracies in application documents, the Ministry of Justice again denied registration to the Union of Leftist Parties (ULP). The ministry refused to register the ULP in December 2006 because the bloc held its October 2006 founding convention abroad.

By September, the justice ministry had issued warnings against several opposition parties, including the Belarusian Popular Front, the Belarusian Social Democratic, Gramada, the Belarusian Social Sports Party, the Republican Party, and the Social Democratic Party of People's Concord.

Under the political parties law, the government also moved to suspend or liquidate opposition parties. On August 2, the Supreme Court upheld a six-month suspension of the Belarusian Party of Communists (BPC) because the Ministry of Justice could not confirm the membership of 200 of the more than 1,500 persons listed as BPC members.

On October 11, the Supreme Court upheld a Justice Ministry suit to liquidate the Belarusian Women's Party, Nadzeya, because of alleged irregularities in the party's charter and registration of regional chapters. Despite a three-year statute of limitations, the decision cited several alleged violations dating back to 1999.

There were 32 women in the 110-member lower house of the National Assembly, and 18 women in the 56-member upper house. Women chaired one of the National Assembly's 20 committees. There was one woman in the 39-member Council of Ministers, and the head of the Central Election Commission was a woman. With the exception of the judiciary, men held virtually all leadership positions.

No high level members of government or parliament openly identified themselves as members of a minority, although several were Polish or members of other ethnic groups.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not implement these laws effectively and officials engaged in corrupt practices. The World Bank's worldwide governance indicators reflected that corruption was a serious problem in the country.

Corruption in the executive branch of government was a significant problem, with a poor delineation between the president's personal and official funds, and a heavy reliance on off-budget revenues.

Between January and August authorities uncovered approximately 2,000 corruption-related offenses mainly by low- and mid-level officials, including 666 bribery cases. Of that number, 464 government officials were convicted of embezzlement and 316 of other abuses of power.

During the year there were several high-profile corruption prosecutions; however, prosecution was highly selective and politically motivated.

On June 9, authorities charged Aleksandr Barovskiy, Chair of the country's petrochemical corporation, Belneftekhim, with corruption. With earnings in 2006 of $585 million (1.3 trillion Belarusian rubles), the state-run enterprise controls 20 percent of the country's total economy. On December 22, the prosecutor general announced that Barovskiy would be tried by the Supreme Court in January 2008. Barovskiy was arrested on May 29 and remained in pre-trial detention at year's end.

On June 29, the Supreme Court's military panel sentenced the former head of the State Customs Committee's Department for Control Organization, Sergey Dmitriyev, to 13 and one-half years in prison for allegedly organizing a criminal ring that involved 14 customs officials, and for accepting bribes and helping companies evade customs duties.

On July 16, President Lukashenko relieved CEC member and former First Deputy Head of the Presidential Administration's Main Ideological Office Vladimir Kholad from his duties after his June 30 arrest on charges of accepting a $35,000 bribe. On September 25, the Prosecutor General's Office sent Kholad's case to the Supreme Court. By October, Kholad still awaited trial to answer accusations of large-scale fraud and solicitation of bribes.

In November 2006 military courts convicted approximately 50 border guards and customs officials for accepting bribes to allow some 600 trucks enter the country without import duties. A former border control unit head, 13 border guards, five customs officers, and two civilians were sentenced to between five and 14 years in prison; 27 inspectors received sentences of up to seven years in prison.

On January 29, a new anticorruption law took effect that expanded the list of professions vulnerable to corruption, designated the prosecutor general's office as the coordinator of anticorruption efforts, and prohibited government officials from having foreign bank accounts or engaging in nepotism. However, several weeks earlier, on January 5, President Lukashenko appointed his son, Viktor, to the country's Security Council despite existing civil service laws that prohibit the appointment of immediate relatives to government positions.

The law, government policies and a 2004 presidential decree severely restrict public access to government information. In practice citizens had some access to certain categories of information on government databases and Web sites; however the information was often neither current nor complete.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several domestic human rights groups were active in the country; however, authorities hindered their efforts to investigate alleged human rights violations. Authorities monitored NGO correspondence and telephone conversations and harassed NGOs with frequent inspections and threats of deregistration. The government ignored reports issued by human rights NGOs and rarely met with these groups. Official government media did not report on human rights NGOs and their actions; independent media that reported on human rights issues were subjected to closure and harassment.

The government has officially closed (deregistered) most major human rights NGOs and NGO resource centers under a variety of pretexts, which independent observers viewed as politically motivated. Many of the closures were based on a 2005 law that allows authorities to close an NGO after just one government warning about violations of the law. The violations most frequently cited were discrepancies between the seal presented during registration and the seal used in practice; inaccuracies in an organization's letterhead; use of a mailing address at a residence rather than a registered office; alleged forgeries among the signatures required to obtain legal registration; and failure to follow the organization's own bylaws. The law also allows authorities to close an NGO for illegally accepting foreign assistance and allows the Ministry of Justice to participate in any NGO activity, review any NGO document, and request any information. It also requires NGOs to present detailed reports annually to the Ministry of Justice about their activities, office locations, names of officers, and total number of members.

The law prohibits persons from acting on behalf of unregistered NGOs, and the government continued to prosecute persons for this offense. During the year, eight activists, including three minors, were convicted and fined or officially warned for acting on behalf of Malady Front, an unregistered opposition youth organization. In August 2006, four leaders of the domestic election NGO Partnership received from six months to two years in prison for action on behalf of an unregistered NGO. In November 2006, Malady Front leader Dmitriy Dashkevich was sentenced to 18 months in prison for leading an unregistered organization.

During the year authorities continued to harass the Belarus Helsinki Commission (BHC), the country's most significant registered human rights NGO, as well as other registered and unregistered NGOs. On October 5, the Supreme Economic Court rejected the BHC's suit to declare illegal a decision by the Council of Ministers not to intervene on its behalf.

In December 2006, authorities seized BHC office equipment as partial payment of a $75,000 (160 million Belarusian rubles) fine for back taxes on international funding. The BHC appealed the fine, but it was rejected by both the prosecutor general and the Supreme Economic Court. The seizure followed Ministry of Justice charges in May 2006 that the commission had violated the law and its charter.

Authorities were increasingly reluctant to discuss human rights with international NGOs, whose representatives often had difficulty gaining admission to the country.

On October 23, President Lukashenko abolished a 2002 decree that granted discounts on rental of office space for nonprofit NGOs. Several local human-rights and civil-society NGOs reported that their rental fees could increase by ten times and force their organizations' closure.

In July, the mandate of the UN special rapporteur on Human Rights for Belarus expired. Government authorities had refused to cooperate with the rapporteur, Adrian Severin, since his appointment in July 2004 by repeatedly refusing him entry into the country to assess the human rights situation. In September 2006 Severin reported that the human rights situation in Belarus had deteriorated "to such an extent that the elements usually defining a dictatorship could be seen." According to Severin, civil and political rights were limited, cultural rights were ignored, and economic and other rights were conditional on obedience to the authorities.

On September 21, the International Helsinki Federation appealed to the Parliamentary Assembly of the Council of Europe to declare Article 193.1 of the Criminal Code a violation of the universal right to freedom of association. The article criminalizes directing and managing unregistered organizations; it was used to sentence leaders of the Partnership and Malady Front NGOs to prison. In November 2006, the federation had appealed directly to the government to abolish the article.

In December 2007, the UN General Assembly for a second consecutive year adopted a resolution expressing deep concern over the human rights situation in the country; particularly the government's "persistent" harassment and prosecution of opposition activists and independent NGOs, and the government's failure to hold a free and fair presidential election.

Other parts of this report contain information related to this subsection; see subsections 1.d, 1.e, 1.f, 2.a, 2.b, 2.d, and section 3.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status;however, the government did not always protect these rights in practice. Violence against women and children, trafficking of persons, and discrimination against persons with disabilities, Roma, ethnic minorities, and homosexuals were problems.

Women

The law criminalizes rape in general, but does not include prohibitions against spousal rape. Rape was a problem and most women did not report the incidence of rape due to shame or fear that police would blame the victim. The Ministry of Interior reported 306 cases of rape or sexual assault by year's end.

Domestic violence, including spousal abuse against women, was a significant problem. In 2006 Amnesty International stated in a report that measures taken by the authorities to protect women against domestic violence were insufficient. The criminal code does not contain a separate article to prosecute cases of domestic violence.

Women remained reluctant to report domestic violence due to fear of reprisal and social stigma. NGOs operated crisis shelters primarily in Minsk, but they were poorly funded and received limited support from the government.

The law prohibits prostitution, but the penalties were minor and not punishable as a criminal offence. Although authorities and human rights observers reported that prostitution was not a significant problem, anecdotal evidence indicated that it was growing, particularly in regions outside the main cities. Prostitution rings operated in government-owned hotels. According to city police, about 230 women in Minsk had a past police record of prostitution, with 65 persons charged with prostitution during the year.

Sexual harassment was reportedly widespread, but no specific laws other than those against physical assault address the problem.

The Ministry of Labor and Social Security is responsible for ensuring gender equality, although it cannot issue binding instructions to other government agencies. The law provides for equal treatment for women with regard to property ownership and inheritance, family law, and in the judicial system, and was generally respected in practice. The law also requires equal wages for equal work, although this provision was not always enforced. There were very few women in the upper ranks of management or government. In March 2006 the Ministry of Statistics and Analysis reported that women made up approximately 67 percent of persons who were unemployed. Employers interviewing candidates for jobs often took into account whether a female applicant had children.

The law grants women the right to take three years of maternity leave with a guarantee of job availability upon return. However, the mandatory one-year contract system authorities implemented to strengthen control over workers and allow employers to dismiss employees unfavorable to the government unintentionally served as a vehicle for employers to violate women's employment rights. Employers often refused to renew a woman's contract when they noticed that she was pregnant, circumventing employment protections.

Children

The authorities were committed to children's welfare and health. In urban areas the quality of education and other services for children exceeded minimum state standards, although it was lower outside of major cities.

Free, compulsory primary education was universally available. Children begin school at age six and are required to complete nine years of education; most children completed compulsory schooling. The state provided 12 years of free education and in many cases paid for university education; students who received higher education at public expense were required to work for two years after graduation in government-directed jobs.

By law universal free government health care was available and provided to children, although the quality of care provided was uneven. Beginning in 2005, the government discouraged medical rehabilitation trips abroad for children and restricted certain groups of children living in Chernobyl-affected areas from traveling abroad for rehabilitation. Many observers viewed the move as an effort to limit opportunities for children to experience living conditions abroad.

Child abuse appeared to occur infrequently. The country's criminal code does not contain a separate provision on child abuse. Under a presidential decree passed in November 2006, authorities have the right to remove children from abusive or neglectful family situations. In the first half of 2007, authorities placed 301 minors in the care of child welfare authorities in the Minsk region.

Child marriage was not generally a problem. However, within the Romani community, girls as young as 14 and boys as young as 16 married frequently with parental consent.

The National Adoption Center reported that there were approximately 32,900 orphans in the country. During the year there were reports of abuse and mistreatment in orphanages. As an alternative to orphanages, the law allows military units to adopt and train orphan boys between the ages of 14 and 16. While the children are not enlisted in the military, they must comply with military rules, wear a uniform, and obey orders. They have the option to join the unit upon reaching the draft age of 18.

Trafficking in Persons

The law prohibits all forms of trafficking in persons; however, trafficking remained a serious problem, and Belarus continued to be both a supply and transit country.

By year's end, the Ministry of Interior reported 97 cases of trafficking in persons, as well as 344 trafficking-related cases, such as prostitution and kidnapping for sexual exploitation. Authorities also registered approximately 418 trafficking victims, of whom 378 were trafficked for sexual exploitation (including 22 minors) and 40 for labor exploitation (including one minor). In contrast with 2006, the ministry reported 560 cases of trafficking in persons and registered approximately 463 victims of trafficking, 375 for sexual exploitation and 88 for labor exploitation. Trafficking for the purpose of forced labor--particularly of men to Russia -- increased significantly in 2007.

Women were mainly trafficked to European Union countries (particularly Germany, Poland, the Czech Republic, Lithuania, and Cyprus), the Middle East (particularly Israel and the United Arab Emirates), Turkey, Russia, Ukraine, and Japan. Trafficking to Russia presented a particular problem, both because of its open border, but also because Belarusian authorities tended to downplay problems with Russia due to political considerations. Most female victims of trafficking were seeking a way to escape

bad economic circumstances or domestic situations. Local NGOs asserted that more government intervention against domestic violence and alcoholism would greatly reduce the number of women seeking employment abroad.

Ministry of Interior reports indicated that traffickers were members of loosely organized crime networks with connections to larger international organized crime rings, brothels, clubs, or bars in destination countries.

Traffickers lured victims through advertisements, modeling and employment agencies, and personal approaches through friends and relatives, offering jobs abroad and soliciting marriage partners. Traffickers often withheld victims' documents and used physical and emotional abuse, fraud, and coercion to control victims. In January authorities charged 13 executives of Belarusian modeling agencies with trafficking more than 600 women for prostitution to France, Turkey, and the United Arab Emirates between 2002 and 2005.

The law criminalizes trafficking in persons for sexual or other kinds of exploitation. A March 2005 presidential decree allowed the confiscation of property of convicted traffickers and increased prison sentences. The penalty for trafficking is a minimum of five years imprisonment with property forfeiture, while the punishment for severe forms of trafficking is a minimum of 12 years' imprisonment with forfeiture.

In the first 10 months of 2006 (the last year for which statistics were available), authorities convicted 172 persons for trafficking-related offenses, as compared with 84 persons for the first six months in 2005, and 67 persons for the first six months in 2004.

In August, Minsk police initiated criminal proceedings against nine persons on charges of running a brothel with women from rural areas, who received only clothes and food as compensation.

Antitrafficking efforts within the government were coordinated by the Interior Ministry's Department on Combating Trafficking in Human Beings, although NGOs were more active in prevention and rehabilitation. Government sources stated that victims were more likely to trust an NGO than government sources of assistance. Antitrafficking NGOs and international organizations complained that the government provided insufficient and mostly in-kind assistance and failed to provide mandatory funding for victim assistance. NGOs actively participated in training government workers in rehabilitation but were dissatisfied with implementation by regional authorities.

The Interior Ministry established the International Academy for Antitrafficking, which graduated its first class of trainees in July. The center was partially funded by the International Organization for Migration (IOM), with training provided in part by the antitrafficking NGO La Strada.

Reports continued that corrupt law enforcement and border officials facilitated trafficking by accepting bribes or by ignoring trafficking; however, there was no indication that the government systematically facilitated or condoned trafficking. The State Control Committee investigated allegations of official corruption through the Interagency Commission for Combating Crime, Corruption, and Drug Trafficking.

According to international organizations, while the government made significant progress in antitrafficking enforcement measures, it did not provide funding to implement victim protection mandated by law and relied almost exclusively on NGOs and international organizations to provide victim assistance. Antitrafficking agencies often pressured victims to cooperate in investigations.

Victims seldom reported trafficking crimes to police due to social stigma, aversion to dealing with authorities, and a shortage of social services and rehabilitation options. There were 156 government territorial social centers in the country, none of which specialized in victim assistance. To supplement the government shelters, the UN Development Program, the IOM, and La Strada opened rehabilitation shelters for victims and their families. The IOM assisted 422 victims in 2006. La Strada provided training to many regional centers but expressed dissatisfaction with the follow-through, citing several cases where regional officers displayed skepticism or insensitivity towards victims.

La Strada and the Young Women's Christian Association had a hotline for women to call for advice and consultation regarding potentially trafficking-related employment or marriage offers. Since January 2001 the hotline received over 12,000 calls.

Presidential decrees have eliminated criminal responsibility for illegal acts committed by victims, defined the status of victims, and mandated measures to provide protection, medical care, and social rehabilitation, but only on the condition that victims cooperate in an investigation and prosecution.

The government did not conduct any formal trafficking awareness programs during the year, although it did produce antitrafficking billboards and television and radio public announcements during the year. The government continued to rely primarily on international organizations to implement measures mandated by antitrafficking legislation, such as prevention and rehabilitation efforts.

To deter trafficking, the government required Internet dating services to reregister and provide information about citizens and foreigners planning to meet in person. Authorities continued to enforce strong measures introduced in 2005 to discourage and control freedom of movement, which they justified in part as antitrafficking measures.

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with disabilities in employment, education, access to health care, and other government services.

The Ministry of Labor and Social Security is the main government agency responsible for protecting the rights of persons with disabilities. The law mandates that transport, residences, and businesses be accessible to persons with disabilities; however, in practice, few public areas were wheelchair accessible. According to the Republican Association of Disabled Wheelchair Users (RADWU), the government's five-year program launched in 2001 to make public buildings accessible to persons with disabilities achieved minor results--ramps were installed on the exteriors of 300 buildings in Minsk, while the interiors remained inaccessible. RADWU estimated that more than 75 percent of persons with disabilities were unable to leave their own homes without assistance.

Authorities provided minimal benefits for persons with disabilities, most of which were ineffectual. For example, persons with disabilities who lived alone were entitled to a 50 percent discount on rent and utilities. Since few residences were accessible, most had to live with friends or family and thus were ineligible for the discount. Public transportation was free to persons with disabilities, but neither the subway in Minsk nor the bus system was wheelchair accessible. The government prohibited employers from requiring persons with disabilities to work more than seven hours a day with the unintentional consequence of making companies reluctant to hire them. The government provided support only to state-operated facilities, although those run by NGOs were often better equipped and more responsive to persons with disabilities.

National/Racial/Ethnic Minorities

There was governmental and societal discrimination against the ethnic Polish population and Roma. There were also expressions of societal hostility toward proponents of Belarusian national culture.

Authorities continued to harass the Union of Belarusian Poles (UBP). During the year authorities repeatedly questioned the chairman of the unrecognized organization, Anzhelika Borys, and her associates about their activities. Police brought, then later dropped, drug smuggling charges against UBP member Andrzej Lisowski. Customs officers claimed to have found powdered amphetamine in the car in which he and Borys returned together from Vilnius following a meeting of the Union of Polish Communities in Europe. In July authorities reopened a previously dismissed 2005 assault case against four members of the group, only to close it a week later. In

December 2006, authorities sentenced *Magazyn Polski* Polish magazine layout editor Aleksey Saley to seven days in jail on charges of petty hooliganism.

There was significant official and societal discrimination against the country's 40,000 to 60,000 Roma. Government media and officials portrayed Roma negatively. In January 2006, the prosecutor rejected complaints by the Romani community about a documentary film shown on state television that portrayed Roma as criminals who began selling drugs in childhood. The prosecutor ruled that the documentary did not contain any discrimination or insults directed at the Romani community.

In April 2006, a group of men assaulted and beat Nikolay Kalinin, a leader in the Roma community and human rights activist, presumably because of his human rights work and involvement in monitoring the March presidential election.

There was high unemployment and low levels of education within the Romani community. In 2005 authorities estimated the unemployment rate among Roma at 93 percent. More then 80 percent of Romani youth did not finish secondary school, and were subject to harassment from non-Romani children and teachers. There was still no public school in Minsk for Roma, although there were schools for Jews, Lithuanians, and Poles. Roma were often denied access to higher education in state-run universities.

The Russian and Belarusian languages have equal legal status; however, in practice Russian was the primary language used by the government. On September 18, the Constitutional Court's chief justice, Grigoriy Vasilevich, vowed to hold accountable government workers who discriminate against citizens who speak Belarusian. He described language discrimination as "not rare," but added that such discrimination was usually corrected.

Authorities occasionally made token concessions to Belarusian language usage, such as changing street signs to Belarusian, but substantive proposals to widen the language's usage were routinely rejected. Last year, both Russian- and Belarusian-language schools received new textbooks about Belarusian history and geography in Russian, despite prevailing practice that those subjects were taught in Belarusian.

The independent Belarusian Language Society submitted a petition to the Presidential Administration with several proposals, including the establishment of an exclusively Belarusian-language university. The Education Ministry rejected all of the group's proposals. Authorities also announced plans to remove works by prominent Belarusian authors from school literature courses.

Ultranationalist ethnic-Russian skinhead groups harassed organizations promoting Belarusian national culture. In November 2006 the neo-Nazi, Russian National Unity (RNU) group sent a letter to a theater in Vitebsk demanding that it stop staging Belarusian-language plays and translate all plays into Russian. Authorities refused to open a criminal investigation of the incident by the RNU, which is an unregistered organization.

In April 2006, unknown persons affixed emblems of Russia's ultra−left National Bolshevik Party to the Belarusian Language Society headquarters.

Other Societal Abuses and Discrimination

Homosexuality is not illegal, although discrimination was a problem. Homophobia was widespread, and harassment occurred. According to a local gay rights group, government-controlled media discouraged participation in the protests following the March 2006 presidential election by saying they were part of a "gay revolution." In July 2006 state media broadcast a police expose of a Latvian diplomat in Minsk, whom authorities accused of distributing pornography. The program exploited his sexual orientation and included several minutes of hidden-camera footage of the diplomat engaging in homosexual activities. The police dropped the investigation several months later.

In November 2006 gay rights leaders were forced to cancel an international lesbian, gay, bisexual, and transgender conference after police raided an apartment, seizing conference materials and detaining organizers.

Societal discrimination against persons with HIV/AIDS remained a problem and the illness carried a heavy stigma despite greater awareness and increasing tolerance towards people infected with the virus. For example, maternity wards no longer had separate facilities for HIV/AIDS-infected mothers. However, the United Nations AIDS office reported that there were still numerous reports of HIV-infected individuals who faced discrimination. At year's end the government reported that 8,631 Belarusians were infected with HIV.

Section 6 Worker Rights

a. The Right of Association

The law allows workers, except state security and military personnel, to form and join independent unions voluntarily; however, in practice the government did not respect this right. During the year the government continued efforts to suppress independent unions, stop their activities, and bring all union activity under its control. Its efforts included frequent refusals to extend employment contracts for members of independent unions and refusals to register some unions.

The government−controlled Federation of Trade Unions of Belarus (FTUB) was the largest union, with an estimated four million members; however, that number was likely inflated, since the country's total workforce is approximately four million. The Belarusian Congress of Democratic Trade Unions (BCDTU) was the largest independent union organization, consisting of four constituent unions.

In 2005 President Lukashenko expressed his intention to see all workers become FTUB members. The Presidential Administration subsequently enacted several measures to increase membership. Two presidential decrees granted the FTUB and its affiliated unions privileges not extended to independent trade unions, including free office space in state-owned buildings and the exclusive right to inspect all businesses for compliance with wage regulations.

In October 2006, President Lukashenko signed a decree to eliminate the body previously responsible for the registration of trade unions. The Ministry of Justice now registers trade unions and several independent trade unions remained unregistered. Trade unions must be registered to conduct union activities and to negotiate collective bargaining agreements. Unregistered union members faced administrative and criminal charges for what authorities could deem as "illegal" activity.

Authorities continued to deny registration to Radio and Electronic Workers' Union (REP) chapters in Gomel and Mogilyov. On March 27, Mogilyov authorities refused to accept a petition from REP to register a local chapter that had attempted to reregister three times in 2006. According to REP, authorities refused to reregister the chapter because the REP office landlord had not agreed to register the office as the legal address due to harassment from the authorities. The union attempted to locate alternate office space, but other potential landlords backed out after threatening visits from authorities.

On March 20, the dean of the Brest State University, Aleksandr Pushkin, refused to reregister the Belarusian Free Trade Union's (BFTU) chapter, which has existed at the university since 1994. The BFTU lost its registration after the university stripped the chapter of its legal address. The BFTU lost appeals to the university administration in 2001 and 2004 to obtain a legal address and reregistration. The university rector also instructed four staff to resign their membership or face nonrenewal of their contracts. All four chose to leave the union. On February 12, Borisov authorities finally agreed to register the local REP chapter three years after the union's initial application. On January 3, authorities denied REP reregistration for the fifth time because the font size on the application was 14 instead of 14.5.

As in the previous year, there were no reports that authorities tried to implement a 1999 presidential decree requiring independent trade unions to reregister to account for membership. Under the decree, unions had to enroll at least 10 percent of workers in an enterprise to register a local chapter, and have at least 500 members to form and register a national union.

The government used a system of contracts with individual workers and administrative measures to discourage membership in independent unions and in regional, national, and international labor organizations.

Government employees and employees of state-owned businesses, which made up a majority of the workforce, worked under short-term contracts. While contracts could be signed for up to five years, most state employers issued work contracts for one year. Under a presidential decree, the minimum contract length for state employees was set at one year. Any contract for less than one year had to be agreed to in writing by a worker, and a worker's contract could not be terminated without a two-week notice. However, authorities continued to use the contract system to discourage state employees from participating in independent union and political party activities, which they deemed to be "antigovernment" or "harmful" to society.

The case of fired REP activist Anatoliy Askerko from the Belarusian-German factory Frebor remained on appeal with the Supreme Court at year's end. Askerko was fired after he told his employer that he would sign a mandated one-year contract only after exercising his right to discuss several points. Two lower courts upheld the dismissal. During court proceedings factory management presented a forged document purporting to show that Askerko belonged to the progovernment FTUB, which supported his firing.

On July 25, a Gomel-based state agricultural company Belarusnafta-Asobina notified security guard and REP activist Aleksandr Berasnev that his contract with the company would not be renewed. Berasnev maintained that he never signed a fixed-term contract with the company. On June 14, three men severely beat Berasnev on Belarusnafta-Asobina property during working hours. He suffered severe head injuries and spent one month in the hospital and at home recuperating. Berasnev associated his beating and termination of employment with a complaint he filed with the Gomel presidential aide and chief inspector, Viktar Shchetsko, about Belarusnafta-Asobina's abuse of labor regulations and mistreatment of employees. Authorities identified suspects in the beating but had not charged them by year's end.

In November 2006 the management of the Gomel Motor Park No. 1 refused to extend the work contract of REP chapter leader Andrey Baranov because of his union membership. The action followed a Justice Ministry decision that drivers at the Gomel Motor Park No. 1 could not join trade unions. In March 2006 police confiscated 70 REP applications from motor park drivers and sometimes helped management pressure union applicants to resign their membership. As a result, 20 drivers signed requests to leave REP. Of that number, six who were forced to quit the union lost their jobs anyway and all but one were refused work at other motor parks. Three workers successfully sued their former employer to receive three months wages, but were not reinstated.

In January the BCDTU regained a seat at the National Council of Labor and Social Issues. The BCDTU head called his union's presence on the council a positive step that would allow the government and the independent unions to establish a dialogue. However, by year's end the council had not met since January, although its regulations call for a session at least once every three months.

Authorities and factory managers continued to discourage workers from maintaining membership in independent unions. For example, on March 13, a 22-year employee at the Belarusian Metal Works (BMZ) in Zhlobin, Anatoliy Stepanenko, filed a lawsuit against the BMZ administration for what he called discrimination against trade union activists. According to Stepanenko, the administration refused to put money in his retirement fund because he was not a member of the state union chapter at the factory. Stepanenko had earlier complained to the BMZ administration about the state union's violations of labor regulations, particularly its practice of enrolling workers as union members and diverting part of their salary to state union dues without their written permission.

On February 28, the Lyos factory administration pressured the Free Trade Union of Metal Workers (FTUMW) members to sign a petition stating their wish to leave the union and join the FTUB. According to union's leader, the administration informed FTUMW members that, if they did not sign the petition, their contracts would not be renewed.

In January 2006 Anatoliy Yakobuk, director of the Mogilyov Artificial Fiber Factory, refused to deduct union dues from REP member salaries. Management eventually relented, but complicated the process by requiring REP members to apply for the monthly funds transfer in writing.

In June 2006 the chapter of the Belarusian Independent Trade Union (BITU) that represents workers at the Grodno Azot chemical plant, one of the country's major chemical manufacturing industries, filed a complaint with the regional prosecutor's office claiming that Grodno Azot managers were forcing members to leave the union. During the year harassment of workers at the factory resulted in a decline in BITU membership from 800 to 300.

In June 2006, the BFTU at the Bobruysk tractor factory reported that its membership decreased from 500 to 350 after management presented members with an ultimatum: leave the union and receive contract extensions and better wages or face unemployment.

The government also directly targeted union leaders and activists. Two broadcasts on state-controlled television stations blamed REP chair Gennadiy Fedynich and BCDTU chair Aleksandr Yaroshuk for Belarus's loss of European Union tariff preferences on account of its labor practices.

In March 2006, the country's antiterrorist paramilitary group ALMAZ unsuccessfully tried to force its way into REP's office under the pretext of a bomb threat. Grodno REP activist Ivan Roman was later arrested and detained for allegedly planting bombs. Roman reported that ALMAZ officers threatened his life.

In April 2006, the administration of the Gomel Motor Park No. 1 dismissed employee and REP activist Aleksandr Evseychuk for absenteeism. According to Evseychuk, he was subpoenaed to appear in court, but allegedly returned to work too late to leave for a business trip.

In May 2006, the management of the Minsk Metro declined to renew the contract of Oleg Shcherbo, a BFTU member. The BCDTU attributed Shcherbo's dismissal to his testimony about the government's mistreatment of independent unions to a 2004 International Labor Organization Commission of Inquiry.

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively; however, government authorities and managers of state-owned enterprises routinely interfered with union activities and hindered workers' efforts to bargain collectively, in some instances arbitrarily suspending collective bargaining agreements.

In 2005 President Lukashenko called for all employers to sign collective bargaining agreements with trade union leaders. However, employers and progovernment trade unions refused to include many independent trade unions in negotiations. Independent union leaders viewed the requirement for collective bargaining agreements as the beginning of a process that would strip unions of their negotiating power and independence; however, they also understood that failure to sign the collective agreements would prevent workers from receiving social benefits and protection.

On July 3, the BFTU walked away from negotiations with the administration of the Polotsk glass fiber factory Steklovolokno. According to BFTU chapter leader Viktor Stukov, the administration would not compromise on points in the collective agreement, particularly the guarantees on union activities. Progovernment union members were allowed to leave work for union activities, participate in discussions with the administration on the firing/layoff of workers, and have free office space on factory territory. The BFTU was not offered these conditions.

Managers at the Belshina Tire factory in Bobruysk continued to deny registration of the BITU chapter. In September 2006, Belshina managers refused to pay BITU members bonuses offered to non-BITU members. In November 2006 managers paid the bonuses only after BITU leader Yelena Zakhozhaya went on a 43-day hunger strike.

The law provides for the right to strike; however, tight government control over public demonstrations made it difficult for unions to do so. Management and local

authorities also blocked worker attempts to organize strikes on many occasions by declaring them illegal.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that women, men, and children were trafficked for sexual exploitation and forced labor.

During the year the government approved several "subbotniks," when workers "volunteered" to work on Saturday and donate earnings to finance government social projects. However, participation in the day-long labor was effectively mandatory for most government and state employees and many private businesses. Workers who refused to take part were subjected to fines and intimidation by employers and authorities.

d. Prohibition of Child Labor and Minimum Age for Employment

The law protects children from exploitation in the workplace, including a prohibition on forced and compulsory labor, and specifies policies for acceptable working conditions; while the government generally implemented these laws in practice, there were reports that children were trafficked for sexual exploitation.

The minimum age for employment is 16; however, 14-year-olds may conclude a labor contract with the written consent of one parent or legal guardian. The Prosecutor General's office reportedly enforced the law effectively. Minors under 18 were allowed to work in nonhazardous jobs, but were not allowed to work overtime, on weekends, or on government holidays. Work was not to be harmful to the minor's health or hinder their education.

e. Acceptable Conditions of Work

The national minimum wage of $70 (150,000 Belarusian rubles) a month did not provide a decent standard of living for a worker and family. Officially, the average monthly wage was $342 (736,386 Belarusian rubles), although some employees received additional wages "under the table."

The law establishes a standard work week of 40 hours and provides for at least one 24-hour rest period per week. Because of the country's difficult economic situation, many workers worked considerably less than 40 hours per week, and factories often required workers to take unpaid furloughs due to raw material or energy shortages or lack of demand. The law provides for mandatory overtime and holiday pay and restricts overtime to 4 hours every two days, with a maximum of 120 hours of overtime each year. The government was believed to have effectively enforced these standards.

The law establishes minimum conditions for workplace safety and worker health; however, employers often ignored these standards. Workers at many heavy machinery plants did not wear even minimal safety gear. There is a state labor inspectorate, but the agency lacked authority to enforce employer compliance and often ignored violations. The Ministry of Labor reported that 231 workplace fatalities occurred during the year, a 15.1 percent decline compared to 2006. For the year, 755 workers had been severely injured in workplace accidents or in work-related traffic accidents. The ministry reported that workplace accidents were caused by carelessness, poor conditions, malfunctioning equipment, and poor training and instruction. Thirty-two percent of workplace deaths and 10 percent of injuries occurred while workers were intoxicated. The ministry reported that these incidents led to the dismissal of 378 managers. The law does not provide workers the right to remove themselves from dangerous and unhealthy work environments without risking loss of employment.

BACK TO TOP

Published by the U.S. Department of State Website at http://www.state.gov maintained by the Bureau of Public Affairs.