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in prison for production or distribution of pornographic materials depicting a minor. The government generally enforced the law. The government claimed that the law did not require a demonstration of force, fraud, or coercion to constitute a child sex-trafficking offense.

Institutionalized Children: There was no system for monitoring child abuse in orphanages or other specialized institutions. Authorities did not publicly report on any child-abuse incidents in institutions. There were allegations of abuse in foster families. The government opened or continued investigations into some of these cases.

A UNICEF study reported in 2018 that more than two in five children at residential care institutions were exposed to either physical or psychological violence. Approximately one in four children participating in the survey reported exposure to physical violence at institutions. The children living in institutions appeared significantly more vulnerable compared with children living in families: They had two to three times higher exposure to violence than children from secondary schools. Children from special closed-type educational institutions and penitentiary institutions reported greater exposure to violence both at home and in the institutions.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

The Jewish community estimated that between 30,000 and 40,000 Jews lived in the country.

Anti-Semitic incidents were rare. Jewish community and civil society activists expressed concern regarding pan-Slavic nationalism professed by some extremist groups. Neo-Nazis, such as the Russian National Unity group and supporters of similar groups, were widely believed to be behind anti-Semitic incidents across the country. Anti-Semitic and xenophobic newspapers, literature, frequently imported from Russia, were widely available. While the government encouraged classes and

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lectures on the Holocaust to be held on the January 27 International Holocaust Remembrance Day, it did not promote antibias and tolerance education.

Media continued to report that many memorials to the victims of the Holocaust built in Soviet times and more recently do not acknowledge Jewish victims to distinguish them from other victims of Nazi atrocities. The Jewish community continued to work with local authorities to erect new monuments that specifically commemorate Jewish victims.

On March 23, two memorial stones, including one honoring Jewish victims of Soviet repression, were vandalized with anti-Semitic and other smears at the memorial site of Kurapaty, where tens of thousands of people of various nationalities, including Jews, were killed between 1937 and 1941 by the Soviets. The Investigative Committee of Belarus launched an investigation into the vandalism, but no results were reported before the end of the year. Protests against a restaurant built near the killing site turned anti-Semitic when it was revealed that some owners of the establishment are Jews.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities, and discrimination was common.

The law mandates that transport, residences, and businesses be accessible to persons with disabilities, but few public areas were wheelchair accessible or accessible for persons with hearing and vision disabilities. The National Association of Disabled Wheelchair Users estimated that more than 90 percent of persons with physical disabilities were unable to leave their places of residence without assistance and stated their residences were not suitable to accommodate persons with physical disabilities. While authorities claimed that 30 percent of the country's total infrastructure was accessible, disability rights organizations considered this figure inflated, although the situation continued to improve during the year.

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The country's lack of independent living opportunities left many persons with disabilities no choice but to live in state-run institutions. Approximately 81 such institutions across the country housed around 20,000 persons. Disability rights organizations reported that the quality of care in these facilities was low, and instances of fundamental human rights violations, harassment, mistreatment, and other abuse were reported. Authorities frequently placed persons with physical and mental disabilities in the same facilities and did not provide either group with specialized care. Approximately 14,000 of the 20,000 persons with disabilities, who lived in "psychoneurological" institutions, were deprived of legal rights, and courts designated directors of these institutions as their legal guardians.

Public transportation was free to persons with disabilities, but the majority of subway stations in Minsk and the bus system were not wheelchair accessible. In 2017, experts of the ACT NGO released a monitoring report indicating that 3.3 percent of all educational institutions across the country were accessible to persons with disabilities, including with vision and hearing disabilities, and most of these facilities were recently constructed.

Persons with disabilities, especially those with vision and hearing disabilities, often encountered problems with access to courts and obtaining court interpreters. Women with disabilities often faced discrimination, and there were reports of authorities attempting to take children away from families in which parents had disabilities, claiming that they would not appropriately care for their children. Women with disabilities, as well as pregnant women whose children were diagnosed with potential disabilities in utero, reported that some doctors insisted they terminate their pregnancies.

National/Racial/Ethnic Minorities

Governmental and societal discrimination against Roma persisted. According to leaders of the Romani communities, security and law enforcement agencies arbitrarily detained, investigated, profiled, and harassed Roma, including by forced fingerprinting, mistreatment in detention, and ethnic insults.

Official and societal discrimination continued against the country's 7,000 (according to the 2009 census) to 60,000 (according to Romani community estimates) Roma. The Romani community continued to experience marginalization, various types of discrimination, high unemployment, low levels of

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education, and lack of access to social services. Roma generally held citizenship, but many lacked official identity documents and refused to obtain them.

On May 23, Presidential Administration head Natallya Kachanova and several top-level Mahilyou officials met with a group of Romani community representatives behind closed doors in Mahilyou. Kachanova reportedly apologized for a police roundup of Roma in Mahilyou and other nearby towns, which followed an alleged kidnapping and murder of a Mahilyou traffic-police officer on May 16. The officer had sent a text message to his colleagues claiming, “Gypsies drove me away in a vehicle.” Interior Minister Ihar Shunevich later stated the officer had committed suicide but defended the police action as justified by the circumstances. Kachanova reportedly promised that authorities would investigate all complaints and appeals regarding the Roma’s maltreatment “if indeed it took place.” The spokesman of the Prosecutor General’s Office, however, stated in June that the office would not investigate the incident because no Roma filed complaints. Independent human rights groups reported that Romani families declined to file complaints fearing retaliation.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

Consensual same-sex conduct between adults is not illegal, but discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons was widespread, and harassment occurred. The law does not provide antidiscrimination protections to LGBTI individuals on the basis of their sexual orientation, gender identity or expression, or sex characteristics. Societal discrimination against LGBTI activists persisted with the tacit support of the regime. Police continued to mistreat LGBTI persons and refused to investigate crimes against them.

The government allows transgender persons to update their name and gender marker on national identification documents, but these documents retain old identification numbers that include a digit indicating the individual’s sex assigned at birth. Transgender persons reportedly were refused jobs when potential employers noted the “discrepancy” between the applicant’s identification number and their gender marker. Banks also refused to open accounts for transgender persons on the same grounds. Transgender men were issued military IDs that indicated they had “a severe mental illness.”

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In May the Ministry of Interior Affairs issued a statement criticizing the British Embassy for flying a rainbow flag on the International Day against Homophobia, Transphobia, and Biphobia, remarking the day had “no significance to Belarus.” The ministry claimed that same-sex relations violated “moral norms and led to a rise in sexual crimes against children.” Prosecutors refused a request from human rights groups to investigate similar statements by the ministry made in May 2018.

On June 3, the Ministry of Information’s expert commission charged with assessing print and online materials recognized two *Vecherny Mogilev* online articles as “extremist.” The articles featured hate speech, homophobic remarks, and called for violence against the LGBTI persons. The newspaper appealed to the Minsk city economic court to challenge the ministry and the commission findings, but the appeal was denied on August 16.

HIV and AIDS Social Stigma

Societal discrimination against persons with HIV/AIDS remained a problem, and the illness carried a heavy social stigma. The Joint UN Program on HIV/AIDS noted there were numerous reports of HIV-infected individuals who faced discrimination, especially at workplaces and during job interviews. There were also frequent reports of family discrimination against HIV/AIDS-positive relatives, including preventing HIV/AIDS-positive parents from seeing their children or requiring HIV/AIDS-positive family members to use separate dishware.

The government continued to broadcast and post public-service advertisements raising awareness concerning HIV/AIDS and calling for greater tolerance toward persons infected with the virus.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

Although the law provides for the rights of workers, except state security and military personnel, to form and join independent unions and to strike, it places a number of serious restrictions on the exercise of these rights. The law provides for the right to organize and bargain collectively but does not protect against antiunion discrimination. Workers who say they are fired for union activity have no explicit right to reinstatement or to challenge their dismissal in court, according to independent union activists.

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The law provides for civil penalties in the form of fines for violations of the freedom of assembly or collective bargaining, which were not sufficient to deter violations. The government also did not enforce these penalties.

The government severely restricted independent unions. The government-controlled Federation of Trade Unions of Belarus is the largest union federation, claiming more than four million members. It largely resembled its Soviet predecessors and served as a control mechanism and distributor of benefits. The Belarusian Congress of Democratic Trade Unions (BCDTU), with four constituent unions and approximately 10,000 members of independent trade unions, was the largest independent union umbrella organization, but tight government control over registration requirements and public demonstrations made it difficult for the congress to organize, expand, and conduct strikes.

The government did not respect freedom of association and collective bargaining. Prohibitive registration requirements that any new independent union have a large membership and cooperation from the employer continued to present significant obstacles to union formation. Trade unions may be deleted from the register by a decision of the registrar, without any court procedure. The registrar may remove a trade union from the register if, following the issuance of a written warning to the trade union stating that the organization violates legislation or its own statutes, the violations are not eliminated within a month. Authorities continued to resist attempts by workers to leave the official union and join the independent one.

The legal requirements to conduct a strike are high. For example, strikes may only be held three or more months after dispute resolution between the union and employer has failed. The duration of the strike must be specified in advance. Additionally, a minimum number of workers must continue to work during the strike. Nevertheless, these requirements were largely irrelevant, since the unions that represented almost all workers were under government control. 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. Management and local authorities blocked worker attempts to organize strikes on many occasions by declaring them illegal. Union members who participated in unauthorized public demonstrations were subjected to arrest and detention. Due to a persistent atmosphere of repression and the fear of imprisonment, few public demonstrations took place during the year.

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The Law on Mass Events also seriously limited demonstrations, rallies, and other public action, constraining the right of unions to organize and strike. No foreign assistance may be offered to trade unions for holding seminars, meetings, strikes, pickets, etc., or for “propaganda activities” aimed at their own members, without authorities’ permission.

Government efforts to suppress independent unions included frequent refusals to extend employment contracts for members of independent unions and refusals to register independent unions. According to BCDTU leader Alyaksandr Yarashuk, the government had not approved establishment of new independent unions since a 1999 decree requiring trade unions to register with the government but on January 15, it approved the third registration application of a branch of the independent trade union of miners, chemical, oil refinery, energy, transport, construction industries and other workers in Salihorsk. Registration followed restructuring of the state-owned potash fertilizer producer Belaruskali, which resulted in establishment of a number of separate subsidiaries, including Remmantazhstroi, where 400 workers wanted to keep their membership in the independent trade union. Authorities routinely fired workers who were deemed “natural leaders” or who involved themselves in NGOs or opposition political activities.

In August 2018 a Minsk district court convicted independent Radio and Electronics Trade Union chairman Genadz Fedynich and chief accountant Ihar Komlik for allegedly evading taxes in 2011 and sentenced the two to four years of house arrest. The court also banned the trade unionists from holding any administrative positions for five years. Protesters outside the courthouse were detained while protesting the trial. In November 2018 the Minsk city court dismissed their appeal. A November 2019 presidential amnesty law reduced the sentences of both Fedynich and Komlik by a year.

On May 10, Fedynich reported that the Penitentiary Inspectorate eased the conditions of his four-year restricted freedom sentence. Under the original house arrest order, Fedynich was required be at home from 7 p.m. to 6 a.m. and was prohibited from leaving his residence on weekends and public holidays. Since May Fedynich has been allowed to visit health-care providers, post offices, stores, and other public facilities from 6 p.m. to 8 p.m. on weekdays and also permitted to walk from his apartment to his mailbox inside the apartment building at any time. His curfew time was moved back from 7 p.m. to 9 p.m. Authorities refused

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Fedynich's request to allow him to visit a church and help his ailing relatives with housework on weekends.

The government requires state employees, including employees of state-owned enterprises, who constituted approximately 70 percent of the workforce, to sign short-term work contracts. Although such contracts may have terms of up to five years, most expired after one year, which gave the government the ability to fire employees by declining to renew their contracts. Many members of independent unions, political parties, and civil society groups lost their jobs because of this practice. A government edict provides the possibility for employers to sign open-ended work contracts with an employee only after five years of good conduct and performance by the employee.

Opposition political party members and democratic activists sometimes had difficulty finding work due to government pressure on employers.

In 2014 the president issued Decree No. 5 On Strengthening the Requirements for Managers and Employees of Organizations, which the authorities stated was aimed at rooting out "mismanagement," strengthening discipline, and preventing the hiring of dishonest managers in new positions. Among other subjects under the new decree, managers may reduce payment of employee bonuses (which often comprised a large portion of salaries) and workers may be fired more easily. An independent trade union lawyer told the press that workers have fewer rights under the new law.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, but the government did not effectively enforce its provisions.

Parents who have had their parental rights stripped and are unemployed or are working but fail to compensate state child-care facilities for the maintenance of their children, may be subject to forced employment by court order. Individuals who refuse forced employment may be held criminally liable and face community service or corrective labor for a period of up to two years, imprisonment for up to three years, or other freedom restrictions, all involving compulsory labor and garnishment of 70 percent of their wages to compensate expenses incurred by the government.

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In 2010 the government enforced procedures for placing individuals suffering from chronic alcohol, drug or other substance abuse in so-called medical labor centers when they have been found guilty of committing criminal violations while under the influence of alcohol, narcotics and psychotropic, toxic or other intoxicating substances. Such offenders may be held in these centers by court orders for 12 to 18 months. They are mandated to work, and if they refuse, they may be placed in solitary confinement for up to 10 days. In 2017 the deputy head of the Supreme Court, Valer Kalinkovich, justified operations of the medical labor centers, saying there was no alternative for alcohol addicts who also “violated rights of other people.”

Minsk authorities required officially registered unemployed individuals to perform paid community service two days a month from May to September and one day a month from October to December and January to April. In addition, they were banned from receiving some unemployment benefits, depending on their length of unemployment, if they performed less than 22 working days of community service during a year. Individuals with disabilities, single parents and parents of three and more children, as well as parents of children with disabilities and younger than 18 were exempt.

Regulations against forced labor were seldom enforced, and resources and inspections dedicated to preventing forced and compulsory labor were minimal and inadequate to deter violations. Penalties were not sufficient to deter violations. The government rarely identified victims of trafficking, and prosecution of those responsible for forced labor remained minimal. Government efforts to prevent and eliminate forced labor in the country did not improve.

The government continued the Soviet practice of *subbotniks*, (Saturday work) that requires employees of government, state enterprises, and students receiving government assistance to work uncompensated on a few Saturdays a year. Employers and authorities threatened workers who refused to participate with fines or unpaid premium compensation. In some localities, some local authorities forced students and state companies’ employees to participate in harvesting in September-October. For example, university students in Vitsebsk reported the administration had them harvest apples at a local farm for two weeks in September.

Former inmates stated their monthly wages were as low as three to four rubles (\$1.50 to \$2.00). Senior officials with the General Prosecutor’s Office and the Interior Ministry stated in November 2015 that at least 97 percent of all work-

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capable inmates worked in prison as required by law, excluding retirees and persons with disabilities, and that labor in prison was important and useful for rehabilitation and reintegration of inmates.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor. The minimum age for employment is 16, but children as young as 14 may conclude a labor contract with the written consent of one parent or a legal guardian. The Prosecutor General's Office is responsible for enforcement of the law. Persons younger than 18 are allowed to work in nonhazardous jobs but are not allowed to work overtime, on weekends, or on government holidays. Work may not be harmful to children's health or hinder their education.

The government generally enforced these laws and penalties were sufficient to deter most violations.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination based on race, gender, language, or social status. These laws do not apply specifically to employment or occupation. The government did not effectively enforce these laws or secure any effective penalties to deter violations. Discrimination in employment and occupation occurred with respect to ethnicity, gender, disability, language, sexual orientation and gender identity and expression, and HIV-positive status (see section 6). In addition, some members of the Romani community complained that employers often discriminated against them and either refused to employ them or did not provide fulltime jobs. The government did not take any action during the year to prevent or eliminate employment discrimination. Employment discrimination happened across most economic sectors and in both private and public workplaces.

The law requiring equal pay for equal work was not regularly enforced, and the minister of labor and social welfare stated in 2016 that on average women were paid 24 percent less than men.

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The government maintains a list of 181 “physically demanding” jobs “in hazardous or dangerous conditions” that women are not permitted to occupy. Very few women were in the upper ranks of management or government, and most women were concentrated in the lower-paid public sector. Although the law grants women the right to three years of maternity leave with assurance of a job upon return, employers often circumvented employment protections by using short-term contracts, then refusing to renew a woman’s contract when she became pregnant.

A government prohibition against workdays longer than seven hours for persons with disabilities reportedly made companies reluctant to hire them. Local NGOs reported that up to 85 percent of persons with disabilities were unemployed. Authorities provided minimal welfare benefits for persons with disabilities, and calculations of pensions did not consider disability status. Members of the country’s Paralympic teams received half the salaries and prize money of athletes without disabilities.

e. Acceptable Conditions of Work

As of October 1, the national minimum monthly wage exceeded the poverty line.

The law establishes a standard workweek of 40 hours and provides for at least one 24-hour rest period per week. The law provides for mandatory overtime and nine days of holiday pay and restricts overtime to 10 hours a week, with a maximum of 180 hours of overtime each year.

The law establishes minimum conditions for workplace safety and worker health, but employers often ignored these standards. Workers at many heavy machinery plants did not wear minimal safety gear. The state labor inspectorate lacked authority to enforce employer compliance and often ignored violations. The number of inspectors was insufficient to deter violations.

The Ministry of Labor and Social Welfare was responsible for enforcement of these laws. Information regarding resources, inspections, remediation, and penalties was not available. The government reported that approximately 400,000 of the 4.5 million workforce worked in the informal economy. The law did not cover informal workers.

The labor ministry reported 146 persons killed at workplaces in 2018, up from 115 in 2017.

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The law does not provide workers the right to remove themselves from situations that endanger health or safety without jeopardy to their employment.

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