

BELARUS (Tier 2)

Belarus is a source and transit country for women trafficked from Belarus and neighboring countries to Russia, the United Arab Emirates (U.A.E.), Israel, Bahrain, Turkey, Ukraine, Japan, and European Union countries, including Germany, Poland, the Czech Republic, Finland, Lithuania, and Cyprus for the purposes of forced labor and commercial sexual exploitation. Belarusian men and women continue to be trafficked to Russia for forced labor. A small number of Belarusian victims were trafficked within the country.

The Government of Belarus does not fully comply with the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. The Belarusian government has demonstrated a noticeable increase in political will to combat trafficking during the reporting period; however, funding for victim assistance programs codified into law in 2005 remained insufficient. In the past, anti-trafficking NGOs voiced frustration about lack of inter-ministerial communication and coordination, but during 2007 they reported improvement in this area.

Recommendations for Belarus: Increase resources devoted to victim assistance and protection within Belarus, including witness support; continue streamlining administrative processes related to victim protection; improve relations with anti-trafficking NGOs; provide specialized training for government officials in victim identification, protection, and referral to relevant social services; and develop results-oriented prevention programs targeting vulnerable Belarusian citizens.

Prosecution

The Government of Belarus demonstrated efforts to improve law enforcement effectiveness in addressing human trafficking in 2007. Belarusian law prohibits trafficking in persons for the purposes of both sexual exploitation and forced labor through Article 181 of its criminal code, which prescribes penalties ranging from five to 15 years' imprisonment. These penalties are sufficiently stringent and are 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. According to Ministry of Justice statistics, Belarusian authorities investigated 84 trafficking in persons crimes in 2007. Of those, 65 cases were prosecuted, resulting in 39 convictions. All convictions resulted in jail time. The cases involved 378 victims (including 22 minors) of sexual exploitation and 40 victims (including one minor) of labor exploitation. In 2007, the government established an anti-trafficking training center in its national police academy, which is training at least one trafficking specialist for each of the 156 police districts throughout Belarus as well as officers from several neighboring countries, in anti-trafficking law enforcement and victim assistance and protection. The Ministry of Interior funded 90 percent of the facility's startup costs and developed training materials in conjunction with a local NGO that provides victim assistance.

Protection

The Government of Belarus demonstrated inadequate efforts to protect and assist victims during the reporting period. While the government has given modest in-kind assistance to NGOs combating trafficking—such as the provision of a building for use as a victim shelter—it still has not provided funding for victim assistance programs codified into law in 2005. Most victims decline to seek medical assistance from government facilities due to reluctance to divulge information to clinic and hospital staff. NGOs continued to face an overly burdensome government approval process for projects, as part of the overall environment NGOs face in Belarus, although NGOs noted improvements in some bureaucratic processes. IOM reported that securing permission for its projects has become much easier during the past year, with approval times and bureaucratic hassles greatly reduced. The 2005 anti-trafficking decree requires convicted traffickers to reimburse the government for all costs of helping trafficking victims; however, the court procedure for enforcing this provision is complicated and burdensome. Belarusian law allows for authorities to grant temporary residency status to foreign victims. In January 2008, immigration officials granted a Ukrainian child temporary residency status and shelter in Belarus. NGOs report that the legal rights of victims are respected. Trafficking victims are not held responsible for unlawful acts committed as a direct result of their being trafficked. Several NGOs have reported fewer cases of government officials coercing victims to serve as court witnesses, though there were continued reports that some victims are pressured to cooperate with investigations. Local NGOs report that victims sometimes encounter prejudiced and hostile attitudes from some law enforcement personnel, particularly in smaller cities, and that efforts to assist witnesses continue to be hampered by a lack of funding.

Prevention

The Government of Belarus demonstrated increased public awareness and prevention activities in 2007. The Ministry of Interior held a conference in Minsk on international anti-trafficking law enforcement cooperation in April 2007 and attended by representatives from 30 countries. The government adopted a 2008-2010 State action plan to increase protection and rehabilitation of trafficking victims, enhance the efficiency of government prevention efforts, further improve trafficking-related legislation, and decrease prostitution. During 2007, officials conducted 14 press conferences and 13 briefings to increase awareness of human trafficking. The Government of Belarus also sponsored 61 television and 108 radio spots. In addition, the Ministry of Interior monitored advertising media for potential trafficking recruitment messages. IOM reports that its public awareness billboard messages throughout Minsk have been provided free of charge by the authorities. The Ministry of Interior continued to run an information hotline for potential victims, although its purpose is limited to offering information regarding the legitimacy of overseas work and study recruitment agencies. The Ministry acknowledged that NGO-run hotlines are more effective at providing a broader range of services, and they refer callers to those hotlines. There were reports that some policies described by the Belarusian government as anti-trafficking measures, such as the enforcement of foreign travel controls on students and others groups, were unduly restricting Belarusian citizens' ability to travel abroad for legitimate purposes.