

## **BELARUS (Tier 2 Watch List)**

Belarus is a source and transit country for women trafficked to the United Arab Emirates, Austria, Bosnia and Herzegovina, Cyprus, the Czech Republic, Germany, Greece, Israel, Italy, Japan, Lebanon, the Netherlands, Poland, Portugal, Russia, Spain, Turkey, Turkmenistan, and the United States for the purposes of forced labor and commercial sexual exploitation. Men and women from Belarus are trafficked internally and to Russia for forced labor; 38 percent of all victims assisted by IOM in Belarus in 2006 were male victims of forced labor. Victims are trafficked from Belarus through Ukraine, Lithuania, and Poland to Western Europe, the Middle East, and East Asia. A small number of Moldovan victims were trafficked to Belarus for purposes of forced labor. A recent IOM study estimates that an average of 930 Belarusians are trafficked annually.

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. Belarus is placed on Tier 2 Watch List because of its failure to provide evidence of increasing efforts to combat severe forms of trafficking; specifically, the government did not show improved efforts to protect and assist victims. Although police identified and referred most victims to NGOs for assistance, the Belarusian government did not demonstrate any tangible victim protection improvements. It did not provide funding to implement protections mandated under a 2005 law and it continued to rely almost exclusively on NGOs and international organizations to provide victim assistance. Furthermore, the government overtly pressured victims to assist law enforcement with investigations and prosecutions. Belarus must take steps to improve its efforts to protect and assist victims by providing funding for victim assistance programs promised and codified into law in 2005. The government should continue efforts to improve relations with anti-trafficking NGOs and international organizations providing victim assistance and public awareness programs. Belarus should also make use of its recently announced trafficking training center to provide law enforcement officials with additional victim identification and victim referral training.

### **Prosecution**

The Government of Belarus demonstrated aggressive law enforcement efforts over the reporting period. Belarusian law prohibits trafficking in persons for the purposes of both sexual exploitation and forced labor through Article 181 of its criminal code. Penalties prescribed under Article 181 range from 5 to 15 years' imprisonment; those penalties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. The government continued to devote significant resources toward the detection and investigation of trafficking during the reporting period. During 2006, the government conducted 95 trafficking prosecutions under Articles 181 and 187. Twenty traffickers were convicted under Article 181 in 2006; 11 of the 20 convicted traffickers were sentenced to more than eight year's imprisonment. Sixteen persons were convicted under Article 187. Government law enforcement statistics cited in the previous Report mistakenly included data on crimes related to trafficking but not trafficking-specific and thus were artificially high.

### **Protection**

The Government of Belarus demonstrated inadequate efforts to protect and assist victims during the reporting period. The government continued to rely almost exclusively on NGOs and international organizations to carry out its anti-trafficking protection work; state institutions did not provide financial or material help to victims. While the government provided \$20,000 to UNODC for the creation of an interagency anti-trafficking coordination group, it did little to improve protection and assistance for the significant number of Belarusian victims repatriated back home. Some ministries and local governments provided modest in-kind support to non-governmental victim assistance efforts in 2006, but did not formally coordinate with or officially enlist NGOs as partners. Police referrals of victims to NGO shelters and international organizations increased in 2006. During the reporting period, law enforcement pressured victims to provide information for investigations and prosecutions; pursuant to Belarusian law, if government assistance were provided to a victim, it would be immediately terminated if that victim did not assist law enforcement in trafficking investigations and prosecutions. The government does not punish victims for crimes committed as a direct result of being trafficked.

### **Prevention**

The Government of Belarus continued its efforts to raise public awareness and prevent trafficking in 2006. While government officials spoke out against trafficking in international fora and state-run media continued to run anti-trafficking programs, the government continued to rely most heavily on NGOs and international organizations to carry out its prevention activities.