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2008 Country Reports on Human Rights Practices - Belarus

Bureau of Democracy, Human Rights, and Labor
February 25, 2009

According to its constitution, Belarus is a republic. It has a population of 9.7 million, a directly elected president, who is chief of state, and a bicameral parliament, the National Assembly, consisting of the Chamber of Representatives (lower house) and the Council of the Republic (upper house). A prime minister appointed by the president is the nominal head of government. In practice, however, power is concentrated in the presidency. Since his election in 1994 as president, Alexander Lukashenka has consolidated his power over all institutions and undermined the rule of law through authoritarian means, manipulated elections, and arbitrary decrees. Subsequent presidential elections have not been free or fair, and the September 28 parliamentary election failed to meet international standards. While civilian authorities generally maintained effective control of the security forces, their members continued to commit numerous human rights abuses.

The government's human rights record remained very poor as government authorities continued to commit frequent serious abuses. The right of citizens to change their government was severely restricted. The government failed to account for past politically motivated disappearances. Prison conditions remained extremely poor, and reports of abuse of prisoners and detainees continued. Arbitrary arrests, detentions, and imprisonment of citizens for political reasons, criticizing officials, or for participating in demonstrations also continued. Some court trials were conducted behind closed doors without the presence of independent observers. The judiciary branch lacked independence and trial outcomes usually were 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 media outlets. State security services used unreasonable force to disperse peaceful protesters. Corruption continued to be a problem. 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 discrimination against Roma, ethnic and sexual minorities, and against 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.

There were several noteworthy developments, including release of the last nine internationally recognized political prisoners, allowing for distribution through state-controlled outlets after a three-year ban of two prominent independent newspapers,

Narodnaya Volya and Nasha Niva, and the registering of the civil society NGO "For Freedom."

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports during the year that the government or its agents committed any arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated or other disappearances during the year.

On April 8, the prosecutor general extended for another three months its nine-year investigation into the 1999 disappearance of former interior minister and opposition leader Yuriy Zakharenko.

There were no developments in the ongoing investigations in the 1999 disappearances of opposition activist Viktor Gonchar and businessman Anatoliy Krasovskiy. In 2006 authorities suspended the investigation into the disappearance and presumed killing in 2000 of journalist Dmitriy Zavadskiy. There was evidence of government involvement in these cases, but authorities continued to deny any involvement in the disappearances.

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 continued to beat detainees and demonstrators.

Police also beat individuals during arrests and in detention for organizing or participating in demonstrations or other opposition activities.

On January 10 and 21, riot police forcefully broke up demonstrations in Minsk organized by small business owners and activists. At both demonstrations crowds estimated at 1,500 gathered to protest a presidential order that restricted small business hiring practices. More than 45 entrepreneurs and activists were arrested; some were beaten by police while in detention.

On March 25, police used force to disrupt a peaceful "Freedom Day" rally in Minsk to mark the anniversary of the first independent Belarusian republic. More than 1,000 demonstrators took part. Approximately 100 persons were arrested and detained, including several foreign journalists. Independent and foreign broadcast media coverage of the rally showed riot police beating demonstrators.

On September 16, police forcefully dispersed a monthly "solidarity day" gathering in Minsk to mark the 1999 disappearances of opposition figures. Riot police forced some 40 demonstrators out of the central square, beating several.

On September 2, the International Federation of Human Rights (FIDH) in cooperation with the domestic human rights NGO "Vyasna" released a joint report, Conditions of Detention in Belarus, based on interviews with more than 30 persons. The report noted "substantial evidence" of the use of torture and mistreatment of suspects during criminal and administrative investigations.

Hazing of new army recruits with beatings and other forms of physical and psychological abuse continued; however, some conditions improved. In July the prosecutor general's

office reported that registered cases of hazing in the armed forces decreased by half, that the crime rate in the army had decreased, and that 47 military officials were facing minor punishment for neglecting safety procedures.

Prison and Detention Center Conditions

Prison and detention center conditions remained austere and posed threats to life and health despite limited improvements in construction of some new facilities. There were shortages of food, medicine, warm clothing, and bedding. Ventilation in cells and overall sanitation was poor. As a result, tuberculosis, pneumonia, and other communicable diseases were prevalent.

In its September 2 report, FIDH-Vyasna concluded that prison conditions in the country were "extremely unsatisfactory and amount to inhumane treatment." Those interviewed in preparation of the report included former prisoners and detainees, relatives of prisoners, defense attorneys, NGO members, and a former judge. Despite numerous requests to the Ministries of Interior and Justice, government officials did not meet with FIDH representatives or approve requests to visit detention facilities.

Former prisoners reported that medical check-ups were rare, conducted by under-qualified medical personnel, and that examination results were often fabricated. 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 authorities neither explained nor protected their legal rights.

Overcrowding in prisons, detention centers, and in work release prisons, also known as khimiya, was a serious problem. Persons sentenced to Khimiya, a form of internal exile, lived in prison barracks and were forced to work under strict conditions. On April 22, seven persons were sentenced to two years of khimiya and two were fined 3.5 million Belarusian rubles (BYR) (approximately \$1,640) for participating in a January 10 demonstration organized by small business owners.

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

According to the government, there were 30,000 persons in confinement in 2007, as well as nearly 8,000 convicts in alternative correctional facilities and 7,000 persons in pretrial detention. Prisoners who complained about abuse of their rights often faced humiliation, death threats, or other forms of punishment. Some said they were blackmailed. Sources claimed that applications for parole frequently depended on bribing prison personnel. While standard bribes were generally between BYR 430,000 to BYR 646,000 (\$200 to \$300), high-profile prisoners were often asked to pay larger amounts.

During the year there were no reports of independent monitoring of prison conditions by domestic or international human rights groups, independent media, or the International Committee of the Red Cross. However, on occasion, authorities granted foreign diplomats access to political prisoners and other jailed persons in the presence of prison officials.

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. From January to May the number of corruption-related offenses increased by 15.5 percent while bribery cases reportedly rose from 470 to 501. Impunity remained a serious problem. While individuals have 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 a prosecutor to detain persons for longer than three hours. In practice, however, these procedures usually were 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 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 authorities arbitrarily detained or arrested scores of individuals, including opposition figures and members of the independent media, for reasons that were widely considered to be politically motivated.

On March 27, BKGB officers detained Pavel Levinov, a human rights advocate and lawyer for the Vitebsk-based Belarus Helsinki Committee. On May 23, a Vitebsk court sentenced Levinov in absentia to 10 days in jail and a BYR 700,000 (\$325) fine for disobeying orders and using obscenities.

Between July 7 and 10, authorities detained more than 15 opposition and human rights activists in connection to a July 4 bombing in central Minsk that injured 50 persons. They were released without charge after 10 days. The human rights NGO "Vyasna" criticized the arrests and accused the BKGB of using the incident as a pretext to detain and question activists and intimidate their family members. Interior Ministry officials would not confirm the total number of persons detained or released. Investigations into the bombing continued at year's end.

On July 26, police and BKGB representatives detained and released approximately 50 youth activists for violating environmental laws while they were camping near a lake in the Borisov district. The youths were participating in a three-day camp organized by the European Belarus coalition.

Authorities placed persons under modified house arrest. On May 27, activists Pavel Vinahradaw and Mikhail Subach were sentenced to two years of "restricted freedom" for participating in the January 10 entrepreneurs' protest in Minsk. The third person, a minor named Maksim Dashuk, received an 18-month sentence.

In 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 clothing to demonstrators protesting the fraudulent March presidential election in Minsk's October Square.

Amnesty

During the first five months of the year authorities released more than 2,700 prisoners under provisions of a 2007 amnesty law. Unlike in previous years, there was no new

general amnesty.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, the government did not respect judicial independence in practice. Corruption, inefficiency, and political interference were prevalent in the judiciary.

There was evidence that prosecutors and courts convicted individuals on false and politically motivated charges, and that executive and local authorities dictated the outcomes of trials.

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

The president appoints six of the 12 members of the Constitutional Court, including the chairman, as well as the chairmen of the Supreme Court and the Supreme Economic Court. He also has the authority to appoint and dismiss all district and military judges. Judges depended on executive branch officials for personal housing.

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.

A 2006 report by the UN special rapporteur on Belarus described the authority of prosecutors as "excessive and imbalanced" because they can extend detention without the permission of judges. The report also noted an imbalance of power between the prosecution and the defense. Defense lawyers cannot 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, especially in relation to politically motivated criminal and administrative cases. There were very few cases in which criminal defendants were found innocent.

By presidential decree all lawyers are subordinate to the Ministry of Justice. Lawyers must be licensed by the ministry, are required to work for the state in regional collegiums, and must renew their licenses every five years. The law prohibits attorneys from private practice. Unlike in previous years, there were no reports during the year that authorities revoked lawyers' licenses for defending NGOs or opposition political parties.

Trial Procedures

The law provides for the presumption of innocence; however, in practice defendants frequently had to prove their innocence. The law also provides for public trials; however, trials were occasionally closed and frequently held in judges' offices. Judges adjudicate all trials; there is no system of trial by jury. However, in the case of grave crimes, a judge adjudicates the trial with the assistance of two civilian advisors.

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.

On May 15, Malady Front leaders Artur Finkevich and Zmitser Dashkevich were sentenced in absentia to seven days in jail for their participation in a May Day demonstration. They

were notified of their sentences on May 19.

On May 23, Malady Front leader Zmitser Fedaruk was notified that he had been sentenced in absentia two weeks earlier to 10 days in jail and fined BYR 1,050,000 (\$490) for participating in a May Day rally and disobeying police. The notification occurred after the 10-day appeal period had passed.

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.

Courts often allowed information obtained from forced interrogations to be used against defendants.

Defendants have the right to appeal court decisions, and most defendants appealed their criminal convictions. In an appeal, defendants and witnesses seldom appeared before the court and the court usually reviewed the protocol and other documents from a lower court trial. In the vast majority of cases, upper courts upheld the verdicts found in the lower court.

Political Prisoners and Detainees

During the year authorities released from prison nine internationally recognized political prisoners. However, authorities continued to harass former political prisoners and detainees with short-term detentions and jail sentences.

In January and February, authorities released five political prisoners: Zmitser Dashkevich, Yuriy Leonov, Nikolay Avtukhovich, Artur Finkevich and Andrey Klimov. Dashkevich, a youth leader, served 16 months of an 18-month sentence for heading an unregistered organization. Leonov and Avtukhovich, who headed an independent small business group, were each sentenced in 2006 to three years in prison for alleged illegal activities and tax evasion. Finkevich, a youth activist, served more than two years for writing political graffiti. Klimov, a United Civic Party member, was jailed in April 2007 for posting an antigovernment article on his party's Web site.

On February 22, political prisoner Alyaksandr Sdzvishkov was released after serving three months of a three-year sentence. The former editor of the independent weekly newspaper Zhoda was sentenced in January for reprinting controversial Danish cartoons of the Prophet Mohammad in a 2006 issue of the paper.

On August 16, authorities released political prisoner and former presidential candidate Alyaksandr Kazulin. He served more than two years of a five-and-a-half-year sentence. Associates claimed that he did not receive adequate medical attention after he was beaten by police during his March 2006 arrest or following a 53-day hunger strike in 2007 to protest his jailing and the fraudulent 2006 presidential election.

On August 20, youth activist Andrey Kim and entrepreneur Sergey Parsyukevich, the last two political prisoners, were released. Kim was arrested in January and later sentenced to an 18-month jail term for allegedly threatening a police officer during a demonstration. Parsyukevich was jailed in April for allegedly violating new business regulations and attacking a police officer while in jail.

In other cases, authorities refused amnesty to activists who were serving sentences of house arrest based on charges widely considered to be politically motivated.

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.

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, including 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 refusing 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. The BKGB has 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.

There were numerous instances in which authorities searched residences and offices for clearly political reasons. For example, on January 12, the BKGB raided the apartment of independent journalist Sergey Podsasonniy and seized computer equipment and a video camera on the pretext of investigating his involvement in the opposition youth group Malady Front.

On June 16, police officers searched the residence of opposition activist Tatyana Vanina in Dzerzhinsk. Officers produced a search warrant dated May 19, which claimed that Vanina illegally produced printed materials.

On August 7, special police and BKGB officers broke down the doors to the Malady Front headquarters in Minsk and arrested seven youth activists. The officers did not produce a search warrant and said they entered the apartment based on an anonymous tip that there was a dead body inside. Former Malady Front leaders, Zmitser Dashkevich and Artur Finkevich, were sentenced to seven days' confinement. A third activist, Pavel Kuryanovich, was sentenced to 15 days in jail.

On November 19, authorities searched the office of the "For Freedom" movement. According to "For Freedom" leader Alyaksandr Milinkevich, court officers inventoried all the property in the apartment because a person involved in a criminal case had lived there 10 years earlier.

The law prohibits authorities from intercepting telephone and other communications without a court order. In practice authorities monitored residences, telephones, and computers. Nearly all opposition political figures reported that authorities monitored their conversations and activities.

The BKGB, the Internal Affairs Ministry, and certain border guard detachments may use wiretaps but must first obtain a prosecutor's permission. However, the lack of independence of the prosecutor's office rendered due process protections meaningless.

The government owned a controlling share in all but two cellular telephone companies. 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.

There were numerous reports that the government coerced young persons, university students, and military conscripts to join the pro-Lukashenka state-funded NGO Belarusian Republican Youth Union (BRYU). In addition, the government employed and

encouraged a widespread system of BRYU informants organized into civilian patrol squads, whose supposed purpose was to encourage students to become law-abiding citizens. At the beginning of 2007 there were an estimated 3,633 civilian patrol squads with as many as 43,000 members. 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.

High school students feared that they would not be allowed to enroll in universities without BRYU membership, and university students reported that proof of BRYU membership was often needed to register for popular courses or to receive a dormitory room. Universities also offered patrol members discounts on tuition. On January 11, Minister of Education Alyaksandr Radzkou stated that membership in the BRYU would be considered in new mandatory recommendations for students who wished to train for professions in foreign affairs, state administration, and journalism.

There were also reports that authorities threatened to punish family members for alleged violations or opposition activities. For example, in June, the wife of Gomel-based United Civic Party leader Vasiliy Polyakov was dismissed from her job as a history teacher. The school's administration stated it would not extend her employment agreement after alleging that she did not follow "state policies." After the July 4 bombing in Minsk, the BKGB questioned Alena Kavalenka, wife of Belarusian Popular Front member Syarhey Kavalenka, and told her she was being watched.

2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press; however, the government did not respect these rights in practice and enforced numerous laws to control and censor the media.

Individuals could not criticize the government publicly without fear of reprisal. Authorities videotaped political meetings, conducted frequent identity checks, and used other forms of intimidation. Wearing masks, displaying unregistered flags, symbols, and placards bearing messages deemed threatening to the government or public order are also prohibited.

The law also limits free speech by criminalizing actions such as giving information to a foreigner about the political, economic, social, military, or international situation of the country that authorities deem to be false or derogatory.

On August 4, Lukashenka signed a new media law that will allow authorities to further restrict press freedoms. The law, which takes effect in February 2009, subjects online news sources to the same regulations as print and broadcast media, requires re-registration of most existing media, accreditation of journalists, and limits support from foreign organizations at 30 percent. The new law was widely criticized by domestic and international NGOs and press advocates such as the Committee to Protect Journalists, Article IX, the Belarusian Association of Journalists (BAJ), and Civic Belarus.

There were independent newspapers and magazines and Internet news Web sites. However, they operated under repressive media laws and most faced discriminatory publishing and distribution policies.

State-owned media dominated the information field and had the highest circulation and viewership. The state-owned postal system, Belpochta, and the state-owned kiosk system, Belsoyuzpechat, continued to refuse to deliver and sell more than a dozen independent newspapers. In 2007 Belpochta removed three popular Russian newspapers (Kommersant, Moskovskiy Komsomolets, and Nezavisimaya Gazeta) from its subscription list. However, other Russian newspapers, including Izvestiya, were distributed. Media analysts asserted that the newspapers were removed because of reporting critical of

Lukashenka's policies.

On November 25, independent newspapers Narodnaya Volya and Nasha Niva signed contracts for distribution through state distribution systems after a three-year government ban. Narodnaya Volya also reached agreement with authorities for the newspaper to be printed at a state-owned press in Minsk. The newspaper previously was printed in Smolensk, Russia due to government harassment. However, while both papers were publicly available, they were still subject to restrictions.

Local authorities frequently warned independent editors and journalists to avoid reporting on certain topics and not to criticize the government. Authorities also warned businesses not to advertise in newspapers that criticized the government.

International media continued to operate in the country but not without interference and harassment. Euronews and Russian channels TV Center, NTV, and RTR were generally available, although only through paid cable services in many parts of the country. Their news programs were at times blocked or replaced with local programming. Broadcasts from other countries, including Poland and Lithuania, could be received in parts of the country, usually along the border.

The government continued to harass and arrest journalists.

On January 12, the BKGB and police officers detained independent journalists Vladimir Samoilov, Galina Samoilova, and cameraman Valery Buldyk. Police questioned them about their work for the Warsaw-based independent satellite television channel Belsat and confiscated their equipment, alleging that it was stolen property.

On March 27-28, authorities raided private residences and offices of approximately 30 journalists in 12 cities. According to the BAJ, BKGB officers detained 16 journalists and confiscated computers, audio and video equipment, and printed materials. The coordinated crackdown followed the violent police breakup of the peaceful March 25 Freedom Day demonstration in Minsk. The Minsk deputy prosecutor Aleksey Stuk stated that he authorized the searches and seizures because of the journalists' extensive coverage of the demonstration and the violent police action.

Some foreign journalists were prevented from reporting in the country. For example, on May 28, the Ministry of Foreign Affairs informed Aleksey Minchyonok, a journalist with independent Polish radio station Radio Racyja, that he would not be accredited because of "earlier illegal work for foreign media without proper accreditation."

The government censored the media. Authorities frequently imposed heavy fines on journalists and editors for criticizing the president and his supporters. Many publications were forced to exercise self-censorship. Authorities warned, fined, or jailed members of the media who publicly criticized the government.

The government tightly controlled the content of domestic broadcast media. In April 2007 the president stated that control of radio and television stations remained 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.

Only the state-run radio and the state-run television networks ONT, the First National Channel, and Capital Television were allowed to broadcast nationwide. The government continued to use 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 security service personnel had filmed.

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 that meet with foreign diplomats.

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.

On May 16, Minsk city authorities ordered the private cable television service provider Kosmos TV to halt immediately broadcasting of three Russian channels. Two of the three channels aired a prohibited documentary about Lukashenka.

Under the law, libel is a criminal offense. Slandering and insulting the president and public officials carry large fines and prison sentences of up to four years. The libel law makes no distinction between private and public persons 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.

In October 2007 the independent newspaper Narodnaya Volya and one of its staff journalists were fined BYR 25 million (\$11,600) and BYR two million (\$940) respectively for allegedly defaming the head of the president's ideological office. In December 2007, the Novy Chas newspaper and a staff journalist were ordered to pay BYR 50 million (\$23,200) and BYR one million (\$465), respectively, to a member of the National Assembly for an analytical article about the 'lawmaker's involvement in a Soviet-era criminal case and a state-controlled writers' union. The newspapers paid the fines and resumed publication.

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 Vitebskiy Kuryer M 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 restrictions.

On April 25, police confiscated hundreds of copies of the independent newspaper Vitebskiy Kuryer M from opposition activist and distributor Valery Shchukin upon his arrival from Smolensk, Russia, where the paper was printed. Shchukin was charged with violating newspaper distribution laws. On May 20, an Ushachy district court fined Polotsk Malady Front members Yekaterina Solovyova and Ales Krutkin BYR 1,050,000 (\$490) each for distributing illegally printed materials. On July 10, police arrested Barys Khamayda for selling independent newspapers in Minsk. An unknown assailant later beat up Khamayda; police charged Khamayda with using obscene language against the assailant and detained him for three days.

In May authorities ordered the Grodno-based independent newspaper Gazeta Slonimskaya to vacate the premises it rented from a state-controlled company by June 1. The newspaper's editor, Viktor Uladashchuk, stated that he could not lease a new office because rental agencies feared government reprisals. At year's end the newspaper journalists continued to work at their homes.

On June 18, the Information Ministry issued a warning to Vitebskiy Kuryer M for violating the law on media by misstating its address and failing to report a change of address. One month earlier, the Supreme Economic Court again denied the newspaper's registration application.

During the year there were numerous examples of the government confiscating

independent and opposition newspapers and seizing leaflets and other materials deemed to have been printed illegally.

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 e-mail.

The authorities freely monitor internet traffic. Internet cafe owners are required to maintain records of their customers and submit them to government security services. By law, Beltelekom and other organizations authorized by the government have the exclusive right to maintain Internet domains.

Approximately 30 percent of the population, particularly in urban areas, had access to the Internet. Access was restricted by relatively high costs and lack of high-speed services. On occasion state providers blocked independent and opposition Web sites during major political events.

On January 10, the Web sites of Radio Liberty, Charter 97, Belarusian Partisan, and the United Civic Party were partially or fully blocked because of their then-ongoing coverage of the demonstrations by small business owners in Minsk. Access to the Radio Liberty, Radio Svoboda, and Charter 97 Web sites was again disrupted in April prior to demonstrations marking the anniversary of the Chernobyl disaster.

On August 4, Lukashenka signed into law new regulations that will subject Internet news outlets to the same requirements as print media, including registration. The law, which takes effect in February 2009, will also allow the state to legally block any unregistered Web sites, regardless of their origin.

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 sources, the few remaining independent media sites with domestic ".by" domains practiced heavy self-censorship.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Educational institutions were required to teach an official state ideology that combined reverence for the achievements of the former Soviet Union and the country under the leadership of Lukashenka. Use of the word "academic" was restricted; NGOs are prohibited from including the word "academy" in their titles.

During the year authorities dismissed teachers and researchers on political grounds. For example, Uladzimir Savitski, head master of a Vezha village secondary school, demanded that teachers join the Belaya Rus movement or face dismissal. All but one teacher signed membership applications. Forced registrations of teachers for the Belaya Rus movement also occurred at a kindergarten in the same village, and at a secondary school in Hutsuki.

In March, Pavel Nazdra, an activist with the unregistered Belarusian Christian Democracy party was fired from his job at the Mazyr State Teachers' Training University in Gomel region, allegedly for being absent from work. Nazdra claimed he was fired for his political activities and denied violating his labor contract with the university.

Government-mandated textbooks contained a heavily propagandized version of history and other subjects. All schools, including private institutions, are considered political bodies that must follow state orders and cannot be headed by opposition members. The education minister has the right to appoint and dismiss the heads of private educational institutions.

The government tasked BRYU, the pro-Lukashenka, state-funded youth organization, with ensuring ideological purity among students. University Students reportedly were pressured to join the BRYU to receive benefits and rooms in dormitories. Local authorities also 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.

According to an education ministry directive, educational institutions may expel students who engage in antigovernment or unsanctioned political activity and are to maintain the proper ideological education of students. During the year at least 10 students were expelled for politically motivated reasons, compared with 20 students in 2007 and more than 100 in 2006. However, some school officials continued to cite poor academic performance or absence from classes as reasons for expulsions.

Between January 21 and 22, three student activists – Tatyana Tsishkevich, Paval Kuryanovich and Zmitser Zhalezchnichenka – were expelled from various higher education institutions. Tsishkevich was initially expelled from the Belarus State University for late payment of fees, but officials later said it was due to "violations against public order and morality." Kuryanovich was expelled from the Minsk State Radiotechnical College for missing classes because of his 20-day detention for participating in a January 16 protest. Zhalezchnichenka, a member of the opposition Belarusian Popular Front, was expelled from Gomel State University for alleged violations of the institution's internal rules and an eight-day jail sentence he received after his first expulsion from the university in September 2007. In June, Franak Vyachorka, a member of the Belarusian Popular Front, and Ivan Shylo, a Malady Front leader, were dismissed from school for participating in unsanctioned opposition rallies.

The government also restricted cultural events. 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.

In March the Maksim Gorky National Academic Drama Theater did not renew Hanna Salamyanskaya's employment contract, and the Drama Theater of the Belarusian Army dismissed Maryna Yurevich. The two actresses had participated in a tour in the United Kingdom with the Free Theater, a Minsk-based underground theater company.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution 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. The law criminalizes participation in the activities of unregistered NGOs, training of persons to demonstrate, financing of public demonstrations, or solicitation of foreign assistance "to the detriment" of the country. Violations are punishable by up to three years in prison.

Organizers must apply at least 15 days in advance for permission to conduct a public demonstration, rally, or meeting. Government officials must respond no later than five days prior to the scheduled event. However, authorities generally refused permits to opposition groups or granted permits for demonstrations away from city centers.

For example, activists requested to hold the annual March 25 Freedom Day and April 26 Chernobyl commemoration demonstrations in central Minsk. While protestors were not allowed to assemble at a prominent downtown location, city authorities instead gave permission for a demonstration in a secluded park. Belarusian Communist Party members were also directed to this same remote park to commemorate May Day.

On July 30, Brest city administrators refused to allow human rights activist Roman Kislyak to hold a rally to draw attention to indictments for petty hooliganism against activists.

Authorities used intimidation and threats to discourage persons from participating in demonstrations, openly videotaped participants, and issued heavy fines or jail sentences on participants of unsanctioned demonstrations. Police and other security officials beat and detained demonstrators during and after unsanctioned, but otherwise, peaceful demonstrations.

Police also used preemptive arrests to stop protests. In some instances the government encouraged and coordinated with progovernment groups to disrupt opposition demonstrations.

On March 21, four opposition youths in Gomel were arrested for distributing leaflets about demonstrations to take place in Gomel on March 23 and in Minsk on March 25. The youths spent three days in a detention center before being convicted of violating rules on mass demonstrations.

On August 11, Malady Front activist Lyudmila Atakulava was sentenced to 10 days in jail for participating in an unsanctioned demonstration on August 10 outside the Russian Embassy in Minsk. Fifteen youth activists took part in the 15-minute protest; three other protesters were arrested but released without charges.

In March 2006 up to 12,000 persons gathered in and around Minsk's central square during a five-day period to protest the fraudulent outcome of the presidential election. Security forces used force to break up a makeshift encampment and arrested approximately 250 persons. Following the arrests, approximately 7,000 persons again attempted to gather in the square to protest the police violence and to mark Freedom Day. Riot police again used force to prevent demonstrators from entering the square and break up the rally.

Freedom of Association

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

The government enforced laws and registration regulations to restrict the operation of independent associations that might be critical of the government. All NGOs, political parties, and trade unions must register with the Ministry of Justice. A government commission reviews and approves all registration applications; in practice, its decisions have been based largely on political and ideological compatibility with the government's authoritarian philosophy.

Registration procedures required applicants to provide the number and names of founders, along with a legal address in a non-residential building. Individuals listed as members are vulnerable to retribution. The government's refusal to rent office space to unregistered organizations and the expense of renting private space forced most organizations to violate the non-residential address requirement. This allowed authorities to deregister existing organizations and deny their reregistration.

On August 12, the Supreme Court upheld the Ministry of Justice's second decision to deny registration to the Belarusian Christian Democracy Party (BCD), citing technical flaws in the association's registration documents. The group was also denied registration in December 2007 for failing "to explain the meaning of Christian principles and values."

In October 2007 the Supreme Court ruled against the NGO 'Vyasna's appeal to reverse a justice ministry decision to deny its registration application. The ministry stated that Vyasna did not meet technical requirements of the law on NGO organizations and that its charter was too vague.

Since 1997 authorities have denied Malady Front's registration application six times, including a request during the year to hold a founding conference in a public square in Minsk.

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 continued.

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 restrictive provisions of the 2002 religion law 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 import and distribute literature, and prohibits foreigners from leading religious organizations. A concordat and other arrangements with the government provide the Belarusian Orthodox Church with privileges not enjoyed by other religious groups. The Belarusian Orthodox Church is a branch of the Russian Orthodox Church and the only officially recognized Orthodox denomination in the country.

On January 8, Lukashenka described the Belarusian Orthodox Church as the "main ideologist of our country," asserting that "we have never separated ourselves from the church." On April 28, he promised that the government would help the church "serve the Fatherland and people." However, despite the BOC's favored status, the government on occasion warned church leaders about their "excessive influence."

All religious matters are regulated by the Office of the Plenipotentiary Representative for Religious and Nationalities Affairs of the Council of Ministers (OPRRNA). Under the law, religious organizations must register either with OPRNA or with local and regional governments. Only groups with 20 or more members may be registered as religious communities. Groups affected by this restriction include the Pentecostal congregation, which has only 13 adult members.

During the year OPRRNA refused to register some nontraditional religious groups, making their meetings illegal. As of January 2007 the OPRRNA reported that 25 religious denominations with 3,103 religious organizations were officially registered.

The office of religious affairs continued to deny registration to what it considered non-traditional faiths, mainly Protestant groups such as the New Life Church and the Belarusian Evangelical Church. Most Christian communities campaigned for amendments to change the 2002 religion law, which restricts their activities and allows criminal prosecution of individuals for their religious beliefs.

However, in contrast with previous years, officials registered several Hare Krishna communities during the year. On December 22, a community official said that six out of seven Hare Krishna communities had obtained registration. The community in Bobruysk remains unregistered, but still operates. It took six years, numerous law suits and fines before the communities were allowed to legally hold services and ceremonies.

On March 2, the Constitutional Court rejected a petition with 50,000 signatures that sought to amend key restrictive provisions of the religion law. The court stated that only the president and government officials can question the constitutionality of laws.

Under the law, residential property can only be used for religious services if it has been officially converted from residential use, which requires all religious organizations to reregister their properties. 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 limit the ability of groups to own or use property for religious purposes. A property that is not registered makes religious activity there illegal.

On November 25, the Supreme Economic Court again postponed a hearing on a case brought by the New Life Church against Minsk city officials for seizing the church's land and property in 2005. A lower economic court had ruled in the city's favor, ordering the church to sell the property to the city below market value. In September the city had offered the church new land that was four times smaller, which the church declined.

The law allows persons to gather in private homes to pray but requires them to 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 28 and again on June 9, Pentacostal pastor Valentin Borovik was charged with leading an unregistered religious organization. He was fined BYR 140,000 (\$65) the first time and BYR 315,000 (\$146) the second time.

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

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.

On February 7, the Council of Ministers introduced a directive that outlines the grounds to denying entry to foreign and stateless clergy invited by local religious organizations. The grounds include presenting false data in travel papers, lack of Belarusian or Russian language skills, a conviction of an administrative charge, and any previous denial of entry by into the country. Foreign religious figures must also submit an increased number of documents that makes the process cumbersome.

According to Syarhey Lukanin, a legal expert for the Minsk-based Protestant New Life Church, the directive will restrict the number of foreign clergy entering the country. He stated that 28 foreign priests were either deported or did not have their visas extended during the last 18 months.

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 December 17, three Polish Catholic priests working in the Hrodna diocese were denied an extension of their permits to engage in religious activities. Authorities claimed the clergymen did not have good grasp of the country's state languages, despite their having worked in the country for many years.

Foreign citizens officially in the country for nonreligious work can be reprimanded or

expelled if they participate in religious activities.

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 used for cultural or educational purposes.

At year's end authorities still had not followed through on a commitment to find a new location for state archives stored in a former Roman Catholic monastery complex – the Bernadine Monastery – in central Minsk. In March 2007 the government announced new plans to convert the monastery into a hotel and entertainment center. The plan triggered protests from the catholic community, forcing authorities to suspend it.

Societal Abuses and Discrimination

There was a generally amicable relationship among religious groups and a widely held ethic of tolerance; however, during the year several religious sites were vandalized and there were reports of occasional anti-Semitic incidents.

On December 19, a district court banned as "extremist" and "anti-Semitic" 13 religious books and other materials published and distributed by the Minsk-based Christian Initiative Company. In a related development the prosecutor general's office revoked the company's publishing and retail licenses and seized 50,000 booklets, which authorities said incited hatred between Orthodox and Jewish believers.

However, anti-Semitic and Russian ultranationalist newspapers and literature, DVDs, and videotapes imported from Russia continued to be sold in the country.

Jewish groups estimated that between 50,000 and 70,000 persons identify themselves as Jewish. Most Jews in the country were not religiously active.

During the year anti-Semitic incidents continued, and anti-Semitic acts were investigated sporadically. The government did not promote antibias and tolerance education.

Jewish community and civil society activists continued to express concern over the concept of a "greater Slavic union" that was popular among nationalist organizations, including the neo-Nazi group Russian National Union (RNU), which remained active despite its official dissolution in 2000. The deputy chief of the Internal Affairs Ministry's Juvenile Delinquency Prevention Department, Andrey Solodovnikov, acknowledged there were a few neo-Nazi groups in the country. He maintained that the BKGB monitored the groups and that they were "poorly organized and not popular among young people."

In October 2007 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, but there were no convictions.

In contrast with 2007 there were no anti-Semitic remarks made in public by the president or other government officials. On October 21, President Lukashenka participated in ceremonies commemorating the 65th anniversary of the destruction of the Minsk Jewish ghetto by the Nazi occupiers. In his remarks, Lukashenka honored the victims and their families, noting that Belarus "took the grief of the Jewish people as its own grief."

For a more detailed discussion, see the [2008 International Religious Freedom Report](#).

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

The law provides for freedom of movement, including the right to emigrate. However, the government at times restricted the right of its citizens to foreign travel. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and persons of concern.

In January a presidential decree replaced exit stamps with a computerized, government database to verify the validity of passports and to track citizens who travel abroad. According to the Ministry of Internal Affairs, the database contains the names of at least 100,000 persons who are prohibited from foreign travel, including those who possess state secrets, are facing criminal prosecution or civil suits, or have outstanding financial commitments. Opposition politicians and civil society activists criticized the database, saying it restricted freedom of travel. Some persons were informed by letter that their names were in the database; others were informed at border crossings. In some cases opposition activists were either turned away at the border or detained for lengthy searches.

At year's end the names of at least 17 opposition leaders and other activists were in the database, including Anatoly Lebedko, Sergey Skrebets, and youth leaders Zmitser Dashkevich, Zmitser Fedaruk, and Aleksandr Atroshchenkov.

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 also requires persons who travel to areas within 25 kilometers (15 miles) of the border to obtain an entrance pass.

The law does not allow forced exile, but sources assert that security forces threatened opposition leaders with bodily harm or prosecution if they did not leave the country. The law allows internal exile, or khimiya, for persons convicted of crimes.

Many university students who had been expelled or were under threat of expulsion for their political activities opted for self-imposed exile. Since 2006 more than 500 students have chosen to continue their studies at foreign universities, mostly in Europe. However, several students reported that their names were on a government list that prohibited their travel abroad to continue their studies.

Internal passports served as primary identity documents and were required for permanent housing, work, and hotel registration. Police continued to harass individuals who lived at a location other than the legal place of residence indicated in their internal passport.

Protection of Refugees

The laws provide 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.

In practice, the government provided some protection against expulsion or return of refugees to countries where their lives or freedom would be threatened. There were approximately 800 persons with refugee status and 2,000 asylum seekers in the country. Refugees come mainly from Azerbaijan, Georgia, Tajikistan, Iran, Afghanistan, India, and Pakistan.

While all foreigners have the right to apply for asylum, authorities continued to refuse asylum applications from citizens of the Russian Federation. Immigration authorities and

courts asserted that, according to the Belarus-Russian Federation treaties on the union between the countries and on the equal rights of citizens in each country, 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 sources, authorities often require asylum seekers to settle in rural areas. Change of residence is possible only with notification to authorities. Registered asylum seekers are issued certificates that serve as identification documents and protect them from expulsion. In accordance with the law, they must also register with local authorities to obtain internal passports.

Stateless Persons

Under the law, citizenship is derived either by birth within the country's territory or from one's parents. 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 the country.

According to a June 20 press report citing government statistics, there were approximately 8,000 stateless persons in the country.

Arbitrary detention of and violence against stateless persons generally were not problems. However, according to sources, stateless persons faced discrimination in employment because authorities often required them to settle in rural areas and prohibited them from seeking jobs outside of the regions where they lived. In practice, stateless persons could not to change their region of residence.

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 denied citizens this right in practice.

Since his election in 1994 to a five-year term as the country's first president, Lukashenka steadily has consolidated power in the executive branch to dominate all branches of government. Flawed referenda in 1996 and 2004 amended the constitution to broaden his powers, extend his term in office, and remove presidential term limits. In March 2006 Lukashenka gained a third term through a fraudulent election.

The September 28 parliamentary election fell significantly short of international standards for democratic elections, according to the final report by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) observation mission. Despite the president's stated intent to conduct a free and fair election, authorities seriously challenged constitutionally guaranteed rights of expression, association, and assembly. All of the 110 candidates declared winners were supporters of Lukashenka's policies.

The report also noted some improvements, including cooperation by authorities with OSCE/ODIHR and progress in allowing candidates to conduct meetings and air campaign ads on television. However, overall, the election environment that authorities created did not allow genuine political competition or equal treatment of candidates.

Elections and Political Participation

Prior to the election, Lukashenka stated his intention to hold transparent elections and said that election campaign laws were in fact being violated to accommodate Western demands for transparency and adherence to democratic standards. For example, election officials stated that they registered candidates despite errors on registration forms. Lukashenka made similar comments after the fraudulent 2006 presidential election, asserting that the results were falsified in favor of his three opponents to appease the West. Official election results gave Lukashenka 83 percent of the vote;

however, he claimed that he actually won 93 percent.

Journalists and international election observers characterized the campaign leading up to the September 28 vote as "muted." According to the OSCE/ODIHR report, media coverage did not provide meaningful information for voters to make an informed choice, political parties played a minor role, and restrictions imposed by the authorities did not allow for a vibrant campaign with real competition.

The registration process failed to include all nominated candidates. Many candidates said their registrations were denied due to administrative and technical problems with their applications. Approximately 365 candidates applied to run in the election and 285 were registered. During the campaign, several candidates withdrew; approximately 60 opposition candidates ultimately stood for election.

The OSCE/ODIHR report noted that while voting was well conducted, the integrity of the process was undermined by a flawed vote count. According to election monitors, 48 percent of polling stations observed during the vote count were assessed as "bad or very bad." In addition, despite repeated requests since the OSCE/ODHIR election mission began in mid-August, observers reported that they were prevented or hindered from observing vote counts in 35 percent of cases.

Local human rights advocates, the Belarus Helsinki Commission, and independent observers also criticized the election results and the flawed electoral process. They said major flaws included forced early voting, failure of electoral commissions to inform observers about the number of early voters, and refusal to inform observers about the quantity of ballots available at the polling stations. Domestic observers concluded that ballot counting was not transparent as they were barred from polling stations or prevented from observing the process.

Throughout the campaign, opposition candidates reported inequities such as, government restrictions on access to broadcast media and venues for campaign rallies. There were instances where state-owned printing houses refused to produce opposition leaflets. Supporters of opposition candidates also reported harassment by authorities, including seizure of campaign materials.

Despite a nominal increase in opposition representation, authorities continued to exclude opposition representatives from election commissions at all levels. The Central Election Commission had four opposition members in advisory, non-voting roles. Opposition activists also made up less than 1 percent of commissioners in precinct election commissions.

Political parties continued to receive warnings for minor offenses under a law that allows authorities to suspend parties for six months after one violation and close them after two warnings. The law also prohibits political parties from receiving support from abroad and requires all political groups and coalitions to register with the Ministry of Justice.

In January the Ministry of Justice filed a liquidation suit against the Belarusian Party of Communists (BPC); however, the party denied that there was a suit and registered 18 candidates for the September 28 legislative elections. In August 2007 the Supreme Court upheld the ministry's six-month suspension of the BPC on grounds that it could not confirm the membership of 200 of the more than 1,500 persons listed as BPC members.

In August 2007, citing alleged inaccuracies in application documents, the Ministry of Justice denied for a second time registration to the Union of Leftist Parties (ULP). In October 2007 the Supreme Court upheld a Ministry of Justice suit to liquidate the Belarusian women's party, Nadzeya, because of alleged irregularities in the party's charter and registration of regional chapters.

There were 35 women in the 110-member Chamber of Representatives and 19 women in

the 56-member Council of the Republic. A woman chaired one of Chamber of Representative's 20 committees and there was one woman in the 39-member Council of Ministers.

No high level members of government or the National Assembly 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, reports indicate officials continued to engage in corrupt practices. The World Bank's worldwide governance indicators reflected that corruption was a serious problem in the country.

The lack of transparency between the president's personal funds and official government accounts, and a heavy reliance on off-budget revenues, suggest corruption within the executive branch.

On January 29, a new anticorruption law 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.

On February 8, Lukashenka ordered the prosecutor general to better coordinate and implement investigations of crime and corruption because they increased social tensions and negatively affected economic development.

On November 13, the president dismissed the prosecutor and deputy prosecutor general in the Minsk region in connection with questionable real estate purchased and ties with corrupt business owners. On November 28, he dismissed four officials from the Ministry of Internal Affairs, including First Deputy Minister Shchurko and Deputy Minister Filistovich, in connection with this case.

Between January and November authorities investigated approximately 2,600 corruption-related offenses mainly by low- and mid-level officials, including 884 bribery cases. On June 4, the head of the State Control Committee, Syarhey Baranowski, said his office began investigating 59 economic crimes against government officials. On December 4, the prosecutor general's office announced that corruption had caused BYR 88 billion worth of damage to the state from January to October, and that 1,470 persons had been charged with corruption.

There were numerous corruption prosecutions. However, prosecution remained selective.

For example, on February 5, the prosecutor general announced that a deputy chairman of the Orsha District Executive Committee was sentenced to eight years in prison for abuse of power and bribery for agreeing to accept BYR 18 million (\$8,370) from a construction company as a kickback.

On March 27, the former chairman of the state-owned petrochemical conglomerate Belnaftakhim, Alyaksandr Barowski, was sentenced to five years in prison for abuse of power. He was arrested in May 2007 on charges of larceny, abuse of power, and disclosing classified information that caused more than BYR 3.5 million (\$1,630) in losses for the state. Barowski was released in December.

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

4. Governmental Attitude Regarding International and Nongovernmental

Investigation of Alleged Violations of Human Rights

There were several active domestic human rights and NGO groups; however, authorities were often hostile to their efforts, did not cooperate with them, and were not responsive to their views.

Authorities harassed NGOs with frequent inspections and threats of deregistration and monitored their correspondence and telephone conversations. The government ignored reports issued by human rights NGOs and rarely met with them. State-run media did not report on human rights NGOs and their actions; independent media that reported on human rights issues were subject to closure and harassment.

The government closed, refused to register, and continued to harass NGOs under Article 193 of the criminal code. Under the law, which was adopted in 2005 by presidential decree, organizing or participating in any activity by an unregistered organization is a criminal offense. The law also prohibits persons from acting on behalf of unregistered NGOs. Several domestic and international human rights groups, including Amnesty International, have urged the government to abolish Article 193 and remove other legal obstacles that hinder the work of NGOs and allow official harassment of civil society and youth activists.

According to the Assembly of Democratic NGOs, more than 300 NGOs were either closed by the government or forced to disband in the previous four years on a variety of legal and politically motivated pretexts. In 2007 Human Rights Watch stated that only five major human rights groups remained registered in the country.

In contrast with 2007, the Ministry of Justice on December 17 approved the registration of the civil society NGO "For Freedom" led by former presidential candidate Aleksandr Milinkevich. The ministry had previously denied three registration applications, citing as reasons improper payment of registration fees, irregularities in the group's charter, organizing an unapproved open-air rally, and technical flaws in registration documents.

Authorities can close an NGO after issuing only one warning that it violated the law. The most common violations that prompted a warning or closure were failure to obtain a legal address and technical discrepancies in application documents. The law allows authorities to close an NGO for accepting illegal forms of foreign assistance and permits the Ministry of Justice to participate in any NGO activity and review all NGO documents. NGOs also must submit detailed reports annually to the ministry about their activities, office locations, officers, and total number of members.

On April 24, a 2007 presidential order took effect that increased rent 10-fold for most NGOs. Prior to the order, NGOs paid one euro (\$1.40) per square foot for office space, compared to 10 euros (\$7) charged to commercial groups. While some groups, including youth sports groups, charity organizations, and children's arts centers, continued to pay the one euro rate, other NGOs, such as the Belarusian Voluntary Society for Historic and Cultural Heritage Protection, were required to pay the higher rate. Many NGOs stated the higher rent would likely force them to close.

On July 11, a Minsk district court sentenced United Civic Party youth activists Mikhail Pashkevich and Vitaly Stozharov to 15 days in jail and Kirill Pavlovskiy to 10 days in jail on minor hooliganism charges. Human rights advocates linked the arrests to the July 3 bombing in Minsk.

During the year the BHC, a registered NGO, continued to experience problems with authorities. On February 29 the Supreme Court allowed the Ministry of Justice to withdraw a petition to suspend the BHC's activities. However, the NGO's bank accounts remain blocked and tax arrears have not been cleared. The case dates back to 2006, when authorities seized BHC office equipment as partial payment of a BYR 160 million (\$74,400) fine for back taxes on international funding. More recently, before and after the September 28 legislative elections, financial intelligence services requested income statements and other information from BHC members.

Authorities were reluctant to discuss human rights with international NGOs, whose representatives often had difficulty gaining admission to the country. Authorities repeatedly ignored NGO recommendations on how to improve the human rights situation in the country and their requests to stop harassing the NGO community.

In July 2007 the mandate of the UN special rapporteur on human rights for Belarus expired and was not renewed. The authorities had refused to cooperate with the rapporteur, Adrian Severin, since his appointment in 2004 by repeatedly refusing him entry into the country. In 2006 Severin reported that the human rights situation in the country 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 authorities.

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. The resolution also expressed concern that senior government officials were implicated in the disappearances of opposition figures Yuriy Zakharenko and Viktor Gonchar and businessman Anatoliy Krasovskiy in 1999 and television journalist Dmitriy Zavadskiy in 2000, as well as the government's failure to hold a free and fair presidential election in 2006.

5. Discrimination, Societal Abuses, and Trafficking in Persons

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

Women

The law criminalizes rape in general, but does not include prohibitions against spousal rape. Rape was a problem. However, most women did not report it due to shame or fear that police would blame the victim. In 2007 the Ministry of Internal Affairs reported 306 cases of rape or sexual assault.

Domestic violence, including spousal abuse against women, was a significant problem. A 2006 Amnesty International report concluded that measures taken by authorities to protect women against domestic violence were insufficient. The criminal code does not contain a separate article dealing with 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 only limited support from the government.

Prostitution is illegal, but is an administrative, rather than a criminal, offense and penalties are light. Officials and human rights observers reported that prostitution was not a significant problem. However, anecdotal evidence indicated that it was growing, particularly in regions outside the main cities. There were prostitution rings in government-owned hotels. According to city police, approximately 500 women in Minsk had police records for prostitution. Svyatlana Brutsкая, leader of a project on HIV/AIDS prevention, put the number of persons in prostitution in Minsk at 3,000. As of September authorities reported 68 violations related to prostitution.

Sexual harassment reportedly was 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,

generally respected in practice, provides for equal treatment of women with regards to property ownership and inheritance, family law, and the judicial system. 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. The Ministry of Statistics and Analysis reported during the year that 64 percent of the unemployed were women.

The law grants women the right to three years of maternity leave with assurance of job availability upon return. However, employers circumvented employment protections by using short-term contracts, then refusing to renew a woman's contract when she becomes pregnant.

Children

Government authorities were generally committed to children's welfare and health.

Romani children were subject to harassment from non-Romani children and teachers. The majority of Romani youth did not finish secondary school. There was no public school in Minsk for Roma, although there were schools for Jews, Lithuanians, and Poles.

Reports of child abuse were infrequent. However, there were reports that children were trafficked for commercial sexual exploitation and, in one case, labor. In the Minsk region, in the first half of 2007, authorities placed 301 minors in the care of child welfare authorities.

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

Trafficking in Persons

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

From January through September the Ministry of Internal Affairs registered 298 trafficking-related crimes, including 62 cases of trafficking and 236 other trafficking-related cases, such as prostitution and kidnapping for sexual exploitation. Over the same time period, the ministry also reported 430 trafficking victims, including 296 who were trafficked abroad and 134 who were exploited inside the country. Of the 430 victims, 92 were exploited for labor and the remainder for sexual services.

In 2007 the ministry reported 97 cases of trafficking and 344 other trafficking-related cases. Authorities 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 2007 trafficking for the purpose of forced labor, particularly of men to Russia, increased significantly.

Women were primarily trafficked to the European Union (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 an open border between the countries and because 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 to reduce domestic violence and alcoholism would greatly reduce the number of women seeking employment abroad.

Reports by the Ministry of Internal Affairs indicated that traffickers were usually 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, via modeling and employment agencies, and by personal approaches through friends and relatives to offer jobs abroad or solicit marriage partners. Traffickers often withheld victims' documents and used physical and emotional abuse, fraud, and coercion to control them. In January 2007 authorities convicted 13 executives of Belarusian modeling agencies of trafficking more than 600 women between 2002 and 2005 for prostitution to France, Turkey, and the United Arab Emirates. The defendants received eight- to 12-year prison sentences, had property confiscated, and were assessed fines of BYR 1.94 billion (\$900,000).

The law criminalizes trafficking for sexual or other exploitation. The property of convicted traffickers may be confiscated. 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.

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 cooperated in an investigation and prosecution.

Reports indicated antitrafficking agencies often pressured victims to cooperate in investigations.

The government's antitrafficking efforts were coordinated by Internal Affairs Ministry's department on Combating Trafficking in Human Persons. However, NGOs were more active in the areas of prevention and rehabilitation. Government sources stated that victims were more likely to trust assistance from NGOs than from government agencies. 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 Ministry of Internal Affairs established the International Academy for Antitrafficking, which graduated its first class of trainees in July 2007. The center was partially funded by the International Organization for Migration (IOM) and training was provided in part by international antitrafficking NGO La Strada.

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

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. The Ministry of Labor and Social Protection maintained 23 social service centers that could help trafficking victims. To supplement government shelters, the UN Development Program, the IOM, and La Strada also opened rehabilitation shelters for victims and their families.

The government stated that there were two specialized trafficking crisis centers in the country, as well as 28 NGOs that provided services to trafficking victims. La Strada provided training to many regional victim support centers but expressed dissatisfaction with the follow-up, citing several cases where regional officers displayed skepticism or insensitivity towards victims.

La Strada and the Young Women's Christian Association maintained a women's hot line that provided advice regarding offers of employment or marriage that might be

trafficking-related. Since 2001 the hot line has received over 12,000 calls.

In June the head of the Internal Affairs Ministry's Drug Control and Human Trafficking Prevention Department stated that the best way to combat trafficking was through awareness campaigns. The government distributed information through state institutions, showed antitrafficking commercials on state television, placed materials at local and foreign diplomatic posts, and organized roundtables and seminars for NGOs and government officials.

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 to discourage and control freedom of movement, which they justified in part as antitrafficking measures.

See also the State Department's [2008 Trafficking in Persons Report](#).

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. The Republican Association of Disabled Wheelchair Users (RADWU) estimated that more than 75 percent of persons with disabilities were unable to leave their own homes without assistance.

Authorities provided minimal, reportedly ineffectual, benefits for persons with disabilities. For example, persons with disabilities who lived alone were entitled to a 50 percent discount on rent and utilities. Since few residences were accessible, persons with disabilities 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 accessible by wheelchair. A government prohibition against workdays longer than seven hours for persons with disabilities made companies reluctant to hire them.

National/Racial/Ethnic Minorities

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

Authorities continued to harass the unrecognized Union of Belarusian Poles (UBP), its chairman Anzhelika Borys, and her associates. On March 29, police stopped Borys' car and attempted to search it for illegal printed materials. After this incident, police also searched the organization's office. On April 18, Borys and an associate were filmed driving to the village of Radun and fined BYR 525,000 (\$245) for staying in a restricted border zone without a permit.

Official and societal discrimination continued against the country's 40,000 to 60,000 Roma.

The Romani community continued to experience high unemployment and low levels of education. In 2005 authorities estimated the unemployment rate among Roma at 80 percent. 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. In September 2007 the Constitutional Court's chief justice acknowledged that discrimination was "not rare," but

maintained that such discrimination was usually corrected.

Authorities made concessions to Belarusian language usage, such as changing street signs to Belarusian, but proposals to widen the language's usage were routinely rejected.

Ultrnationalist, ethnically Russian, skinhead groups harassed organizations promoting Belarusian national culture. On March 10, in Vitebsk, Barys Khamayda of the Conservative Christian Party reported that he received an anti-Semitic and threatening letter from the local chapter of the ultrnationalist group Russian National Unity (RNU), an unregistered organization. Authorities refused to open a criminal investigation of the incident and said the letter did not constitute a crime.

Other Societal Abuses and Discrimination

Homosexuality is not illegal, but discrimination against homosexuals was widespread, and harassment occurred. According to a local gay rights group, government-controlled media discouraged participation in the protests following the 2006 presidential election by saying they were part of a "gay revolution."

On May 28, three youths in Minsk attacked Edvard Tarletski, a journalist and gay rights activist. Tarletski stated that he did not intend to report the attack to police because they would not do anything about the incident. He also said this attack was the third against him in five years.

Societal discrimination against persons with HIV/AIDS remained a problem and the illness carried a heavy stigma despite greater awareness and increased tolerance towards persons infected with the virus. For example, maternity wards no longer had separate facilities for HIV-infected mothers. However, the UN AIDS office reported that there were still numerous reports of HIV-infected individuals who faced discrimination. In September the government reported that 9,282 citizens were infected with HIV.

6. Worker Rights

a. The Right of Association

The law allows workers, except state security and military personnel, to form and join independent unions; however, in practice the government did not respect this right. During the year the government continued efforts to suppress independent unions, stop union 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.

According to Belarusian Congress of Democratic Trade Unions (BCDTU) leader Alyaksandr Yarashuk, no independent unions have been established since President Lukashenka's 1999 decree requiring trade unions to register with the government.

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.

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 BCDTU, with four constituent unions and approximately eight thousand members, was the largest independent union.

Local authorities for the eight time denied registration to the Mogilyov chapter of the Belarusian Union of Electronic Industry Workers (REP). According to REP, authorities refused to re-register the chapter because the REP office landlord had not agreed to

register the office as its legal address due to harassment from officials.

The government combined administrative measures and a system of contracts with individual workers, mostly from one to five years in length, to discourage membership in independent unions and in regional, national, and international labor organizations.

On April 4, the Supreme Court upheld a lower court's verdict to deny REP activist Anatoliy Askerko reinstatement to his post. Askerko was fired from German factory Frebor after he told his employer he would sign a mandated one-year contract only after exercising his right to discuss some of its provisions.

In August a Gomel court sentenced two persons to five and six years in prison for the June 2007 assault on Aleksandr Berasnev, an employee and REP activist at state agricultural company Belarusnafta Asobina. The assault took place on company property shortly after Berasnev filed a complaint with the Gomel chief inspector about Belarusnafta Asobina's abuse of labor regulations and mistreatment of employees. The court did not reinstate Berasnev to his post, but awarded him BYR 5 million (\$2,320), to be paid by the company, for "moral damages."

In January the Council of Ministers reviewed new trade union legislation that would simplify registration rules and require fewer names and addresses of members for registration. Leaders of both progovernment and independent unions were concerned about the level of control the legislation could give the government over unions. The council's review was pending at year's end.

On January 9, the Ministry of Justice denied registration to Razam, a trade union of small- and medium-sized businesses, citing absence of the minutes of the union's founding convention, failure to cover registration fees, and insufficient documentation. Razam's leader, Nikolay Kanakh, said that the registration process was "excessively complicated" and insisted that his group had filed correct applications with the ministry.

The government also targeted union leaders and activists. However, in contrast with previous years, fewer cases of harassment were reported. During the year more than 30 REP members were forced to quit their membership in the union following threats of dismissal.

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.

Since 2004 the government has required state employees, who constitute approximately 80 percent of the working population, 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 possibility of firing any employee by simply declining to renew their contract. Many members of independent unions, political parties, and civil society groups lost their jobs because of this practice.

On August 11, Brest-based Riona Enterprise Management forced 11 of 12 REP members at the firm to withdraw from the union by threatening to withhold their salaries. The REP had sought to have their working conditions designated as hazardous so they could receive appropriate compensation.

During the year the Polotsk chapter of the BFTU continued to negotiate without success with the Polotsk Steklovolokno fiberglass manufacturer over the company's unwillingness to grant the BFTU the same privileges granted to its rival, the progovernment FTUB.

In contrast, the management of the Baran based Lyos factory has ceased putting

pressure on Free Trade Union of Metal Workers members to leave that union and join the FTUB.

There are no special laws or exemptions from regular labor laws in the country's six free economic zones.

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 commercial sexual exploitation and forced labor.

During the year the government approved several "subbotniks," which required employees of government, state enterprises, and many private businesses to work on Saturday and donate earnings to finance government social projects. Workers who refused to take part were subject to fines and intimidation by employers and authorities.

d. Prohibition of Child Labor and Minimum Age for Employment

The law forbids the exploitation of children in the workplace, including a prohibition on forced and compulsory labor, and specifies policies for acceptable working conditions. The government generally implemented these laws in practice.

The minimum age for employment is 16; however, a child as young as 14 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 minors' health or hinder their education.

e. Acceptable Conditions of Work

On November 1, the average national minimum monthly wage was BYR 220,080 (approximately \$102), which did not provide a decent standard of living for a worker and family. From January to September, the average monthly wage was BYR 857,000 (\$398).

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 lack of demand for the factory's products. The law provides for mandatory overtime and holiday pay and restricts overtime to four hours every two days, with a maximum of 120 hours of overtime each year. According to sources, the government was believed to effectively enforce 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 minimal safety gear. There is a state labor inspectorate, but it lacked authority to enforce employer compliance and often ignored violations.

The Ministry of Labor reported that 120 workplace fatalities occurred from January to July, a 1.6 percent decline compared to the same period in 2007. The ministry reported that workplace accidents were caused by carelessness, poor conditions, malfunctioning equipment, and poor training and instruction. Worker intoxication was involved in 32 percent of workplace deaths and 10 percent of injuries. The law does not provide workers the right to remove themselves from dangerous and unhealthy work environments without risking loss of employment.