
Belarus (TIER 2 Watch List)

Belarus is a source, destination, and transit country for women, men, and children subjected to sex trafficking and forced labor. Women and children are subjected to sex trafficking in Russia, Germany, Poland, the Czech Republic, Lithuania, Spain, Greece, Belgium, Turkey, Israel, Lebanon, Egypt, the United Arab Emirates, and within Belarus. Reports continued of women from low-income families in Belarus subjected to forced prostitution in Minsk. Belarusian men, women, and children are found in forced begging, as well as in forced labor in the construction industry and other sectors in Russia and Belarus. Belarusian single, unemployed females between the ages of 16 and 30 and without higher education are at the greatest risk of becoming a victim of human trafficking. Belarusian men seeking work abroad are increasingly subjected to forced labor. Traffickers often used informal social networks to approach potential victims. Some labor trafficking victims returned to Belarus with severe injuries, such as amputated limbs.

The Government of Belarus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate evidence of increasing anti-trafficking efforts over the previous reporting period; therefore, Belarus is placed on Tier 2 Watch List. The government demonstrated weaker victim protection efforts during the year - identifying 50 percent fewer victims - and prosecuting and convicting fewer trafficking offenders than in previous years. There were no reports of public officials complicit in trafficking; however, there were also no signs that the government made discernible efforts to investigate or prosecute such officials. A full and accurate assessment of the government's response to trafficking was difficult due to the closed nature of the government and sparse independent reporting. The government conducted anti-trafficking prevention campaigns jointly with NGOs, identified a number of victims of trafficking, and provided limited in-kind assistance to anti-trafficking NGOs.

Recommendations for Belarus: Promote a victim-centered approach to prosecuting trafficking cases and increase resources devoted to victim assistance and protection within Belarus; ensure all victims, including children, are provided with access to appropriate assistance and protection; cultivate a climate of cooperation with NGO partners providing critical victim protection services; distinguish prevention activities focused on curbing forced labor and forced prostitution from those focused on illegal migration, and increase the former; and ensure that information is made publicly available on anti-trafficking efforts, including the number of prosecutions and convictions of trafficking offenders and the number of victims identified and referred to NGOs for assistance.

Prosecution

The government demonstrated decreased law enforcement efforts during the reporting period. Belarusian law prohibits trafficking in persons for both sexual exploitation and labor exploitation through Article 181 of its criminal code, which prescribes penalties ranging from five to 15 years' imprisonment, in addition to asset forfeiture. These penalties are sufficiently stringent and are commensurate with penalties prescribed for other serious crimes. The Government of Belarus reported 38 trafficking investigations in 2010, including four labor trafficking investigations, a decrease compared with 61 human trafficking investigations reported in 2009. Officials reported prosecuting 48 cases and convicting 12 trafficking offenders under Article 181 in 2010, compared with 47 cases prosecuted and 15 offenders convicted under Article 181 in 2009. Eleven of the 12 trafficking offenders received sentences of imprisonment; one was given a deferred sentence. The government did not provide data on specific sentences imposed on any of the convicted offenders. The number of investigations and prosecutions listed in the previous report may have included investigations and prosecutions into crimes related to trafficking rather than trafficking crimes themselves. While reports indicated that officials engaged in corrupt practices, there

were no reports of government complicity in human trafficking during the reporting period - such information may have been limited because of lack of press freedom and imprisonment of citizens for criticizing government officials in Belarus. The government anti-trafficking center housed at the police academy, with the assistance of NGO instructors, trained 10 Belarusian government officials and a number of foreign government officials in 2010. NGOs are permitted to use this facility to conduct independent training and NGOs reported providing training on trafficking victim identification to border guards and other government officials. The government reported jointly investigating several trafficking cases with the governments of Spain, the United Kingdom, Turkey, Poland, Germany, Lithuania, and Ukraine.

Protection

The government demonstrated insignificant progress in protecting victims of trafficking during the reporting period. The government identified 64 victims of human trafficking compared with the 147 victims identified in 2009. The number of victims reported in the previous report may have included victims of trafficking-related crimes. State medical and rehabilitation services were available to trafficking victims, but most declined assistance from government sources. NGOs identified and assisted 159 victims of trafficking, the majority of whom were referred by law enforcement. Anti-trafficking NGOs reported that the government provided some support for their efforts in the form of in-kind contributions; however, the government did not provide any funding for NGOs assisting victims of trafficking, despite the 2005 presidential edict mandating such funding. The government reported that it encouraged all 64 trafficking victims to participate in the investigation and prosecution of traffickers; NGOs report that at least one victim did so. There were no reports of identified victims penalized for unlawful acts committed as a direct result of being trafficked. Belarusian law allows authorities to grant temporary residency status to foreign victims which would permit foreign victims to work while in the country.

Prevention

The government sustained its limited trafficking prevention activities during the reporting period. Government-owned TV channels continued to air six NGO-sponsored anti-trafficking messages and continued to display anti-trafficking awareness billboards. Anti-trafficking materials developed by NGOs were distributed at all land border crossings and at the airport. Government officials continued to conduct press conferences and briefings on the anti-trafficking situation in Belarus. The Ministry of Interior continued to run a hotline to offer information regarding the licensing status and legitimacy of marriage and modeling agencies and agencies involved in work and study abroad. The government did not report any actions to reduce the demand for commercial sex acts.