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Country Report on Human Rights Practices 2019 - Belarus

Executive Summary

Belarus is an authoritarian state. The constitution provides for a directly elected president who is head of state and a bicameral parliament, the National Assembly. A prime minister appointed by the president is the nominal head of government, but power is concentrated in the presidency, both in fact and in law. Citizens were unable to choose their government through free and fair elections. Since his election as president in 1994, Alyaksandr Lukashenka has consolidated his rule over all institutions and undermined the rule of law through authoritarian means, including manipulated elections and arbitrary decrees. All subsequent presidential elections fell well short of international standards. The November parliamentary elections failed to meet international standards.

The Ministry of Internal Affairs exercises authority over police, but other bodies outside of its control, for example, the Committee for State Security (KGB), the Financial Investigations Department of the State Control Committee, the Investigation Committee, and presidential security services, exercise police functions. The president has the authority to subordinate all security bodies to his personal command, and he maintained effective control over security forces.

Significant human rights issues included: arbitrary arrest and detention; life-threatening prison conditions; arbitrary or unlawful interference with privacy; significant problems with the independence of the judiciary; undue restrictions on free expression, the press, and the internet, including censorship, site blocking, and the existence of laws regarding criminal libel and defamation of government officials; detention of journalists; severe restrictions on freedoms of peaceful assembly and association, including the imposition of criminal penalties for calling for a peaceful demonstration and laws penalizing the activities and funding of groups not approved by the authorities; restrictions on freedom of movement, in particular of former political prisoners whose civil rights remained largely restricted; restrictions on political participation, including persistent failure to conduct elections according to international standards; corruption in all branches of government; allegations of pressuring women to have abortions; and trafficking in persons.

Authorities at all levels often operated with impunity and failed to take steps to prosecute or punish officials in the government or security forces who committed human rights abuses.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

During the year there were no reports that the government or its agents committed arbitrary or unlawful killings and no reports of deaths from torture.

b. Disappearance

During the year there were no reports of new disappearances by or on behalf of government authorities. In January the Investigative Committee announced it had suspended investigations into the 1999 disappearances of former deputy prime minister Viktar Hanchar, businessman Anatol Krasouski, and former interior minister Yuri Zakharanka due to a "failure to identify any suspects." There was evidence of government involvement in the disappearances, but authorities continued to deny any connection with them.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices. Nevertheless, the KGB, riot police, and other security forces, often without identification and in plain clothes, used excessive force against detainees on occasion. Security forces also reportedly mistreated individuals during investigations. Police occasionally beat persons during arrests.

Human rights advocates, opposition leaders, activists and average citizens released from detention facilities reported maltreatment and other forms of physical and psychological abuse of suspects during criminal and administrative investigations. According to human rights nongovernmental organizations (NGOs) and former prisoners, authorities routinely abused prisoners.

While there were reports of hazing of conscripts in the army that included physical and psychological abuse, their number declined due to the government prosecuting offenders, and no cases reportedly resulted in deaths.

Prison and Detention Center Conditions

Prison and detention center conditions remained poor, and in many cases posed threats to life and health.

Physical Conditions: According to local activists and human rights lawyers, there were shortages of food, medicine, warm clothing, and bedding as well as inadequate access to basic or emergency medical care and clean drinking water. Overall sanitation was poor, and authorities failed to provide conditions necessary for maintaining proper personal hygiene. Prisoners frequently complained of malnutrition and low-quality uniforms and bedding.

Overcrowding of pretrial holding facilities, and prisons generally was a problem, although the amnesty law of July 20 reduced the terms of at least 2,000 prisoners and released them.

Although there were isolated reports that police placed underage suspects in pretrial detention facility cells with adult suspects and convicts, authorities generally held juvenile prisoners separately from adults at juvenile penal colonies, arrest houses, and pretrial holding facilities. In general conditions for female and juvenile prisoners were slightly better than for adult male prisoners.

Observers believed tuberculosis, pneumonia, HIV/AIDS, and other communicable diseases were widespread in prisons because of generally poor medical care.

Administration: As in the previous year, authorities claimed to have conducted annual or more frequent investigations and monitoring of prison and detention center conditions. Human rights groups, however, asserted that such inspections, when they did occur, lacked credibility in view of the absence of an ombudsperson and the inability of reliable independent human rights advocates to visit prisons or consult with prisoners.

Prisoners and detainees had limited access to visitors, and denial of meetings with families was a common punishment for disciplinary violations.

Although the law provides for freedom of religion, and there were no reports of egregious infringements, authorities generally prevented prisoners from holding religious services and performing ceremonies that did not comply with prison regulations.

Former prisoners reported that prison officials often censored or did not forward their complaints to higher authorities and that prison administrators either ignored or selectively considered requests for investigation of alleged abuses. Prisoners also reported that prison administrators frequently refused to provide them with copies of responses to their complaints, which further complicated their defense. Complaints could result in retaliation against prisoners, including humiliation, death threats, or other forms of punishment and harassment.

Corruption in prisons was a serious problem, and observers noted that parole often depended on bribes to prison personnel or on a prisoner’s political affiliation.

Independent Monitoring: Despite numerous requests to the Ministries of Internal Affairs and Justice, government officials refused to meet with human rights advocates or approve requests from NGOs to visit detention and prison facilities and speak with the inmates.

d. Arbitrary Arrest or Detention

The law limits arbitrary detention, but the government did not respect these limits. Authorities arrested or detained individuals for political reasons and used administrative measures to detain political activists before, during, and after protests and other major public events.

Arrest Procedures and Treatment of Detainees

By law police must request permission from a prosecutor to detain a person for more than three hours. Authorities may hold a criminal suspect for up to 10 days without filing formal charges and for up to 18 months after filing charges, but there were cases of detention beyond 18 months. By law, prosecutors, investigators, and security-service agencies have the authority to extend detention without consulting a judge. Detainees have the right to petition the court system regarding the legality of their detention, but authorities frequently suppressed or ignored such appeals. The country has no functioning bail system.

Arbitrary Arrest: Authorities detained opposition and civil society activists for reasons widely considered to be politically motivated. In isolated cases authorities used administrative measures to detain political activists before, during, and after planned demonstrations, protests, and other public events.

On January 21, police arrested three opposition activists, including activist Nasta Huseva, for painting graffiti that accused police of killing people and featured an antipolice acronym. While the activists were released three days later, they claimed that police mistreated them by not providing food, water, and access to a restroom for at least 19 hours. Huseva also said police interrogated her with no defense lawyer present. Prosecutors rejected her subsequent complaints.

On April 8, a Minsk district court sentenced Belarusian Christian Democracy cochair Paval Sevyarynets to 15 days in jail for allegedly resisting police during his arrest at the Stalinist-era mass killing site Kurapaty on April 5. The court fined two other activists, Nina Bahinskaya and Volha Mikalaichyk, 1,280 rubles ($625) and 893 rubles ($436) on similar charges. The activists were protesting the removal by local authorities of several dozen wooden crosses placed at Kurapaty by civic groups. On April 9, another Minsk district court sentenced opposition leader Mikalai Statkevich, who was preemptively arrested on April 7, to 15 days in jail for calls to join a rally which reportedly included a group prayer in the center of Minsk. The court sentenced Statkevich's associate and European Belarus campaign activist Maksim Viniarski to 13 days in jail on similar charges.

Pretrial Detention: Prior to being charged, the law provides detainees with no access to their families or to outside food and medical supplies, both of which are vital in view of the poor conditions in detention facilities. Police routinely held persons for the full 10-day period before charging them.

Police often detained individuals for several hours, ostensibly to confirm their identity; fingerprinted them; and then released them without charge. Police and security forces frequently used this tactic to detain members of the democratic opposition and demonstrators, to prevent the distribution of leaflets and newspapers, or to break up civil society meetings and events.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Detainees have the right to petition the court system regarding the legality of their detention, but authorities frequently suppressed or ignored such appeals. By law courts have 24 hours to issue a ruling on a detention and 72 hours on an arrest. Courts hold closed hearings in these cases, which the suspect, a defense lawyer, and other legal representatives may attend.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but authorities did not respect judicial independence and impartiality. Observers believed corruption, inefficiency, and political interference with judicial decisions were widespread. Courts convicted individuals on false and politically motivated charges brought by prosecutors, and observers believed that senior government leaders and local authorities dictated the outcomes of trials.

As in previous years, according to human rights groups, prosecutors wielded excessive and imbalanced authority because they may extend detention periods without the permission of judges. Defense lawyers were unable to examine investigation files, be present during investigations and interrogations, or examine evidence against defendants until a prosecutor formally brought the case to court. Lawyers found it difficult to challenge some evidence because the Prosecutor's Office controlled all technical expertise. According to many defense attorneys, this power imbalance persisted throughout the year, especially in politically motivated criminal and administrative cases. Courts did not exonerate criminal defendants except in rare circumstances.

By law bar associations are independent, and licensed lawyers are permitted to establish private practices or bureaus. All lawyers must be licensed by the Ministry of Justice and must renew their licenses every five years.

No repressive or retaliatory measures against lawyers were reported during the year.

Trial Procedures

The law provides for the right to a fair and public trial, but authorities occasionally disregarded this right.

The law provides for the presumption of innocence. Nevertheless, the lack of judicial independence, state media practice of reporting on high-profile cases as if guilt were already certain, and widespread limits on defense rights frequently placed the burden of proving innocence on the defendant.

The law also provides for public trials, but authorities occasionally held closed trials in judges' chambers. Judges adjudicate all trials. For the most serious cases, two civilian advisers assist the judge.

The law provides defendants the right to attend proceedings, confront witnesses, and present evidence on their own behalf, but authorities did not always respect these rights.

The law provides for access to legal counsel for the defendant and requires courts to appoint a lawyer for those who cannot afford one. Although by law defendants may ask for their trials to be conducted in Belarusian, most judges and prosecutors were not fluent in this language, rejected motions for interpreters, and proceeded in Russian. Interpreters are provided when the defendant speaks neither Belarusian nor Russian. The law provides for the right to choose legal representation freely; however, a presidential decree prohibits NGO members who are lawyers from representing individuals other than members of their organizations in court. The government's past attempts to disbar attorneys who represented political opponents of the regime further limited defendants' choice of counsel. The government also required defense attorneys to sign nondisclosure statements that limited their ability to release any information regarding the case to the public, media, and even defendants' family members.

Defendants have the right to appeal convictions, and most defendants did so. Nevertheless, appeals courts upheld the verdicts of the lower courts in the vast majority of cases.

Political Prisoners and Detainees

Local human rights organizations reported several different lists of political prisoners in the country. Leading local human rights groups, including the Vyasna Human Rights Center and the Belarusian Helsinki Committee (BHC), recognized one individual as a prisoner of conscience.

Former political prisoners released in 2015 continued to be unable to exercise some civil and political rights at year's end.

Civil Judicial Procedures and Remedies

The law provides that individuals may file lawsuits seeking damages for a human rights violation, but the civil judiciary was not independent and was rarely impartial in such matters.

On September 11, a Minsk district court awarded doctor Dzmitry Serada 2,890 rubles ($1,410) in damages for police conduct that involved breaking into his apartment and detaining him for two days as a suspect in a 2016 criminal case. While all charges against Serada were soon dropped, it took him three years and multiple complaints to prove that police abused their powers, broke his doors and windows, and caused moral damages. The award followed an August 20 senior-level law enforcement meeting in which President Lukashenka publicly criticized the conduct of law enforcement, citing the Serada case as an example.

Property Restitution

No laws provide for restitution or compensation for immovable private property confiscated during World War II and the Holocaust. The country also has no legislative regime for restitution of communal property or of heirless property. The government reported that, in the last 11 years, it did not receive any requests or claims from individuals, NGOs, or any other public organization, either Jewish or foreign, seeking compensation or restitution of any property.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, but the government did not respect these prohibitions. Authorities used wiretapping, video surveillance, and a network of informers that deprived persons of privacy.

The law requires a warrant before, or immediately after, conducting a search. The KGB has the authority to enter any building at any time, as long as it applies for a warrant within 24 hours after the entry.

Security forces continued to target prominent opposition and civil society leaders with arbitrary searches and interrogations at border crossings and airports. On September 12, Piotr Kuzniatsou, an activist and founder of the local news portal *Motsnyia naviny,* said border guards continuously detained and searched him and his family members at different border crossings during the year.

While the law prohibits authorities from intercepting telephone and other communications without a prosecutor's order, authorities routinely monitored residences, telephones, and computers. Nearly all opposition political figures and many prominent members of civil society groups claimed that authorities monitored their conversations and activities. The government continued to collect and obtain personally identifiable information on independent journalists and democratic activists during raids and by confiscating computer equipment.

The law allows the KGB, the Ministry of Internal Affairs, special security services, financial intelligence personnel, and certain border guard detachments to use wiretaps. Wiretaps require the permission of a prosecutor, but the lack of prosecutorial independence rendered this requirement meaningless.

The Ministry of Communications has the authority to terminate the telephone service of persons who violate telephone contracts, which prohibit the use of telephone services for purposes contrary to state interests and public order.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution provides for freedom of expression, including for the press. The government did not respect these rights and enforced numerous laws to control and censor the public and media. Moreover, the state press propagated views in support of the president and official policies, without giving room for critical voices.

Freedom of Expression: Individuals could not criticize the president or the government publicly or discuss matters of general public interest without fear of reprisal. Authorities videotaped political meetings, conducted frequent identity checks, and used other forms of intimidation. Authorities also prohibited displaying certain historical flags and symbols and displaying placards bearing messages deemed threatening to the government or public order.

On June 10, a Minsk regional court convicted prominent painter and art performer Ales Pushkin for holding banners urging Belarus to join NATO as well as protesting "Russian Aggression in Europe" in the town of Krupki on June 6. Despite the fact that Pushkin staged his protest alone, authorities charged him with violating the Law on Mass Events and resisting police and fined him 204 rubles ($100).

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

Press and Media, Including Online Media: Government restrictions limited access to information and often resulted in media self-censorship. State-controlled media did not provide balanced coverage and overwhelmingly presented the official version of events. Appearances by opposition politicians on state media were rare and limited primarily to those required by law during election campaigns. Authorities warned, fined, detained, and interrogated members of independent media.

By law the government may close a publication, printed or online, after two warnings in one year for violating a range of restrictions on the press. Additionally, regulations give authorities arbitrary power to prohibit or censor reporting. The Ministry of Information may suspend periodicals or newspapers for three months without a court ruling. The law also prohibits media from disseminating information on behalf of unregistered political parties, trade unions, and NGOs.

Independent media outlets, including newspapers and internet news websites, continued to operate under restrictive media laws and most faced discriminatory publishing and distribution policies, including limiting access to government officials and press briefings, controlling the size of press runs of newspapers, and raising the

cost of printing. For example, journalists from independent media outlets *Euroradio*, *BelaPAN*, and *tut.by* did not receive accreditation to cover President Lukashenka's April 19 annual address to the nation and the parliament, allegedly because the press center did not have enough seats.

State-owned media dominated the information field and maintained the highest circulation through generous subsidies and preferences. There was no countrywide private television, and broadcast media space was dominated by state-owned and Russian stations.

Some international media continued to operate in the country but not without interference and prior censorship. *Euronews* and the Russian channels *First Channel*, *NTV*, and *RTR* were generally available, although only through paid cable services in many parts of the country and with a time delay that allowed the removal of news deemed undesirable. At times authorities blocked, censored, or replaced international news programs with local programming.

Violence and Harassment: Authorities continued to harass and detain local and foreign journalists routinely.

Security forces continually hampered efforts of independent journalists to cover demonstrations and protests in Minsk and across the country. The independent Belarusian Association of Journalists reported that authorities briefly detained an accredited German media outlet's driver and impounded media equipment, which prevented the outlet from covering a rally on November 15.

On March 4, a Minsk district court convicted popular independent news portal *tut.by* editor in chief Maryna Zolatava of "executive inaction" allegedly for allowing *tut.by* journalists to access the subscription service of state-run news agency *Belta* without payment. The court sentenced her to a fine of 7,650 rubles ($3,740). In addition, Zolatava must pay *Belta*'s court costs of 6,000 rubles ($2,930). Criminal charges against several other journalists from *tut.by* and an independent press agency *Belapan* were dropped after the accused agreed to pay fines.

The government refused to register some foreign media, such as Poland-based Belsat Television and Radio Racyja, and routinely fined freelance journalists working for them. As of September 25, at least 17 journalists were fined in 38 cases for not having government accreditation or for cooperating with a foreign media outlet. According to the Belarusian Association of Journalists, freelance journalists received fines totaling more than 35,000 rubles ($17,200). Most of the fines were imposed on journalists working for Belsat Television.

In October the Foreign Ministry refused the 11th accreditation application of freelancer Viktar Parfyonenka to work for Radio Racyja.

Censorship or Content Restrictions: The government exerted pressure on the vast majority of independent publications to exercise self-censorship, warning them not to report on certain topics or criticize the government. The government tightly and directly

controlled the content of state-owned broadcast and print media. Television channels are required to air at least 30 percent local content. Local independent television stations operated in some areas and reported local news, although most were under government pressure to forgo reporting on national and sensitive issues or risk censorship.

According to the Organization for Security and Cooperation in Europe's Office of Democratic Initiatives and Human Rights (OSCE/ODIHR) monitoring report, during the November 17 parliamentary elections campaign at least seven opposition candidates' prerecorded television speeches were not aired, and state newspapers censored or refused to publish a number of opposition candidates' campaign platforms.

Authorities allowed only state-run radio and television networks to broadcast nationwide. The government used this national monopoly to disseminate its version of events and minimize alternative or opposing viewpoints.

Authorities warned businesses not to advertise in newspapers that criticized the government. As a result, independent media outlets operated under severe budgetary constraints.

Libel/Slander Laws: Libel and slander are criminal offenses. There are large fines and prison sentences of up to four years for defaming or insulting the president. Penalties for defamation of character make no distinction between private and public persons. A public figure who is criticized for poor performance while in office may sue both the journalist and the media outlet that disseminated the critical report.

On April 9, police searched Belsat Television's Minsk office and confiscated computer equipment. The Investigative Committee press service indicated that the search was related to an unspecified defamation case. According to Belsat journalist Ales Zaleuski, the criminal case might have been connected to an article in which Belsat Television incorrectly reported that Andrei Shved, the head of the Committee for Forensic Examination, had been detained. Belsat Television issued a retraction and apology, and the committee returned the computer equipment on April 11.

On April 18, a Brest district court convicted popular video blogger Siarhei Piatrukhin on charges of defaming and insulting police officers and sentenced him to a fine of 9,180 rubles ($4,480). In addition, Piatrukhin was ordered to pay 7,500 rubles ($3,660) in damages to police officers.

National Security: Authorities frequently cited national security as grounds for censorship of media.

Internet Freedom

The government interfered with internet freedom by monitoring email and internet chat rooms. While individuals, groups, and publications were generally able to engage in the expression of views via the internet, including by email, all who did so risked

possible legal and personal repercussions, and at times were believed to practice self-censorship. Opposition activists' emails and other web-based communications were likely to be monitored.

Under amendments to the Media Law that came into force in December 2018, registered news websites and any internet information sources are subject to the same regulations as print media. Websites may apply to register as news outlets, but registration requires the site to have an office located in nonresidential premises and a chief editor who is a citizen with at least five years of experience in managerial media positions. Websites that choose not to apply for registration can continue to operate but without the status of a media outlet. They cannot receive accreditation from state agencies for their correspondents, who will also not be able to cover mass events or protect sources of information, among other things.

Online news providers must remove content and publish corrections if ordered to do so by authorities and must adhere to a prohibition against "extremist" information. The law also restricts access to websites whose content includes promotion of violence, wars, or "extremist activities"; materials related to illicit weapons, explosives, and drugs; trafficking in persons; pornography; and information that may harm the national interests of the country. Authorities may block access to sites that fail to obey government orders, including because of a single violation of distributing prohibited information, without a prosecutor or court's mandate. If blocked, a network publication loses its media registration. Owners of a website or a network publication will be able to appeal a decision to limit access to their sites or to deny restoring access to them in court within a month.

In addition, owners of internet sites may be held liable for users' comments that carry any prohibited information, and these sites may be blocked. The law also mandates the creation of a database of news websites and identification of all commentators by personal data and cell phone numbers. If a news website receives two or more formal warnings from authorities, it may be removed from the database and lose its right to distribute information. There were no reports of independent websites being blocked during the year.

Authorities monitored internet traffic. By law the telecommunications monopoly Beltelekam and other organizations authorized by the government have the exclusive right to maintain internet domains.

A presidential edict requires registration of service providers and internet websites and requires the collection of information on users at internet cafes. It requires service providers to store data on individuals' internet use for a year and provide that information to law enforcement agencies upon request. Violations of the edict are punishable by prison sentences.

In response to the government's interference and internet restrictions, many opposition groups and independent newspapers switched to internet domains operating outside the country. Observers reported that the few remaining independent media sites with the country domain BY practiced self-censorship at times.

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 of Belarus under the leadership of President Lukashenka. Government-mandated textbooks contained a heavily propagandized version of history and other subjects. Authorities obligated all schools, including private institutions, to follow state directives to inculcate the official ideology and prohibited schools from employing opposition members as principals. The minister of education has the right to appoint and dismiss the heads of private educational institutions.

Use of the word "academic" was restricted, and NGOs were prohibited from including the word "academy" in their titles. Opportunities to receive a higher education in the Belarusian (vice Russian) language in the majority of fields of study were scarce.

Students, writers, and academics said authorities pressured them to join ostensibly voluntary progovernment organizations, such as the Belarusian Republican Youth Union (BRYU) and the Union of Writers of Belarus. Students who declined to join the BRYU risked economic hardships, including lack of access to dormitories, which effectively limited their ability to attend the country's top universities.

Students from various universities and colleges reported to an independent election-monitoring group that their faculties pressured students into early voting by threatening them with eviction from their dormitories. Additionally, authorities at times reportedly pressured students to act as informants for the country's security services.

According to a Ministry of Education directive, educational institutions may expel students who engage in antigovernment or unsanctioned political activity and must ensure the proper ideological education of students. School officials, however, cited poor academic performance or absence from classes as the official reason for expulsions.

On November 4, authorities in Lida cancelled an event scheduled to include history lectures, an exhibition, music performances, and public speaking, claiming that it was "political." Speakers and performers included prominent Minsk-based activists, bloggers, and folk music performers.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for freedom of peaceful assembly; however, the government severely restricted this right. Authorities employed a variety of means to discourage demonstrations, disperse them, minimize their effect, and punish the participants. The law provides for freedom of association, but the government restricted it and selectively enforced laws and registration regulations to restrict the operation of independent associations that might criticize the government.

Freedom of Peaceful Assembly

Only registered political parties, trade unions, and NGOs could request permission to hold a demonstration of more than 1,000 persons. Authorities usually denied requests by independent and opposition groups as well as those of self-organized citizens' groups in various communities around the country.

The law penalizes participation in unauthorized gatherings, the announcement of an intention to hold a mass event before securing official authorization, training of persons to demonstrate, financing of public demonstrations, or solicitation of foreign assistance "to the detriment" of the country. Some violations are punishable by up to three years' imprisonment.

Persons with unexpunged criminal records for crimes related to violating peace and order, statehood and governance, public security, safety, and public morals cannot act as mass event organizers as well as persons who were fined for participating in unauthorized mass events (during one year since the imposition of the fine). The law requires organizers to notify authorities of a mass event planned at a designated location no later than 10 days before the date of the event. Authorities must inform organizers of their denial no later than five days before the event. By law denials can be issued for one of two reasons: the event conflicts with one organized by a different individual or group, or the notification does not comply with regulations. Organizers of mass events outside designated locations must apply at least 15 days in advance for permission, and authorities are required to respond no later than five days prior to the scheduled event. Authorities, however, generally granted permits for opposition demonstrations only if held at designated venues far from city centers.

Authorities often used intimidation to discourage persons from participating in some demonstrations, openly videotaped participants, and imposed heavy fines or jail sentences on participants in unauthorized events.

On January 24, the government adopted a system of reimbursements for police, medical and cleaning services that organizers of mass events must pay to hold an event. If an application for holding a mass event is approved, organizers must sign contacts for such services two days ahead of the event and reimburse all costs within 10 days. Organizers complained about high costs of such contracts, which were not applied to mass events cosponsored by state agencies. For example, police services for an event with more than 1,000 participants at a specially designated venue cost approximately 6,380 rubles ($3,120) and at a nondesignated venue the price is 1.5 times higher.

On April 25, organizers of the annual Charnobylski Shlyakh (Chernobyl March) announced that for the first time in approximately 30 years they would not be holding the event due to the high costs of required services. The opposition parties that filed the event application were able to negotiate the Minsk city police's fee down from 7,500 rubles ($3,660) to 5,740 rubles ($2,800), but the organizers said they still could not afford to pay such a sum. Organizers withdrew their application, but some activists marched the route on April 26 and laid flowers at a commemorative chapel.

Subsequently, authorities fined at least 12 participants, including economic expert Siarhei Chaly and Belarusian Christian Democrat Volha Kavalkova, up to 1,280 rubles ($625) each.

On April 29, a Minsk district court fined the leaders of the organizing groups of authorized March 24 Minsk Freedom Day events, including Movement for Freedom NGO chairman Yury Hubarevich, Belarusian Christian Democracy Party cochair Volha Kavalkova, and United Civic Party chairman Mikalai Kazlou, ordering them to pay 765 rubles ($374) each after their organizations refused to pay for security services at the March 24 rally and concert. On May 2, Belarusian Social Democratic Party Hramada chairman Ihar Barysau, also one of the organizers, was fined 765 rubles ($374) for similar reasons.

During the year local authorities countrywide rejected dozens of applications for permission to stage various demonstrations.

Minsk city authorities rejected applications from the Belarus Popular Front and Art Siadziba, an independent public cultural initiative, to hold a March 25 Freedom Day concert at Freedom Square, Dinamo stadium, or near the Palace of Sports. The authorities allowed opposition political parties to hold a concert and a rally at a remote location on March 24, during which at least two opposition activists, including Zmitser Dashkevich and Belarusian Christian Democracy cochair Vital Rymasheuski, were briefly detained. Human rights advocates reported that a total of 15 people were detained at different events on March 25, including United Civil Party chair Mikalai Kazlou, Belarusian Christian Democracy cochair Vital Rymasheuski, and musicians Liavon Volsky, Zmitser Vaityushkevich, Ihar Varashkevich, and Paval Arakelyan, who had announced a street concert. All were released with no charges.

During the year local authorities in Brest denied dozens of applications from a local group of residents who protested the construction and operations of a car battery plant. Police detained and fined several of them for violating the Law on Mass Events and holding rallies without the government's approval in March and April.

Freedom of Association

All NGOs, political parties, and trade unions must receive Ministry of Justice approval to become registered. A government commission reviews and approves all registration applications; it based its decisions largely on political and ideological compatibility with official views and practices.

Actual registration procedures required applicants to provide the number and names of founders, along with a physical address in a nonresidential building for an office, an extraordinary burden in view of the tight financial straits of most NGOs and individual property owners' fears of renting space to independent groups. Individuals listed as members were vulnerable to reprisal. The government's refusal to rent office space to unregistered organizations and the expense of renting private space reportedly forced most organizations to use residential addresses, which authorities could then use as a reason to deny registration or to deregister them. The law criminalizing activities

conducted on behalf of unregistered groups and subjecting group members to penalties ranging from large fines to two years' imprisonment was repealed on July 19 and replaced with administrative fines up to 1,280 rubles ($625) (also see section 7.a.).

The law on public associations prohibits NGOs from keeping funds for local activities at foreign financial institutions. The law also prohibits NGOs from facilitating provision of any support or benefits from foreign states to civil servants based on their political or religious views or ethnicity, a provision widely believed to be aimed at the Polish minority.

Only registered NGOs may legally accept foreign grants and technical aid and only for a limited set of approved activities. NGOs must receive approval from the Department for Humanitarian Affairs of the Presidential Administration and the Ministry of the Economy for technical aid before they may accept such funds or register the grants.

Authorities may close an NGO after issuing only one warning that it violated the law. The most common pretexts prompting 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 what it considered illegal forms of foreign assistance and permits the Ministry of Justice to monitor any NGO activity and to review all NGO documents. NGOs also must submit detailed reports annually to the ministry regarding their activities, office locations, officers, and total number of members.

The government continued to deny registration to some NGOs and political parties on a variety of pretexts, including "technical" problems with applications. Authorities frequently harassed and intimidated founding members of organizations to force them to abandon their membership and thus deprive their groups of the number of petitioners necessary for registration. Many groups had been denied registration on multiple occasions.

Authorities continued to harass the independent and unregistered Union of Poles of Belarus and its members, while supporting a progovernment organization of a similar name. On April 23, a district court in Hrodna dropped civil charges against Andzelika Borys, the leader of the unregistered Union of Poles. Authorities claimed Borys violated the Law on Mass Events when she organized a fair, held for the 20th consecutive year, to mark the Feast of Saint Casimir in the vicinity of the Polish consulate in Hrodna on March 3.

On July 28, Brest regional authorities denied registration to a group of local residents seeking to establish an environmental rights NGO EcoBrest, which united campaigners against a car battery plant constructed in the area. Courts denied the group's appeals.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at https://www.state.gov/religiousfreedomreport/ (https://www.state.gov/religiousfreedomreport/).

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government at times restricted the right of citizens, former political prisoners in particular, to foreign travel.

In-country Movement: Passports serve as a form of identity, and authorities required them for permanent housing, work, and hotel registration. Police continued to harass selectively individuals who lived at a location other than their legal place of residence as indicated by mandatory stamps in their passports.

The law also requires persons who travel to areas within 15 miles of the border (aside from authorized crossing points) to obtain an entrance pass.

Foreign Travel: The government's database of persons banned from traveling abroad contained the names of individuals who possessed state secrets, faced criminal prosecution or civil suits, or had outstanding financial obligations. Authorities informed some persons by letter that their names were in the database; others learned only at border crossings. The Ministry of Internal Affairs and security agencies, border and customs services, and financial investigation departments have a right to place persons on "preventive" surveillance lists.

The Ministry of Internal Affairs is also required to track citizens working abroad, and employment agencies must report individuals who do not return from abroad as scheduled.

Exile: The law does not allow forced exile, but sources asserted that security forces continued to threaten some opposition members with bodily harm or prosecution if they did not leave the country, and many were in self-imposed exile.

Many university students who were expelled or believed they were under the threat of expulsion for their political activities opted for self-imposed exile and continued their studies abroad.

e. Internally Displaced Persons

Not applicable.

f. Protection of Refugees

Access to Asylum: The law provides for granting asylum or refugee status and complementary and temporary protection to foreign citizens and stateless persons, with some exceptions. The government has established a procedure for determining refugee status and a system for providing protection to refugees. The law provides for protection against refoulement granted to foreigners who are denied refugee status or temporary protection but cannot be returned to their countries of origin.

All foreigners except Russians have the right to apply for asylum. According to the terms of the Union Treaty with Russia, Russians may legally settle and obtain residence permits in the country based on their Russian citizenship.

Freedom of Movement: 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 authorities while their applications are being considered, including during appeals. Authorities reportedly often encouraged asylum seekers to settle in rural areas; however, the majority settled in cities and towns. Change of residence was possible with a notification to authorities. Authorities issue registered asylum seekers certificates that serve as documents to confirm their status as asylum seekers and identity and protect them from expulsion. In accordance with the law, they also must register with local authorities at their place of residence.

Durable Solutions: Adult asylum seekers have to pay for higher education as well as for nonemergency medical services while minors receive education and medical services free of charge. Free legal assistance, housing, and language training are not available to either asylum seekers or refugees. Naturalization of refugees was possible after seven years of permanent residence, as in the case of other categories of foreign residents.

Temporary Protection: Although the government may provide temporary protection (for up to one year) to individuals who may not qualify as refugees, it did not do so during the year.

g. Stateless Persons

As of July 1, the Ministry of the Interior and the UN High Commission for Refugees (UNHCR) listed 6,158 stateless persons in the country; all had permanent residence, according to authorities.

Permanently resident stateless persons held residence permits and were treated comparably to citizens in terms of access to employment, with the exception of a limited number of positions in the public sector and law enforcement that were available only to citizens. There were reports that stateless persons occasionally faced discrimination in employment, since authorities often encouraged them to settle in rural areas where the range of employment opportunities was limited. According to UNHCR, stateless persons could freely change their region of residence.

There is a path towards citizenship for the stateless population. The main requirement is at least seven years' permanent residence. Authorities have a procedure for expedited naturalization but mostly for individuals born or permanently residing in the country prior to the collapse of the Soviet Union, ethnic Belarusians, their spouses, and descendants. If a child is born into a family of stateless persons permanently residing in the country, the child is entitled to Belarusian citizenship.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage, but the government consistently denied citizens this ability by not conducting elections according to international standards.

Since his election in 1994 to a four-year term as the country's first president, Alyaksandr Lukashenka has steadily consolidated power in the executive branch to dominate all branches of government, effectively ending any separation of powers among the branches. Flawed referendums in 1996 and 2004 amended the constitution to broaden his powers, extend his term in office, and remove presidential term limits. Subsequent elections, including the presidential elections held in 2015 and parliamentary elections held in November, continued to deny citizens the right to express their will in an honest and transparent process including fair access to media and to resources.

Elections and Political Participation

Recent Elections: According to independent local observation groups, the November 17 parliamentary elections were marred by numerous violations, including inflated early and election-day turnout, multiple voting, nontransparent home voting, and nontransparent vote tabulation across the country.

Independent observers noted that a number of opposition candidates were denied registration or deregistered for far-fetched reasons and that the registration process was not open to observers. In a number of cases, commissions removed independent observers from polling stations for allegedly interfering with their work and banned them from videotaping or taking photos. Human rights monitors, independent observers, and experts concluded that elections did not comply with international standards and that authorities dismissed the majority of complaints filed by opposition candidates, their representatives, or independent observers.

The November 17 parliamentary elections failed to meet international standards. According to the OSCE/ODIHR, the OSCE Parliamentary Assembly, and the Parliamentary Assembly of the Council of Europe international election observation mission intermediate report, while the elections proceeded calmly with a high number of candidates and observers, they did not meet important international standards for democratic elections and there was an overall disregard for fundamental freedoms of assembly, association, and expression.

The 2019 OSCE report found that a high number of candidates stood for election, but an overly restrictive registration process inhibited the participation of opposition members. A limited amount of campaigning took place within a restrictive environment that, overall, did not provide for a meaningful or competitive political contest. Media coverage of the campaign did not enable voters to receive sufficient information about contestants. The election administration was dominated by the executive authority, limiting its impartiality and independence, and the integrity of the election process was not adequately safeguarded. Significant procedural shortcomings during the counting

of votes raised concerns about whether results were counted and reported honestly, and an overall lack of transparency reduced the opportunity for meaningful observation.

Local human rights groups Vyasna and the BHC stated at a postelection press conference that based on their observation the election fell short of international standards and did not fully abide by the country's legislation. They especially noted their concern regarding early voting procedures, the lack of transparency in the vote-count process, the domination of election commissions by progovernment organizations, and harassment of independent observers.

Political Parties and Political Participation: Authorities routinely impeded the activities of opposition political parties and activists. Some opposition parties lacked legal status because authorities refused to register them, and the government routinely interfered with the right to organize, run for election, seek votes, and publicize views. The government allowed approximately half a dozen largely inactive but officially registered pro-Lukashenka political parties to operate freely.

During the year authorities fined and arrested opposition political parties' leaders for violating the Law on Mass Events and participating in numerous unauthorized demonstrations (see section 2). The law allows authorities to suspend parties for six months after one warning and close them after two. 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. Members of parties that authorities refused to register, such as the Belarusian Christian Democracy Party, continued to be subjected to harassment and arbitrary checks.

Authorities continued to limit activities of the unrecognized Union of Poles of Belarus and harass its members.

Participation of Women and Minorities: No laws limit participation of women or minorities in the political process, but patriarchal social attitudes disfavored women's efforts to achieve positions of power.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government regularly prosecuted officials alleged to be corrupt; however, the World Bank's *Worldwide Governance Indicators* reflected that corruption was a serious problem in the country.

On March 19, the Council of Europe's Group of States against Corruption (GRECO) declared the country noncompliant with its anticorruption standards. The government did not publish evaluation or compliance reports, which according to GRECO "casted a dark shadow over Belarus's commitment to preventing and combating corruption and to overall cooperation with GRECO."

Individuals dismissed for lower-level corruption face a five-year ban on public-service employment, while those found to have committed more serious abuses are banned indefinitely from government employment. The law also allows seizure of property worth more than 25 percent of a public servant's yearly income for those found guilty of corrupt practices. The law provides for public monitoring of the government's anticorruption efforts. On May 10, the president signed a decree forbidding those convicted on corruption charges to be released early or on probation. It also prohibited such jail terms from being replaced with softer penalties. On October 18, President Lukashenka said his "government personnel list had some 850 names who enjoy certain powers and are granted certain immunity and who cannot be arrested without the president's consent."

Corruption: According to official sources, most corruption cases involved soliciting and accepting bribes, fraud, and abuse of power, although anecdotal evidence indicated such corruption usually did not occur as part of day-to-day interaction between citizens and minor state officials.

The absence of independent judicial and law enforcement systems, the lack of separation of powers, and a harried independent press largely barred from interaction with a nontransparent state bureaucracy made it virtually impossible to gauge the scale of corruption or combat it effectively.

The Prosecutor General's Office is responsible for organizing and coordinating activities to combat corruption, including monitoring law enforcement operations, analyzing the efficacy of implemented measures, supervising engaged parties, and drafting further legislation.

The most corrupt sectors were state administration and procurement, the industrial sector, the construction industry, health care, and education. In September the Supreme Court reported that from January to June, courts convicted 463 individuals "on corruption-related charges."

There were numerous corruption prosecutions during the year, but prosecutions remained selective, nontransparent, and in some cases appeared politically motivated, according to independent observers and human rights advocates. For example, on July 4, the Supreme Court sentenced former presidential aide and Hrodna region chief inspector Siarhei Rauneika to 12 years in prison and property confiscation in a closed-door trial. The government charged Rauneika with accepting bribes of up to $200,000.

During the year at least 93 head doctors from the regions and Minsk, officials of the healthcare ministry, including a deputy minister, representatives of local pharmaceutical productions, and owners of pharmacy businesses were investigated for numerous accounts of corruption related to procurement of medicines and equipment. While a number of those cases continued at the end of the year, more than a dozen doctors and officials received sentences of up to nine years in prison. Former deputy health minister Ihar Lasitski was sentenced to six years in prison for accepting bribes.

Financial Disclosure: Anticorruption laws require income and asset disclosure by appointed and elected officials, their spouses, and members of households who have reached legal age and continue to live with them in the same household. According to the law, specialized anticorruption departments within the Prosecutor General's Office, the KGB, and the Internal Affairs Ministry monitor and verify anticorruption practices, and the prosecutor general and all other prosecutors are mandated to oversee the enforcement of anticorruption law. These declarations were not available to the public; an exception applies to candidates running in presidential, parliamentary, and municipal elections. There are administrative sanctions and disciplinary penalties for noncompliance.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

There were a number of active domestic human rights NGOs, although authorities were often hostile to their efforts, restricted their activities, selectively cooperated with them, and were not responsive to their views.

Two prominent human rights NGOs–the BHC and the Center for Legal Transformations –operated as registered entities. The government refused to register a number of others, placing them at risk of fines of up to 1,280 rubles ($625). Some unregistered NGOs, including Vyasna and Legal Assistance to the Population, continued to operate.

Authorities at times harassed both registered and unregistered human rights organizations. They subjected them to inspections and threats of deregistration and reportedly monitored their correspondence and telephone conversations. The government largely ignored reports issued by human rights NGOs and rarely met with unregistered groups. State-run media rarely reported on human rights NGOs and their activities.

During the year the BHC's bank accounts remained blocked due to long-standing tax arrears related to foreign funding in the early 2000s, but the government allowed the committee to operate without other interference.

Authorities were generally reluctant to engage on human rights problems with international human rights NGOs or other human rights officials, and international NGO representatives often had difficulty gaining admission to the country. Authorities routinely ignored local and international groups' recommendations on improving human rights in the country and requests to stop harassing the human rights community.

The United Nations or Other International Bodies: In September 2018 the UN Human Rights Council appointed Anais Marin as the new special rapporteur on the situation of human rights in the country and extended her mandate for another year on July 12. The government continued to speak against "the politicized" mandate of the rapporteur and did not recognize it. The rapporteur's July report indicated, "the absence of significant

improvements and the necessity for the government to clearly demonstrate its commitment to addressing long-standing criticism by introducing concrete, durable changes."

Government Human Rights Bodies: The government took minor steps to implement the Human Rights Action Plan adopted in 2016 to outline, in the government's words, "main activities for us to implement our international obligations" on human rights. While independent human rights groups, including the human rights center Vyasna and the BHC, welcomed the plan's adoption, they also noted that the documents lack specific target goals or results assessment mechanisms.

A standing commission on human rights in the lower chamber of parliament was ineffective.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape in general but does not include separate provisions on marital rape. Rape was a problem. The Ministry of Interior Affairs identified 526 women, including 259 girls under 16 as victims of rape, sexual abuse, and child molestation from January to October. Of these, 59 women, including 23 minors, were raped.

Domestic violence was a significant problem, and the government took limited measures to prevent it during the year. The government issued protective orders mandating the separation of victims and abusers and provided temporary accommodations for the duration of the orders. It also operated crisis rooms that provided limited shelter and psychological and medical assistance to victims.

The law on crime prevention establishes a separate definition of domestic violence and provides for implementation of protective orders, which are from three to 30 days in duration. The law requires authorities to provide victims and abusers with temporary accommodation until the protective orders expire. In addition, the code on administrative offenses prescribes a large fine or detention for up to 15 days for violating protective orders, battery, intended infliction of pain, and psychological or physical suffering committed against a close family member.

The Ministry of Internal Affairs Domestic Violence Prevention Department head Aleh Karazei said 55 reported victims died as a result of domestic violence from January to July, up from 48 during the same period in 2018. Domestic violence caused 100 deaths annually in the country on average. According to Karazei and law enforcement data, more than 80 percent of domestic violence acts are committed under the influence of alcohol, and twice as many cases of domestic violence are reported in rural than in urban areas.

On February 1, a court in Valozhyn sentenced a local resident to 15 years in prison on a charge of beating his spouse to death in April 2018. The family, with two minor children, lived in a dormitory, and their neighbors told police the victim had complained of abuse and domestic violence. According to prosecutors, the victim sustained at least 18 severe injuries.

Sexual Harassment: Sexual harassment reportedly was widespread, but no specific laws, other than those against physical assault, address the problem.

Coercion in Population Control: Women with disabilities, as well as pregnant women whose children were diagnosed with potential disabilities in utero, reported that some doctors insisted they terminate their pregnancies.

Discrimination: The law provides for equal treatment of women with regard to property ownership and inheritance, family law, equal pay for equal work (although in practice women were often paid less), and in the judicial system, and the law was generally respected.

Children

Birth Registration: Citizenship is derived either by birth within the country or from one's parents. A child of a citizen is a citizen regardless of place of birth, even if one parent is not a citizen. Births were generally registered immediately.

Child Abuse: Rape or sexual assault of a person known to be a minor is punishable by up to 15 years' imprisonment. Sexual acts between a person older than 18 and a person known to be younger than 16 carry penalties of up to 10 years' imprisonment.

Authorities intervened to prevent child abuse stemming from domestic violence and identified families in vulnerable conditions and provided foster care to children who could not remain with their immediate families while preventive work was underway. Although the government increased prosecution of child abusers, its efforts to address the causes of child abuse were inadequate. The government instituted a 2017-21 comprehensive national plan to improve childcare and the protection of children's rights, including for victims of child abuse, domestic violence, and commercial sexual exploitation, but it acknowledged a lack of funding and inefficiency in executing certain protective measures.

With assistance from NGOs that promote children's rights, authorities extensively employed procedures for on-the-record, one-time interviewing of child-abuse victims in the framework of investigations or criminal cases at specialized facilities under the direct supervision of psychologists. Courts often used recorded testimony to avoid repeatedly summoning child-abuse victims for hearings, but experts continued to raise concerns that in some cases judges summoned child-abuse victims to testify at hearings. More experienced judges with expertise in developmental psychology, psychiatry, and education generally heard cases that affected the rights and interests of minors. The government resumed operations of a national hotline for assisting children.

As of January the Ministry of Education ran 138 social-educational centers nationwide for minor victims of any type of violence or minors in vulnerable and dangerous conditions, but independent observers questioned the quality of services. General health-care institutions provided a wide range of medical aid to child abuse victims free of charge.

Early and Forced Marriage: The legal minimum age of marriage for both boys and girls is 18, although girls as young as 14 may marry with parental consent. There were reports of early marriage in which girls as young as 14 and boys as young as 16 married with parental consent.

Sexual Exploitation of Children: The minimum age for consensual sex is 16. Prostitution of children was a problem, and the government took some steps to address it. From January through June, the Ministry of Internal Affairs identified 353 minors as victims of pedophiles. The law provides penalties of up to 13 years in prison for production or distribution of pornographic materials depicting a minor. The government generally enforced the law. The government claimed that the law did not require a demonstration of force, fraud, or coercion to constitute a child sex-trafficking offense.

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

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

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

Anti-Semitism

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

Anti-Semitic incidents were rare. Jewish community and civil society activists expressed concern regarding pan-Slavic nationalism professed by some extremist groups. Neo-Nazis, such as the Russian National Unity group and supporters of similar groups, were widely believed to be behind anti-Semitic incidents across the country. Anti-Semitic and xenophobic newspapers, literature, frequently imported from Russia, were widely available. While the government encouraged classes and lectures on the Holocaust to be held on the January 27 International Holocaust Remembrance Day, it did not promote antibias and tolerance education.

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

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

Trafficking in Persons

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

Persons with Disabilities

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

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

The country's lack of independent living opportunities left many persons with disabilities no choice but to live in state-run institutions. Approximately 81 such institutions across the country housed around 20,000 persons. Disability rights organizations reported that the quality of care in these facilities was low, and instances

of fundamental human rights violations, harassment, mistreatment, and other abuse were reported. Authorities frequently placed persons with physical and mental disabilities in the same facilities and did not provide either group with specialized care. Approximately 14,000 of the 20,000 persons with disabilities, who lived in “psychoneurological” institutions, were deprived of legal rights, and courts designated directors of these institutions as their legal guardians.

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

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

National/Racial/Ethnic Minorities

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

Official and societal discrimination continued against the country’s 7,000 (according to the 2009 census) to 60,000 (according to Romani community estimates) Roma. The Romani community continued to experience marginalization, various types of discrimination, high unemployment, low levels of education, and lack of access to social services. Roma generally held citizenship, but many lacked official identity documents and refused to obtain them.

On May 23, Presidential Administration head Natallya Kachanava and several top-level Mahilyou officials met with a group of Romani community representatives behind closed doors in Mahilyou. Kachanava reportedly apologized for a police roundup of Roma in Mahilyou and other nearby towns, which followed an alleged kidnapping and murder of a Mahilyou traffic-police officer on May 16. The officer had sent a text message to his colleagues claiming, “Gypsies drove me away in a vehicle.” Interior Minister Ihar Shunevich later stated the officer had committed suicide but defended the police action as justified by the circumstances. Kachanava reportedly promised that authorities would investigate all complaints and appeals regarding the Roma’s maltreatment “if indeed it took place.” The spokesman of the Prosecutor General’s

Office, however, stated in June that the office would not investigate the incident because no Roma filed complaints. Independent human rights groups reported that Romani families declined to file complaints fearing retaliation.

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

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

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

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

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

HIV and AIDS Social Stigma

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

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

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

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

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

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

The legal requirements to conduct a strike are high. For example, strikes may only be held three or more months after dispute resolution between the union and employer has failed. The duration of the strike must be specified in advance. Additionally, a minimum number of workers must continue to work during the strike. Nevertheless, these requirements were largely irrelevant, since the unions that represented almost all workers were under government control. Government authorities and managers of state-owned enterprises routinely interfered with union activities and hindered workers' efforts to bargain collectively, in some instances arbitrarily suspending collective bargaining agreements. Management and local authorities blocked worker attempts to

organize strikes on many occasions by declaring them illegal. Union members who participated in unauthorized public demonstrations were subjected to arrest and detention. Due to a persistent atmosphere of repression and the fear of imprisonment, few public demonstrations took place during the year.

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

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

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

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

The government requires state employees, including employees of state-owned enterprises, who constituted approximately 70 percent of the workforce, to sign short-term work contracts. Although such contracts may have terms of up to five years, most expired after one year, which gave the government the ability to fire employees by declining to renew their contracts. Many members of independent unions, political

parties, and civil society groups lost their jobs because of this practice. A government edict provides the possibility for employers to sign open-ended work contracts with an employee only after five years of good conduct and performance by the employee.

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

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

b. Prohibition of Forced or Compulsory Labor

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

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

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

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

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

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

Former inmates stated their monthly wages were as low as three to four rubles ($1.50 to $2.00). Senior officials with the General Prosecutor's Office and the Interior Ministry stated in November 2015 that at least 97 percent of all work-capable inmates worked in prison as required by law, excluding retirees and persons with disabilities, and that labor in prison was important and useful for rehabilitation and reintegration of inmates.

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

c. Prohibition of Child Labor and Minimum Age for Employment

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

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

d. Discrimination with Respect to Employment and Occupation

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

any action during the year to prevent or eliminate employment discrimination. Employment discrimination happened across most economic sectors and in both private and public workplaces.

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

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

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

e. Acceptable Conditions of Work

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

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

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

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

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

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

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