

Committee of the Parties
to the Council of Europe Convention
on Action against Trafficking in Human Beings



CP(2023)10

**Report submitted by the authorities
of Belarus
on measures taken to comply with
Committee of the Parties Recommendation
CP/Rec(2022)07 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings**

Second evaluation round

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Executive Secretary of the Council
of Europe Convention on Action
against Trafficking in Human Beings
Ms. Petya Nestorova

On the measures taken by Belarus to
comply with the recommendations on
the implementation of the Council of
Europe Convention on Action against
Trafficking in Human Beings

Dear Ms. Nestorova,

The Ministry of Internal Affairs of the Republic of Belarus presents its compliments to the Council of Europe and in accordance with the Recommendation CP/Rec(2022)07 of the Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings sends you herewith enclosed the information about the measures taken by the Republic of Belarus in order to comply with the recommendations on the implementation of the Convention listed in GRETA Report.

Encl: mentioned in English and Russian

Yours sincerely,

Head of the International Cooperation Department
of the Ministry of Internal Affairs
of the Republic of Belarus

Mikhail Starykovich

**Information of the Republic of Belarus
on the GRETA Report concerning the implementation
of the Council of Europe Convention on Action against Trafficking
in Human Beings (second evaluation round) and the Recommendation CP/Rec(2022)07 of the
Committee of the Parties to the Convention**

Information of the Ministry of Internal Affairs

Recommendation «GRETA recommends that the Belarusian authorities strengthen efforts to prevent trafficking for the purpose of labour exploitation, in particular by:

- strengthening the supervision of recruitment agencies and reviewing the legislative framework for any loopholes that may limit protection or preventive measures.

On July 1, 2023, the Law of the Republic of Belarus “On Amendments to the Law of the Republic of Belarus “On External Labour Migration” came into force (hereinafter referred to as the Law).

In order to carry out further improvement of legislation to ensure greater safety for citizens of the Republic of Belarus, as well as foreigners permanently residing in the Republic of Belarus and leaving the Republic of Belarus for employment, the responsibilities of legal entities and individual entrepreneurs carrying out activities related to employment outside the Republic of Belarus have been revised.

In accordance with Art. 16 of the Law, legal entities and individual entrepreneurs carrying out activities related to employment outside the Republic of Belarus are obliged to:

conclude employment agreements only with foreign employers using the labour of emigrant workers without the involvement of a third party, with the exception of employment outside the Republic of Belarus under student programs;

comply with licensing requirements established by licensing legislation;

assist in resolving disputes between emigrant workers and foreign employers;

reimburse emigrant workers for services provided in accordance with employment assistance contracts in the event of early termination of labour or civil law contracts due to violation by foreign employers of the law or the terms of labour or civil contracts with emigrant workers;

submit for registration during the period of activities related to employment outside the Republic of Belarus to the citizenship and migration departments at their location (place of residence):

labour or civil contracts concluded between emigrant workers and foreign employers with their assistance;

employment contracts.

On January 1, 2023, the Law of the Republic of Belarus “On Licensing” came into force, which enshrines such an innovation as “assessing the compliance of the capabilities of a license applicant with pre-licensing requirements, a qualification exam”.

Before making a decision to grant or refuse to grant a license, the Ministry of Internal Affairs assesses the compliance of the license applicant’s capabilities with pre-licensing requirements, taking into account information from the citizenship and migration unit on the possibility of issuing a license in the form determined by the Ministry of Internal Affairs. If the license applicant expresses an intention to send citizens studying in educational institutions of the Republic of Belarus under student programs to work outside the Republic of Belarus during the summer holidays, the Ministry of Internal Affairs, after receiving an application for a license as part of an assessment of the suitability of the license applicant's capabilities pre-licensing requirements requests information from the Ministry of Education about employment opportunities outside the Republic of Belarus.

The qualification exam is carried out to confirm the knowledge of the head, head of a separate division of a license applicant - a legal entity, a license applicant - an individual entrepreneur, a licensee of legislation on employment issues outside the Republic of Belarus.

The qualification examination is carried out before a decision is made to grant or refuse to grant a license, as well as to change or refuse to change a license based on the licensee’s application to the Ministry of Internal Affairs when changing the head, head of a separate division of the licensee - a legal entity.

- raising awareness amongst migrant workers regarding the risks of human trafficking for the purpose of labour exploitation and provide effective access to confidential complaint mechanisms for protecting their rights.

The Ministry of Internal Affairs of the Republic of Belarus, together with the International Organization for Migration, is working to launch an information campaign within the framework of the international technical assistance project “Achieving the maximum impact of migration and mobility on the sustainable development of the Republic of Belarus”.

A national information campaign will be launched with a focus on migrant workers and combating human trafficking for the purpose of labour exploitation.

- sensitising relevant officials, including police officers, prosecutors, judges, staff of local administrations, social workers and other professionals likely to come into contact with victims of trafficking for labour exploitation about the signs and risks of human trafficking and the rights of victims».

The Ministry of Internal Affairs of the Republic of Belarus, together with the International Organization for Migration, is implementing an international technical assistance project “Achieving the maximum impact of migration and mobility on the sustainable development of the Republic of Belarus.” This year, within the framework of this project:

a series of trainings was conducted to build the capacity of employees of the Ministry of Internal Affairs, the Ministry of Labour and Social Protection, the Ministry of Foreign Affairs and other interested government bodies in the field of labour migration and remittances, benefits and positive consequences of labour migration, the rights of labour migrants, the fight against human trafficking, human rights;

developed interactive online course on managing labour migration and combating human trafficking in the context of labour exploitation, ensuring respect for human rights and social protection of migrant workers. The online course on labour migration management is an on-the-job training tool incorporating the latest developments in the field of migration management in the Republic of Belarus with the aim of introducing the main characteristics and system of labour migration management in the Republic of Belarus (legislation, guidelines, procedures related to migration, aspects of the rights of migrant workers, combating human trafficking, etc.). The key target audience of the course is representatives of government agencies involved in migration management at all levels, including, but not limited to, officials from the Department of Citizenship and Migration of the Ministry of Internal Affairs, the Ministry of Labour and Social Protection and the Ministry of Foreign Affairs.

Recommendation «GRETA recommends that the Belarusian authorities strengthen efforts to prevent trafficking in children, in particular by:

- developing a legislative framework to deal with children in migration situations, including unaccompanied and separated children (point 79)».

State bodies of the Republic of Belarus are working on organizing assistance to minor foreigners who find themselves in the Republic of Belarus without parental care or legal representatives/guardians and who do not want to apply for refugee status, additional protection or asylum in the Republic of Belarus.

In order to develop coordinated actions of government bodies when working with this category of minor migrants, a working group has been created. The Representative Office of the United Nations Children's Fund (UNICEF) in the Republic of Belarus takes part in the activities of the working group, which, in accordance with international law, is ready to provide additional assistance to minor migrants (legal, psychological, medical, social), assist in the appointment of legal guardians, placement in a safe place (if necessary) and in matters of family reunification/relocation.

In 2023, the legislative framework on issues of minor migrant workers was improved. Among the fundamental documents the following can be noted :

1. Law of the Republic of Belarus “On Amendments to the Law of the Republic of Belarus “On External Labour Migration” (hereinafter referred to as the Law).

According to Art. 8 of the Law, the Ministry of Internal Affairs in the field of external labour migration submits to the Ministry of Foreign Affairs information about minor emigrant workers, including those who returned to the Republic of Belarus after finishing their working career outside the Republic of

Belarus. The procedure, form and deadlines for submitting information are established by the Ministry of Internal Affairs jointly with the Ministry of Foreign Affairs.

Employment of minor emigrant workers outside the Republic of Belarus is carried out by legal entities or individual entrepreneurs with a license, on the basis of:

employment contracts containing provisions on the mutual obligations of the parties to return to the Republic of Belarus after the expiration of the employment or civil law contracts of minor emigrant workers and meeting the requirements established by Article 17 of the Law;

agreements on assistance in employment that meet the requirements established by Article 18 of the Law;

labour or civil contracts that meet the requirements established by Articles 19 and 20 of the Law. When employing minor emigrant workers under the age of fourteen on the basis of civil contracts, such contracts are concluded on behalf of minor emigrant workers by their parents (other legal representatives);

written consent of one of the parents (other legal representative) to conclude an employment contract with a minor emigrant worker aged fourteen to sixteen years or written consent of parents (other legal representatives) to conclude a civil contract with a minor emigrant worker aged fourteen or over up to eighteen years of age.

Employment outside the Republic of Belarus of minor emigrant workers before they receive general secondary education is permitted only if conditions are created for obtaining general secondary education in the Republic of Belarus or abroad.

Citizenship and migration departments register labour or civil contracts concluded between minor emigrant workers who are studying, including civil contracts concluded on behalf of minor emigrant workers by their parents (other legal representatives), and foreign employers, when the presence of an agreement on the training of a minor emigrant worker during his stay outside the Republic of Belarus between the educational institution of a foreign state and the parent (other legal representative) of the minor emigrant worker or another document confirming the fact of the organization of training in the Republic of Belarus or abroad.

In relation to minor emigrant workers who are outside the Republic of Belarus without parents (other legal representatives), the conditions of their stay in the state of employment are monitored, as well as the protection of their rights, freedoms and legitimate interests is carried out. The list of measures to control the conditions of stay and protect the rights, freedoms and legitimate interests of these minor emigrant workers, as well as the procedure for implementing such measures, are determined by the Ministry of Internal Affairs jointly with the Ministry of Foreign Affairs.

If circumstances arise that prevent a minor emigrant worker from fulfilling an employment or civil law contract, a legal entity or individual entrepreneur carrying out activities related to employment outside the Republic of Belarus ensures his return to the Republic of Belarus.

2. Resolution of the Ministry of Internal Affairs of the Republic of Belarus, the Ministry of Foreign Affairs of the Republic of Belarus dated May 19, 2023 No. 103/7 “On the measures to control the rights and freedoms of minor emigrant workers” which establishes a list of measures to control the conditions of stay and protect the rights, freedoms and legitimate interests minor migrant workers who are outside the Republic of Belarus without parents (other legal representatives).

3. Resolution of the Ministry of Internal Affairs of the Republic of Belarus and the Ministry of Foreign Affairs of the Republic of Belarus dated 01.06.2023 No. 120/8 “On the procedure, forms and deadlines for providing information about minor emigrant workers” which establishes that the generalized information specified in the resolution in relation to minor workers - emigrants who are outside the Republic of Belarus without parents (other legal representatives) are sent by the Ministry of Internal Affairs to the Ministry of Foreign Affairs once every six months using forms in accordance with Annexes 1 and 2 of the given Resolution.

Recommendation «to consolidate the co-ordination of anti-trafficking activities at national level by ensuring regular exchange of information between all public bodies involved in the prevention of THB, the identification and assistance to victims, and the prosecution of traffickers. The establishment of the post of National Co-ordinator on action against THB, supported by a dedicated office, would significantly strengthen co-ordination» (point 25 of the report).

Chief Department for Drug Control and Combating Human Trafficking of the Ministry of Internal Affairs (hereinafter – Chief Anti-Trafficking Department) draws attention to the fact that GRETA’s conclusion that there is no systematic exchange of information with the General Prosecutor’s Office on issues of interaction and coordination with government bodies is unfounded. The Ministry of Internal Affairs systematically summarizes information about facts of human trafficking, information about victims of human trafficking and provides the General Prosecutor’s Office with detailed information about measures taken in this direction. In addition, all interested government bodies take part in annual meetings of the advisory council, where issues of interaction and assistance to victims of human trafficking are also discussed.

The creation of an additional body – National Co-ordinator on action against THB will update the problem of determining its legal status (first of all, the need to resolve the issue of which system of government bodies to include it in – government bodies or law enforcement agencies), eliminating the situation of duplication of powers in this area, as well as will require the allocation of additional financial resources, which would be more rationally used to provide assistance to victims of human trafficking.

Recommendation «to examine the possibility of establishing an independent National Rapporteur for monitoring the anti-trafficking activities of State institutions and making recommendations to persons and institutions concerned» (point 26 of the report).

We see the question of the possibility of creating an independent national rapporteur to monitor the activities of government institutions to combat THB and make recommendations to the interested individuals and institutions as inappropriate, since the current system of government bodies and non-governmental organizations in the country allows for effective monitoring and timely adoption of the necessary decisions. In accordance with the Regulations on the activities of the coordination meeting on combating crime and corruption, approved by Decree of the President of the Republic of Belarus of December 17, 2007 No. 644, this coordination meeting is a permanent interdepartmental body for coordinating law enforcement activities. According to paragraph 9 of this Decree, the coordination meeting assesses the effectiveness of law enforcement activities of government agencies involved in the fight against human trafficking.

Recommendation «to increase the efforts to raise awareness about human trafficking, targeting the general public as well as specific at-risk groups, and conduct impact assessments of awareness-raising campaigns» (point 58 of the report).

Chief Anti-Trafficking Department together with interested government bodies and public associations, within the framework of existing material and technical assistance projects, regularly carries out activities to raise awareness of citizens about the facts of THB, focusing on all layers of Belarusian society. For the period from 2021 to the present, the Ministry of Internal Affairs has not identified facts related to labour exploitation (Article 187 of the Criminal Code of the Republic of Belarus).

Information of the implementation of point 70 of the Report

In February-March 2023 the “National Mechanism for Assistance to Minors Victims of Sexual Abuse and Exploitation” was developed, approved and sent to interested government bodies for guidance in practical activities (more details in the information of the Investigative Committee).

Recommendation «to continue sensitising teachers, social workers, staff of child protection institutions, health care professionals and legal guardians to the risks of THB and how to prevent trafficking in children, and consult NGOs when developing programmes and legislation in this respect» (point 80 of the report).

The Ministry of Internal Affairs in cooperation with interested government bodies regularly carries out appropriate preventive measures to raise awareness of teachers, social workers, medical workers and legal guardians about the risks of human trafficking and measures to prevent them.

Recommendation «to take further steps to ensure respect for the confidentiality of personal data of victims of trafficking at all stages of processing of such data. The authorities should sensitise responsible officials of local state administrations, teachers, social workers, doctors and other health professionals to the observance of the confidentiality of victims’ personal data» (point 135 of the report).

In June 2021 the Criminal Code was supplemented with Articles 203-1 and 203-2 establishing criminal liability for non-compliance with measures to ensure the protection of personal data.

Clause 1.2-1 art. 38 of the Law of the Republic of Belarus “On the Mass Media” prohibits the dissemination of information about a minor who has suffered as a result of illegal actions. Also the rules for the protection of personal data are contained in Chapter 7 of the Law of the Republic of Belarus “On Information, Informatization and Information Protection”.

In addition the Chief Anti-Trafficking Department finds the norms contained in the Law of the Republic of Belarus “On Combating Trafficking in Persons” and the Resolution of the Council of Ministers of the Republic of Belarus “On Identification of Victims of THB” complete and consistent with the 30-day period for reflection and recovery. The specified period is sufficient for the person affected by exploitation to make all necessary decisions.

On a number of GRETA’s comments and proposals regarding changes to qualifying criteria in criminal legislation, the use of the concept of “exploitation of a vulnerable position”, notes to Article 181 of the Criminal Code, criminalization of the use of the services of a victim of THB, the Chief Department has previously repeatedly provided its substantiated position.

Information of the Academy of the Ministry of Internal Affairs

A curriculum for a higher education institution in the academic discipline “Public International Law for the specialties: Jurisprudence, Forensic Expertise” has been developed and has been in effect since the 2023/2024 academic year. Within the discipline the topics “Territory in International Law. Population in international law”, “International human rights law”, “International criminal law. International legal regulation of cooperation in the fight against crime” are studied, which also deal with the issues of combating human trafficking: the concept of human trafficking and related crimes, international experience in preventing crime in the field of human trafficking, international treaties on combating human trafficking, areas of law enforcement cooperation bodies of the Republic of Belarus with law enforcement agencies of other states in combating illegal migration and human trafficking.

International crimes and criminal offenses of an international nature, cooperation between states in the field of combating international crimes, the institution of criminal liability of individuals for committing international crimes, the legal treaty mechanism for combating international crime, universal conventions to combat certain types of criminal offenses, agreements on legal assistance, extradition of criminals are studied.

Classes on the topic “International standards of children’s rights” is held as part of the training program for advanced training “Legal relations with the participation of minors in the activities of internal affairs bodies”.

During the reporting period the following events dedicated to the combating THB were carried out at the International Training Centre on Migration and Combating Trafficking in Human Beings within the Academy of the Ministry of the Internal Affairs:

04-07.09.2023 – training seminar for employees of ant trafficking units combating human trafficking on the topic “Modern methods for identifying persons of operational interest using software tools that are publicly available on the Internet” with the participation of IOM international expert Yungureinu Romulus Nicolae (Romania) (43 people).

A range of events dedicated to the migration issues dealt with the problems of combating human trafficking:

04.04.2022 – round table on the issues of providing assistance to minor migrants with the participation of representatives of international organizations (IOM, UNHCR, UNFPA) (30 people);

11-15.04.2022, 14-18.11.2022, 10-14.04.2023 - advanced training course for employees of citizenship and migration units of the Department of Internal Affairs of the Republic of Belarus “Migration management: separation of migration flows, protection of refugees” (29 people, 29 people, and 38 people respectively);

17-28.10.2022 - advanced training course on the topic “External Labor Migration” for employees of the Innovative Eurasian University (Kazakhstan) (2 people);

25-26.05.2023 - training for employees of the citizenship and migration departments of the Department of Internal Affairs of the Republic of Belarus under the auspices of the International

Organization for Migration (IOM) on the topic “Effective management of labor migration with an emphasis on remittances and protection of the rights of labor migrants” with the participation of international expert Timofte Ionela - regional coordinator for labor mobility and social inclusion (41 people);

On a regular basis meeting of the Coordination Forum on Refugee Issues were held throughout 2022-2023. At this time twenty meetings of the Forum have been already held.

Information of the Investigation Committee

The Investigative Committee is taking part in the consideration of the changes to the Article 343-1 of the Criminal Code of the Republic of Belarus proposed by the Ministry of Internal Affairs in order to tighten liability for the circulation of pornographic materials depicting a minor by establishing criminal liability for the intentional acquisition or storage without the purpose of distributing relevant pornographic materials or items of a pornographic nature.

The introduction of criminal liability for the actions above, taking into account global practice in the fight against child pornography, is an effective measure to combat the sexual exploitation of children at the national level.

The possibility of interrogating children victims of sexual violence in a child-friendly room is provided for in point 4.2-1. Art. 221 of the Criminal Procedure Code as one of the legal means of protecting them in criminal proceedings.

The Resolution of the Council of Ministers of the Republic of Belarus dated August 17, 2023 No. 539 approved the Regulations on a child-friendly interrogation room, and also instructed the regional executive committees and the Minsk City Executive Committee to ensure by January 1, 2025 the creation in each district and city of regional subordination of at least one child-friendly interrogation room, in Minsk – at least two such rooms.

In accordance with the said Regulations, a child-friendly room can be used for the criminal prosecution body to obtain explanations from minors when conducting checks on statements and reports of crimes in the manner prescribed by the Criminal Procedure Code, conducting investigative and other procedural actions with the participation of minor victims or witnesses, as well as for the work of teachers and psychologists with minors in order to provide them with social and pedagogical support and psychological assistance.

Mobile complexes are gradually being introduced into the practical activities of investigators for carrying out individual investigative and other procedural actions, allowing for audio and video recording of the progress and results of interviews, interrogations and other investigative actions with the organization of remote communication between the investigator and the psychologist in a friendly environment. At the same time, the Investigative Committee is actively pursuing a one-contact policy: investigators are focused on reducing the number of interrogations and other investigative actions involving minor victims and witnesses.

This year a National Mechanism for providing assistance to minors who have suffered from sexual violence and exploitation was prepared and approved. The Investigative Committee, starting in 2019, has repeatedly and consistently drawn the attention of interested government bodies to the need for its adoption during the implementation of activities provided for by state programs and plans, as well as during interdepartmental seminars and conferences.

This document regulates the procedure for interaction and exchange of information between interested law enforcement and other government agencies, and also establishes a clear algorithm for providing comprehensive psychological, medical, social and legal assistance to minors who have suffered from crimes under Articles 166-171-1 181 , 181-1 182, 343, 343 -1 of the Criminal Code of the Republic of Belarus.

In accordance with the Action Plan for the Protection of Children from Sexual Abuse and Exploitation dated December 16, 2022, in 2024 it is planned that interested government bodies will develop and submit to the Council of Ministers of the Republic of Belarus a regulatory legal act regulating the procedure for providing assistance to victims of minors, including an algorithm for their redirection to rehabilitation.

Issues of high-quality, prompt and comprehensive pre-trial proceedings in criminal cases of trafficking in persons and related crimes are on an ongoing basis one of the priority areas of the Investigative

Committee's official activities, they are given the closest attention, and measures are taken to improving transparent and constructive interaction with interested foreign states and international organizations.

Information of the General Prosecutor's Office

Recommendation «to ensure that training concerning THB is embedded in the core training curricula of prosecutors» (point 42 of the report).

Issues of solving and investigating crimes related to human trafficking and administering justice are included in educational programs for persons receiving higher education, as well as additional education for adults.

Recommendation «to increase the efforts to raise awareness about human trafficking, targeting the general public as well as specific at-risk groups, and conduct impact assessments of awareness-raising campaigns» (point 58 of the report).

The "National Action Plan to Ensure Gender Equality in the Republic of Belarus for 2021-2025" was approved by the Resolution of the Council of Ministers of the Republic of Belarus dated December 30, 2020 No. 793. Paragraph 44 of Section IV contains a list of activities aimed at raising awareness of citizens about the problem of THB, as well as government bodies responsible for their implementation.

Recommendation «to strengthen the efforts, in particular by:

- developing programmes to reduce children's vulnerability to THB, in particular children placed in or leaving child-care institutions, children from rural areas and children in Roma communities;***
- strengthen the role and capacity of the child protection system to prevent trafficking in children and alert other relevant stakeholders to possible cases of trafficking;***
- developing a legislative framework to deal with children in migration situations, including unaccompanied and separated children» (point 79 of the report).***

Paragraph 99 of the Resolution of the Council of Ministers of the Republic of Belarus dated July 25, 2022, No. 490 "On the national action plan to improve the situation of children and protect their rights for 2022-2026" provides for the implementation of measures aimed at realizing the right of children to protection from violence and the threat of trafficking people and exploitation.

In order to strengthen the child protection system in March 2023 the concerned government agencies developed and approved the National Mechanism for providing assistance to minors who have suffered from sexual violence and exploitation (more details in the information of the Investigative Committee). Also on June 12, 2023 the Deputy Prime Minister approved an Action Plan to protect children from sexual violence and prevent recidivism.

In this regard we believe that it is inappropriate to develop a separate program to reduce the vulnerability of children to human trafficking.

Also the proposal to develop a legislative framework to solve the problems of children in migration situations, including unaccompanied and separated children is unfounded, since measures aimed at protecting them in these situations are sufficiently regulated by regulatory legal acts: Law of the Republic of Belarus dated May 31, 2003 No. 200-3 "On the fundamentals of the system for the prevention of neglect and juvenile delinquency", Law of the Republic of Belarus dated December 21, 2005 No. 73-3 "On guarantees for the social protection of orphans, children without parental care, as well as persons from among orphans and children left without parental care", as well as Decree of the President of the Republic of Belarus dated November 24, 2006 No. 18 "On additional measures for state protection of children in dysfunctional families", Regulations on the procedure for organizing work on the establishment and implementation of guardianship (trusteeship) of minor children, approved by the resolution Council of Ministers of the Republic of Belarus dated May 20, 2006 No. 637.

Recommendation «to adopt legislative, administrative, educational, social, cultural or other measures to discourage demand for the services of trafficked persons, for all forms of exploitation» (point 96 of the report).

After the first round of assessment of the implementation by the Republic of Belarus of the provisions of the Council of Europe Convention on Action against Trafficking in Human Beings (2016-2017), changes to the Law on Combating THB, were made in particular, on the basis of Article 4 of the Law of the Republic of Belarus of January 4, 2021 No. 82 -3 "On Amendments to Advertising Laws" a ban

was established on placement (distribution) in the Republic of Belarus of advertisements about studies outside the Republic of Belarus of citizens of the Republic of Belarus, foreign citizens, stateless persons permanently residing in the Republic of Belarus, without the advertiser having the approval of the Ministry of Education and the Ministry of Internal Affairs, with the exception of outdoor advertising and advertising on a vehicle.

Resolution of the Council of Ministers of the Republic of Belarus dated December 30, 2020 No. 793 approved the “National Action Plan to Ensure Gender Equality in the Republic of Belarus for 2021-2025.” Paragraph 61 of Section V “Awareness and educational support for measures aimed at ensuring gender equality” of the Plan provides for the implementation of activities aimed at increasing citizens’ awareness of safe migration issues, including using a “hotline” on issues of safe travel abroad.

Additionally, please note that issues of combating human trafficking for the purpose of exploitation (labour, sexual and other) are covered on the pages of the legal press (in the public domain) by Belarusian scientists and practitioners.

Recommendation «to promote a multi-agency involvement in the decision-making process leading to the identification of victims of THB, taking account of the findings and expertise of all relevant organisations and entities, including specialised NGOs and international organisations» (point 114 of the report).

Resolution of the Council of Ministers of the Republic of Belarus dated June 11, 2015, No. 485 “On the identification of victims of human trafficking” (together with the “Regulation on the procedure for identifying victims of human trafficking, the procedure for filling out and the form of a questionnaire for a citizen who may have suffered from human trafficking or related crimes , the procedure for providing the information contained therein”) establishes a list of government bodies and organizations authorized to carry out the identification of victims of trafficking in human beings.

In accordance with paragraphs 14 and 15 of the abovementioned resolution, public associations, international and foreign organizations operating in the field of combating human trafficking may participate in identifying victims of trafficking and have the right to identify victims of trafficking, including jointly with government agencies, as well as initiate identification of victims of human trafficking before government authorities, in accordance with the established procedure.

Public associations, international and foreign organizations work with victims of human trafficking and citizens who may have suffered from human trafficking or related crimes, in accordance with their charters.

Recommendation «to set up sufficient shelters with qualified staff and assistance services for presumed child victims of trafficking, for different forms of exploitation, and provide these shelters with sufficient funding» (point 131 of the report).

Issues of placement, safe accommodation and rehabilitation of child victims of human trafficking under the age of 3 years are regulated by subparagraph 4.4 of paragraph 4 of the Resolution of the Ministry of Health of the Republic of Belarus dated March 20, 2017 No. 25 “On approval of the instructions on the procedure and conditions for placing children in an orphanage and discharge out of him”.

Issues of safe living and rehabilitation for children aged 3 to 18 years are regulated by the Decree of the Ministry of Education of the Republic of Belarus dated November 27, 2017 No. 145 “On the Social-Pedagogical Center”.

Recommendation «to take additional measures to facilitate and guarantee access to compensation for victims of trafficking» (point 153 of the report).

In accordance with the Law of the Republic of Belarus dated January 7, 2012 No. 350-3 “On Combating Trafficking in Human Beings” upon detection of a violation of this legislation, as well as upon receipt of information from government bodies involved in combating trafficking in human beings, other organizations and citizens about the existence of such facts the activities of the organization are suspended by decision of the Prosecutor General of the Republic of Belarus, who simultaneously submits an application to the Supreme Court of the Republic of Belarus for recognition of this organization as involved in human trafficking, prohibition of its activities on the territory of the Republic of Belarus, liquidation of such an organization registered on the territory of the Republic of Belarus, or termination of the activities of a representative office of such a foreign or international organization located on the territory of the

Republic of Belarus.

When a decision is made to recognize an organization as involved in human trafficking, prohibit its activities and liquidate it, the property belonging to it, remaining after satisfying the claims of creditors (provided they are not involved in human trafficking), is confiscated.

At the same time, funds received from the sale of confiscated property are used to compensate for damage (harm) to victims of human trafficking and ensure the implementation of government programs in the field of combating human trafficking, as well as to support organizations that provide assistance in the rehabilitation of victims of human trafficking.

The mechanism for reimbursing lawyers for their provision of legal assistance to victims of human trafficking is enshrined in the Resolution of the Council of Ministers of the Republic of Belarus dated February 6, 2012 No. 122 “On the procedure for reimbursing the work of lawyers in providing legal assistance to victims of human trafficking and persons affected by an act of terrorism”.

Recommendation «to strengthen the efforts to ensure that THB cases for different forms of exploitation are investigated and prosecuted proactively, and lead to effective, proportionate and dissuasive sanctions, in particular by reviewing the legislation and the investigation/prosecution procedure with a view to identifying and addressing gaps (e.g. in relation to THB for the purpose of labour exploitation)» (point 177 of the report).

In accordance with Part 1 of Article 18 of the Criminal Procedure Code of the Republic of Belarus the criminal prosecution body is obliged to take all measures provided for by law for a comprehensive, complete and objective investigation of the circumstances of the criminal case, collect evidence, both incriminating and exonerating the accused, and establish circumstances that are important for the correct resolution of the case and for protection of the rights and legitimate interests of persons participating in a criminal case.

Part 1 of Article 190 of the Criminal Procedure Code of the Republic of Belarus stipulates that the preliminary investigation in criminal cases must be completed no later than two months from the date of initiation of the criminal case and before the case is transferred to the prosecutor for sending to court.

Rushing in the investigation of criminal cases will not ensure the completeness and objectivity of the investigation, as well as compliance with the principle of inevitability of punishment.

Recommendation «to ensure that child victims of THB are in practice afforded these special protection measures, including in the context of interviews, both as regards the competencies of the professionals present and the environment in which the interviews are conducted, in line with the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice» (point 186 of the report).

As part of the implementation of subclause 3.5 of clause 3 of the Comprehensive Plan to Combat Crime and Corruption for 2023-2025, government bodies are considering the issue of minimizing the participation in criminal proceedings of minors who have suffered from crimes against personal freedom, honor and dignity, sexual integrity or sexual freedom, ensuring involving qualified teachers (psychologists) in conducting surveys and procedural actions and expanding the practice of using child-friendly rooms during pre-trial proceedings.

Recommendation «to review any legislation which may impede the work of specialised anti-trafficking NGOs» (point 199 of the report).

In accordance with Article 2 of the Law of the Republic of Belarus of October 4, 1994 No. 3254-XII “On Public Associations” Belarusian citizens are given the right to create public associations, including those that aim to assist in combating human trafficking and providing assistance to victims of such crimes.

International, republican and local public associations, unions, as well as branches of international public associations created on the territory of foreign states can be created and operate on the territory of the Republic of Belarus.

Interference by state bodies and officials in the activities of public associations, unions, as well as interference of public associations, unions in the activities of state bodies and officials, is not allowed, except in cases provided for by law.

In accordance with the Law of the Republic of Belarus of October 4, 1994 No. 3254- XII “On Public Associations” the creation and activities of public associations for the purpose of forcibly changing

the constitutional system, promoting war, social, national, religious and racial hatred, carrying out terrorist and other extremist activities, other acts prohibited by law. In addition, the activities of unregistered public associations are prohibited on the territory of the Republic of Belarus.

See also information of the Investigation Committee.

Information of the Supreme Court

1. Statistical data for 2022 and the first half of 2023.

According to Part 1 of Article 171 of the Criminal Code of the Republic of Belarus (the use of prostitution or the creation of conditions for prostitution):

in 2022 11 people were sentenced, 1 of whom was sentenced to imprisonment for a term of 3 to 5 years inclusive, 1 person was sentenced to a term of 2 to 3 years inclusive, a deferment of sentence execution was applied to 9 persons;

in the first half of 2023 4 people were sentenced, 1 of whom was sentenced to imprisonment for a term of 3 to 5 years inclusive, 2 people were sentenced to a term of 2 to 3 years inclusive, and 1 person was given a deferred sentence.

According to Part 2 of Article 171 of the Criminal Code:

in 2022 29 people were sentenced, 17 of whom were sentenced to imprisonment for a term of 5 to 8 years inclusive, 8 people were sentenced to a term of 3 to 5 years inclusive, a deferment of sentence was applied to 4 people;

in the first half of 2023 10 people were sentenced, 7 of whom were sentenced to imprisonment for a term of 5 to 8 years inclusive, 2 people were sentenced to a term of 3 to 5 years inclusive, and 1 person was given a deferred sentence.

According to Part 2 of Article 182 of the Criminal Code (kidnapping):

in 2022 4 people were sentenced, 1 of whom was sentenced to imprisonment for a term of 10 to 15 years inclusive, 1 person was sentenced to a term of 8 to 10 years inclusive, 2 people were sentenced to a term of 5 to 8 years inclusive;

in the first half of 2023 4 people were sentenced, 1 of whom was sentenced to imprisonment for a term of 15 to 25 years inclusive, 1 person was sentenced to a term of 8 to 10 years inclusive, 2 people were sentenced to a term of 5 to 8 years inclusive.

According to Part 3 of Article 182 of the Criminal Code:

in 2022 1 person was sentenced to imprisonment for a term of 10 to 15 years inclusive.

According to Part 1 of Article 343-1 of the Criminal Code (production and distribution of pornographic materials or objects of a pornographic nature with the image of an under-age):

in 2022 1 person was sentenced to restriction of freedom.

According to Part 2 of Article 343-1 of the Criminal Code:

in 2022 46 people were sentenced, 3 of whom were sentenced to imprisonment for a term of 5 to 8 years inclusive, 13 persons were sentenced to a term of 3 to 5 years inclusive, 4 persons were sentenced to a term of 2 to 3 years inclusive, 25 persons a suspended sentence was applied, a suspended sentence was passed against 1 person;

in the first half of 2023 23 people were sentenced, 1 of whom was sentenced to imprisonment for a term of 5 to 8 years inclusive, 6 people - for a term of 3 to 5 years inclusive, 5 people - for a term of 2 to 3 years inclusive, to 10 persons were given a deferred sentence; 1 person was given a suspended sentence.

According to Part 3 of Article 343-1 of the Criminal Code:

in 2022 11 people were sentenced, 1 of whom was sentenced to imprisonment for a term of 10 to 15 years inclusive, 2 persons - for a term of 8 to 10 years inclusive, 6 persons - for a term of 5 to 8 years inclusive, 1 person - for a term of 3 to 5 years, 1 person was sentenced to restriction of freedom;

in the first half of 2023 7 people were sentenced, 2 of whom were sentenced to imprisonment for a term of 8 to 10 years inclusive, 5 people were sentenced to a term of 5 to 8 years inclusive.

According to Part 1 of Article 171-1 of the Criminal Code (involvement in prostitution or coercion to continue prostitution), Part 2 of Article 171-2 of the Criminal Code, Parts 2 and 3 of Article 181 of the Criminal Code (human trafficking), Part 3 of Article 187 (illegal actions aimed at the employment of persons abroad) in 2022 and the first half of 2023, as well as Part 3 of Article 182 of the Criminal Code and

Part 1 of the Article 343-1 of the Criminal Code in the first half of 2023 no verdicts were passed by the courts.

In addition, by the verdict of the Sovetsky District Court of Minsk from December 26, 2022:

A. was found guilty of committing crimes under Part 3 of Article 166 (rape), Part 3 of Article 167 (sexual assault), Part 4 of Article 16, Part 3 of Article 167, Part 1 of Article 169 (indecent acts), Parts 2 and 3 of Article 343-1, Part 3 of Article 181, Part 2 Article 181-1 of the Criminal Code. The court finally imposed a sentence of imprisonment for a term of 19 (nineteen) years with a fine of 600 (six hundred) basic units in the amount of 19,200 (nineteen thousand two hundred) rubles;

B. was found guilty of committing crimes under Part 6 of Article 16, Part 3 of Article 167, Part 1 of Article 169, Part 6 of Article 16, Part 3 of Article 343-1, Part 3 of Article 181 of the Criminal Code. The court finally imposed a sentence of imprisonment for a term of 14 (fourteen) years with a fine of 150 (one hundred and fifty) basic units in the amount of 4,800 (four thousand eight hundred) rubles;

P. was found guilty of committing crimes under Part 1 of Article 169, Part 3 of Article 343-1, Part 2 of Article 181-1 of the Criminal Code. The court finally imposed a sentence of imprisonment for a term of 13 (thirteen) years with a fine of 250 (two hundred fifty) basic units in the amount of 8,000 (eight thousand) rubles;

Sh. was found guilty of committing crimes under Part 6 of Article 16, Part 3 of Article 166, Part 3 of Article 167, Part 6 of Article 16, Part 3 of Article 167, Part 1 of Article 169, Part 3 of Article 343-1, Part 3 of Article 181 of the Criminal Code. The court finally imposed a sentence of imprisonment for a term of 16 (sixteen) years with a fine of 150 (one hundred and fifty) basic units in the amount of 4,800 (four thousand eight hundred) rubles;

P.-H. was found guilty of committing crimes under Part 6 of Article 16, Part 3 of Article 167, Part 1 of Article 169, Part 6 of Article 16, Part 3 of Article 343-1, Part 3 of Article 181 of the Criminal Code. The court finally imposed a sentence of imprisonment for a term of 13 (thirteen) years with a fine of 150 (one hundred and fifty) basic units in the amount of 4,800 (four thousand eight hundred) rubles;

K. was found guilty of committing a crime under Part 1 of Article 169 of the Criminal Code, and she was sentenced to imprisonment for a term of 1 (one) year 9 (nine) months.

With this verdict, the court satisfied the legal representative's claims to recover from A. in favor of the 2 victims material compensation for moral damage caused by the crime in the amount of 25,000 (twenty-five thousand) rubles each.

Regarding the composition of those convicted under the above articles, we report the following.

In 2022 out of 103 convicted:

85 – men, 18 – women;

98 are citizens of the Republic of Belarus, 5 are citizens of other states;

18 committed a crime while intoxicated;

15 committed a crime in a group;

14 committed the crime at the age of 16-17 years, 30 at the age of 18-24 years, 12 at the age of 25-29 years, 38 at the age of 30-49 years, 9 at the age of 50 years and older.

In the first half of 2023 out of 48 convicted:

38 – men, 10 – women;

46 are citizens of the Republic of Belarus, 2 are citizens of other states;

5 committed a crime while intoxicated;

14 committed a crime in a group;

6 committed the crime at the age of 16-17 years, 14 – at the age of 18-24 years, 10 – at the age of 25-29 years, 17 – at the age of 30-49 years, 1 – at the age of 50 years and older.

In 2022 the victims in accordance with the court verdict were 97 minors, 192 women, 3 close relatives, 1 person with whom they lived together, 1 cohabitant, 33 friends, acquaintances, 15 casual acquaintances, 23 previously unknown.

In the first half of 2023 the victims in accordance with the court verdict were 105 minors, 129 women, 14 friends, acquaintances, 2 work colleagues, 8 casual acquaintances, 15 previously unknown.

2. Amendments to national legislation.

The position of the Supreme Court of the Republic of Belarus on the issues of amending national legislation regarding the inclusion of the concept of “exploitation of a vulnerable position”, a separate consolidation of the principle that the victim’s consent to intentional exploitation is not taken into account if a means of influence was used, eliminating the requirement of advance knowledge that the person is a child, was set previously in official comments of Belarusian authorities to GRETA report.

3. Measures to protect victims and witnesses of human trafficking and confidentiality.

As measures to protect victims and witnesses of human trafficking and prevent intimidation and re-traumatization on the basis of Part 1 of Article 66 of the Criminal Procedure Code of the Republic of Belarus, the following procedural security measures may be applied by the court:

- non-disclosure of personal information;
- exemption from appearing at a court hearing;
- closed court session.

In addition in accordance with paragraphs 2 and 2-1 of part 1 of Article 333 of the Code of Criminal Procedure, it is allowed at the discretion of the court or at the request of the parties to read out the testimony of the victim and witness given during pre-trial proceedings, as well as play back a sound recording of their testimony, video recording or filming of the interrogation in the absence of the victim or witness at the court hearing for reasons that exclude the possibility of their appearance, or in the case where the victim or witness has not reached fourteen years of age and there is evidence in the criminal case materials audio and video recording of their testimony.

According to Part 2 of Article 67 of the Code of Criminal Procedure, the interrogation of a protected person in a court session can be carried out out of the visual visibility of other persons, including those in the courtroom, or using measures to ensure the unrecognizability of the protected person, which is noted in the protocol of the investigative action or a short protocol, minutes of the court hearing.

Thus courts provide for the installation of a special room for a protected witness. Broadcasting of audio-video information of the course of the court session to the premises intended for the protected person is carried out by means of the recording subsystem to a personal computer installed in it. The sound from this room is fed into the courtroom. As a means of protection, a voice distortion device is used, which allows you to create different presets (separately for male and female voices), with the impossibility of voice restoration using software and hardware methods.

Currently protected witness premises are available in 23 courts of general jurisdiction, namely: the Supreme Court of the Republic of Belarus, regional (Minsk City) courts and 15 district courts.

The installation of premises for a protected witness in courts of general jurisdiction is of a planned nature and is carried out as part of new construction or major repairs of court buildings.

In addition by Resolution of the Council of Ministers of the Republic of Belarus dated August 17, 2023 No. 539 “On the implementation of the Law of the Republic of Belarus dated March 9, 2023 No. 256-3 “On Amendments to Codes on Criminal Liability”, the Regulations on a child-friendly interrogation room were approved.

The said Regulations define the term “child-friendly interrogation room”, the purposes of use and the operating procedure of a child-friendly interrogation room.

Thus it has been established that a child-friendly room can be used to obtain explanations from minors by the criminal prosecution authority when conducting checks on statements and reports of crimes in the manner prescribed by the Criminal Procedure Code, conducting investigative and other procedural actions with the participation of minor victims or witnesses, as well as for the work of teachers and psychologists with minors in order to provide them with social and pedagogical support and psychological assistance.

We also note that in the interests of ensuring the protection of state secrets and other secrets protected by law, as well as in cases of crimes committed by persons under sixteen years of age, in cases of sexual crimes and other cases in order to prevent the disclosure of information about the intimate aspects of the lives of those involved in the case of persons or information that degrades their dignity, and in cases where this is required by the interests of ensuring the safety of the victim, witness or other participants in the criminal process, as well as members of their families or close relatives and other persons whom they reasonably consider to be close, criminal proceedings are allowed in a closed court session (part 2 of article 23 of the Code of Criminal Procedure).

Disclosure of data from a closed court session is subject to criminal liability in accordance with Article 407 of the Criminal Code.

4. Training of judges on human trafficking issues.

Judges continue regularly improving their qualifications at the educational institution “Institute for Retraining and Advanced Training of Judges, Prosecutor’s Office Workers, Courts and Justice Institutions of the Belarusian State University.” In addition, in the specified educational institution, candidates for judges for appointment to the position of a trainee judge or to a vacant position of a judge as a trainee judge undergo special training, if necessary. As part of certain training courses for judges and candidates for judges, the topic of human trafficking is also covered.

5. National actions to combat human trafficking.

By decision of the Republican Coordination Meeting on Combating Crime and Corruption dated December 23, 2022 No. 25, the Comprehensive Plan to Combat Crime and Corruption for 2023–2025 (hereinafter referred to as the plan) was approved.

Subclause 3.5 of clause 3 of the plan contains a measure providing for the adoption of effective measures to minimize the participation in criminal proceedings of minors who have suffered from crimes against personal freedom, honor and dignity, life and health, sexual integrity or sexual freedom, ensuring the involvement in interviews and procedural actions qualified teachers (psychologists) and expanding the practice of using child-friendly rooms during pre-trial proceedings.

An event is also planned, according to which it is necessary to analyze the criminal legislation of foreign countries in the field of combating human trafficking and related crimes in order to develop proposals for improving the criminal law of the Republic of Belarus (subparagraph 5.1.3 of paragraph 5 of the plan).

Information of the State Border Committee

Recommendation «to strengthen border controls to prevent and detect trafficking in human beings. This should include steps to build the capacity of all competent authorities to detect cases of human trafficking among persons arriving in Belarus and the provision of information to foreign nationals arriving irregularly or seeking asylum, in a language that they can understand, about the risks of human trafficking, their rights and where to turn for advice and assistance»;

Recommendation «improve the identification of victims of trafficking among foreign nationals, asylum seekers and persons in irregular migration situations, including through the provision of training and clear, binding procedures to be followed by staff of the State Border Committee and other relevant bodies».

In the State Border Committee of the Republic, within the framework of fulfilling the obligations assumed by the Republic of Belarus under the Council of Europe Convention on Action against Trafficking in Human Beings, within the scope of its competence:

- at the checkpoints across the State Border of the Republic of Belarus signs of victims of human trafficking are identified during border control;
- information stands have been placed to ensure awareness of persons crossing the State Border about the risks of human trafficking, including for the purposes of labour exploitation, as well as to ensure effective access to confidential application mechanisms to protect their rights. Additionally, at the checkpoint at the Minsk-2 National Airport a video with a story on combating human trafficking is broadcasted on information boards at the places where passengers are staying;
- information on the most high-profile detentions by border service authorities in the field of combating human trafficking is posted on the official website of the State Border Committee and other information resources as part of information support.

Information of the Ministry of Labour and Social Protection

Recommendation «to provide regular training to all professionals responsible for implementing assistance measures for victims of trafficking» (points 37, 80, 117 of the report).

In 2021-2022 the Ministry of Labour and Social Protection, together with the International Organization for Migration (IOM), conducted **trainings in each region and the city** of Minsk for specialists from labour,

employment and social protection authorities, territorial centers of social services for the population on identifying, redirecting and reintegration of victims of human trafficking, including victims of labour exploitation (about 130 people were trained in 2022, more than 120 people were trained in 2021).

In 2023 the Ministry of Labour and Social Protection, together with the United Nations Population Fund (UNFPA), organized training seminars in each region and the city of Minsk on “Organization of activities in providing assistance to various categories of the population in situations of domestic violence” for specialists of territorial social service centers population whose functional responsibilities include providing assistance to victims of human trafficking (*more than 200 people*).

At the State Educational Institution “Republican Institute for Advanced Training and Retraining of Workers of the Ministry of Labour and Social Protection of the Republic of Belarus”, within the framework of advanced training courses “Current approaches to social adaptation and rehabilitation” and “Modern theories and technologies for providing psychological assistance”, the issues of combating human trafficking were covered, as well as providing support to victims of human trafficking. 53 employees of the Ministry’s system successfully mastered the content of these courses.

Recommendation «to strengthen efforts to prevent trafficking for the purpose of labour exploitation, in particular by:

- including the prevention and detection of trafficking in human beings for the purpose of labour exploitation in the mandate of the Department of the State Labour Inspectorate;

- providing all labour inspectors with specialised training on human trafficking for the purposes of labour exploitation, as well as ensuring adequate financial and technical means so that they can be actively engaged in the prevention of human trafficking in all sectors of the economy throughout the country, including by means of unannounced inspections;

take further steps to include labour inspectors among the actors responsible for the identification of trafficking victims, in particular in the identification of victims of human trafficking for the purpose of labour exploitation, and ensure that they have the necessary training, human and financial resources to carry out this task efficiently» (points 40, 41, 64, 67, 114 of the report).

In accordance with the Regulations on the Department of State Labour Inspection of the Ministry of Labour and Social Protection of the Republic of Belarus, approved by Resolution of the Council of Ministers of the Republic of Belarus dated July 29, 2006 No. 959, the Department of State Labour Inspection (Department) supervises compliance with labour and labour protection legislation.

Thus, the Department was created and operates to implement absolutely specific tasks in the field of labour:

- monitoring compliance with labour and labour protection legislation;
- identification and suppression of violations of labour and labour protection legislation.

In its activities the Department interacts with regulatory (supervisory) bodies, republican government bodies, other state organizations subordinated to the Government of the Republic of Belarus, local executive and administrative bodies, the Investigative Committee, the State Forensic Examination Committee, prosecutors, and trade unions.

Organizational and legal basis of anti-trafficking are determined by the Law of the Republic of Belarus “On Combating Trafficking in Human Beings” (the Law).

In accordance with the Law, government agencies involved in counteracting THB are:

- internal affairs bodies of the Republic of Belarus;
- state security bodies of the Republic of Belarus;
- border service authorities of the Republic of Belarus;
- prosecutorial authorities of the Republic of Belarus;
- Investigative committee.

The Ministry of Labour and Social Protection, the Ministry of Education, the Ministry of Health, within their competence, organize work on social protection and rehabilitation of victims of human trafficking.

The distribution of powers of state bodies enshrined in the Law in terms of combating human trafficking and rehabilitating its victims seems justified and optimal.

In accordance with Article 3 of the Labour Code of the Republic of Belarus, the code is applied to all employees and employers who have entered into an employment contract on the territory of the Republic of Belarus.

Thus, if a migrant worker concludes an employment contract on the territory of the Republic of Belarus, the norms of the labour legislation of the Republic of Belarus will be applied to him.

Supervision over compliance with labour and labour protection legislation is carried out both in relation to workers - citizens of the Republic of Belarus, and in relation to workers - foreign citizens and stateless persons.

Information on the protection of the rights of all workers is posted on the website of the Department of State Labour Inspection (www.git.gov.by) and in the telegram channel (t.me/DGITBelarus).

In turn, the development and implementation of measures aimed at implementing legislation on external labour migration is carried out by the Department of Citizenship and Migration of the Ministry of Internal Affairs of the Republic of Belarus on the basis of the Regulations approved by Decree of the President of the Republic of Belarus dated June 4, 2004 No. 268.

Recommendation «to take further steps to:

- ensure that assistance is provided for as long as needed to presumed and formally identified victims of trafficking and is not discontinued if no criminal proceedings are initiated;***
- provide appropriate and safe accommodation with a sufficient number of places for victims of trafficking in the light of the assessment of trafficking trends in Belarus;***
- ensure that the services available are adapted to the specific needs of trafficking victims and that minimum standards are guaranteed when victims of trafficking are accommodated in structures not specifically designed for them» (points 116, 122 of the report).***

In the Republic of Belarus a state infrastructure has been created to provide social services to people in difficult life situations (which, among other things, include victims of human trafficking and victims of domestic violence). In each administrative district there are territorial centers for social services for the population – 146 in total, as well as 2 city centers for social services for families and children (centers). Stable funding and functioning of the system of centers, uniform access to the full range of social services in all regions of the republic, the availability of qualified personnel in sufficient quantities, as well as a functional mechanism for interdepartmental interaction have been ensured.

The development of a set of measures to provide assistance to victims is carried out taking into account the individual needs of persons identified during filling out the following questionnaires:

questionnaires to identify a victim of domestic violence and identify his needs (Instructions on the procedure and conditions for the provision of social services by state social service institutions (approved by Resolution of the Ministry of Labour and Social Protection of the Republic of Belarus dated January 26, 2013 No. 11);

questionnaire of a person who may have suffered from trafficking in human beings or related crimes (Regulations on the procedure for identifying victims of trafficking in persons, the procedure for filling out and form of the questionnaire of a person who may have suffered from trafficking in persons or related crimes, the procedure for providing the information contained in it (approved Resolution of the Council of Ministers of the Republic of Belarus dated June 11, 2015 No. 485).

In the centers persons who have suffered from domestic violence and victims of human trafficking are provided with social services on an application basis free of charge (that is, to receive help, a person must contact the center).

For persons in need of temporary shelter, “crisis” rooms operate at the centers.

As of January 1, 2023, 136 “crisis” rooms are functioning. In total, there are 435 beds in the “crisis” rooms, of which 129 are for children.

The temporary shelter service is provided to people over 18 years of age. When a family with children applies to a “crisis” room, the children move in with the parent.

It is possible to move a person into a “crisis” room at the place of application (regardless of the place of registration (place of residence) and in the absence of an identification document, based on a written application). 24-hour access to the “crisis” room has been established.

The temporary shelter service includes the provision of a separate bed, a set of bedding and other essential items, and the provision of food or hot meals (if necessary).

In order to ensure safe living, 79 “crisis” rooms are equipped with an alarm system (panic button), the rest are provided with round-the-clock staff duty (in hotels, hostels, departments of round-the-clock centers, healthcare organizations, etc.).

All applicants, in addition to temporary shelter services, are also provided with psychological and information and consulting services. If necessary, assistance is provided in finding employment, finding housing, establishing family ties and other support. Interaction has been established with internal affairs bodies, education and health departments, and public associations.

The period of provision of social services, including the period of stay in the “crisis” room for persons, is determined in the contract and can be extended taking into account the circumstances of a particular life situation (regardless of the initiation of a criminal case).

Thus, the state ensures the provision of comprehensive assistance to victims of human trafficking and victims of domestic violence, taking into account their needs.

Recommendation «to take further steps to:

- facilitate the reintegration of victims of trafficking into society and prevent re trafficking by providing them with long-term assistance, including vocational training and access to the labour market»
(point of the report). 122

The Law of the Republic of Belarus of June 15, 2006 “On Employment of the Population of the Republic of Belarus” (Employment Law) determines state policy in the field of promoting employment.

Employment legislation is applied to citizens, and in terms of employment, to foreign citizens and stateless persons applying for refugee status or additional protection or asylum in the Republic of Belarus, and foreign citizens and stateless persons who have been granted additional protection in the Republic of Belarus, unless otherwise provided by the Constitution of the Republic of Belarus, legislative acts or international treaties of the Republic of Belarus.

A tool for resolving issues in the field of ensuring employment of the population is the implementation of the activities of the State Program “Labour Market and Employment Promotion” for 2021–2025 (State Program), approved by Resolution of the Council of Ministers of the Republic of Belarus dated December 30, 2020 No. 777:

employment with the assistance of labour, employment and social protection authorities for created jobs and existing vacancies;

assistance in finding temporary jobs for young people studying in educational institutions in their free time from school;

preparation, professional training , retraining , advanced training and mastering the content of the educational program of training courses;

providing assistance in the resettlement of the unemployed and members of their families in connection with moving to another area to a new place of residence and work with the payment of funds in the manner and on the terms determined by the Ministry of Labour and Social Protection of the Republic of Belarus;

the opportunity to participate in paid public works ;

assistance in organizing business activities, activities for the provision of services in the field of agroecotourism , handicraft activities;

assistance in acquiring practical work experience.

In accordance with Article 11 of the Employment Law, the state provides additional guarantees in the field of promoting employment for persons who are especially in need of social protection and are not able to compete on equal terms in the labour market: orphans, children without parental care, persons from among children - orphans and children left without parental care; parents in large and single-parent families, as well as those raising disabled children; disabled people; released from prison; first-time job seekers under the age of 21; persons of pre-retirement age (two years before the age entitling them to an old-age pension on a general basis); veterans of combat operations on the territory of other states, etc.

Additional guarantees in the field of promoting employment for persons are provided by creating additional jobs and specialized organizations (including organizations for the work of people with

disabilities), establishing reservations for employment, providing vocational guidance services, as well as by organizing training for unemployed persons in special need in social protection and unable to compete on equal terms in the labour market, as well as persons caring for children under three years of age and other measures.

It should be noted that all services provided by the public employment service are accessible and free.

The State program provides for measures aimed at supporting youth employment. This is not only employment in a permanent workplace, including the provision of additional employment guarantees (job reservation, referral to training, acquisition of practical work experience), but also the organization of temporary employment for young people.

Temporary youth employment is organized for citizens aged 14 to 31 years. Young people aged 14 to 16 years can perform light types of work that are not harmful to their health and development, and do not interfere with the receipt of general secondary, vocational or secondary specialized education.

The priority right to temporary employment is given to youth from single-parent, large, low-income families, and to minors registered with commissions and inspectorates for minors.

In addition, the Republic of Belarus has created conditions for citizens to independently search for work through the All-Republican Vacancy Bank, posted on the Information Portal of the State Employment Service at the address: www.gsz.gov.by.

In order to create additional incentives for citizens and employers, work is underway to improve information about current issues of the labour market and employment through the introduction of digital technologies into the work of the Information Portal of the State Employment Service .

Since 2022 a thematic section “Temporary youth employment” has been operating, within which a list of organizations has been compiled (indicating detailed information about the types of work offered, employment period, approximate salary, contact details of the employer and employment service for detailed consultation) that are ready to hire young people in their free time from school, including minors .

Since 2023, the digital service “Step into the Profession” has been implemented, which allows for “diagnosis” of abilities through testing, expanding the ability to search for information related to professional activities, informing about the features of various areas of professional activity, and promoting active adaptation in the labour market.

Also information is provided to non-working disabled people with a view to their employment and their individual accompaniment to employers is organized.

Activities to inform people with disabilities are focused on promoting employment for people newly diagnosed with disabilities and providing information about employment opportunities in accordance with the recommendation specified in the individual rehabilitation program for the disabled person.

Information of the Ministry of Health

Currently the readiness of health care organizations to provide medical services to persons who have the status of victims of human trafficking is fully ensured.

Work to combat human trafficking by healthcare institutions is carried out in accordance with the Law of the Republic of Belarus dated January 7, 2012 No. 350-3 “On Combating Human Trafficking”, Resolution of the Council of Ministers of the Republic of Belarus dated June 11, 2015 No. 485 “On approval of the Regulations on the procedure for identifying victims of human trafficking, the procedure for filling out and the form of a questionnaire for a citizen who could have suffered from human trafficking or related crimes, the procedure for providing the information contained in it,” by order of the Ministry of Health of the Republic of Belarus dated No. 767 “On the implementation of measures to combat human trafficking.” Quarterly, before the 3rd day of the month following the reporting month, each health care institution (hereinafter referred to as the institution) provides information on the number of “victims of human trafficking” who sought medical help in the prescribed form.

In order to prevent illegal actions in the field of human trafficking, inform employees of institutions, patients and other persons about the threat of becoming a victim of crimes related to human trafficking, information about “helplines”, a memo developed by Ministry of Internal Affairs of the Republic of Belarus on combating human trafficking. There is an ongoing broadcast of informational and explanatory videos

on monitors in the halls and departments for the prevention of alcoholism, drug addiction, crime and other negative social phenomena.

In addition on the websites of institutions, the headings “Narcological assistance”, “Psychological, psychotherapeutic assistance” have been created, where people can turn to problems caused when they find themselves in difficult life situations, including those caused by drug addiction of a personal or family member, human trafficking, etc. socially dangerous phenomena.

Information events for the population are regularly held. At clinical conferences, instructions to medical workers on ongoing information work to prevent human trafficking were provided.

Medical workers of institutions are repeatedly brought to the attention of the Regulations on the procedure for identifying victims of trafficking in human beings, the procedure for filling out and the form of the questionnaire of a citizen who may have suffered from human trafficking or related crimes, the procedure for providing the information contained in it, approved by the resolution of the Council of Ministers of the Republic of Belarus dated 06/11/2015 No. 485.

It is entrusted to provide medical assistance to victims of human trafficking, in the form of necessary medical services in accordance with the list determined by the Ministry of Health of the Republic of Belarus, regardless of the place of permanent residence of the victim of human trafficking.

Resolution of the Ministry of Health of the Republic of Belarus dated April 28, 2012 No. 41 “On establishing a list of necessary medical services provided by state healthcare organizations, including in inpatient settings, to victims of human trafficking, regardless of their place of permanent residence” regulates:

1. Diagnostic services (clinical, instrumental and laboratory research methods, radiation diagnostic methods) in the areas of local doctors, general practitioners and medical specialists .
2. Treatment in outpatient and inpatient settings for acute and exacerbation of chronic diseases, as well as treatment at home in cases where the patient is unable to attend an appointment or poses a threat to the health and life of the patient or others.
3. Carrying out preventive vaccinations according to epidemic indications.
4. Psychiatric examination.
5. Psychiatric care: diagnosis and treatment of mental disorders (diseases); medical rehabilitation.
6. Emergency (emergency) medical care.

In accordance with the Law of the Republic of Belarus “On the provision of psychological assistance,” psychological assistance is provided free of charge or for a fee.

Psychological assistance is provided free of charge by state health care organizations to citizens at their place of residence (place of stay), or to patients when providing free medical care on the basis of state minimum social standards in the field of health care.

Patients, depending on their state of health, medical indications and medical contraindications, are provided with medical care in the following forms: emergency medical care; planned medical care.

For children under 3 years of age, rehabilitation is provided in children's homes of the Ministry of Health.

The presence of psychiatrists, narcologists, psychotherapists and psychologists in healthcare organizations makes it possible to provide comprehensive assistance in a multidisciplinary form by a team of specialists.

Among the tasks of health care organizations providing medical care to children are the protection of the rights and legitimate interests of minors, early detection of family dysfunction, abuse in the family, factors threatening the health and life of children, provision of medical and social assistance to children in a socially dangerous situation, in accordance with requirements of regulatory documents and timely informing of interested services and departments.

Health care organizations, in accordance with the established procedure, provide round-the-clock reception and maintenance of minors without parental care who need state protection to undergo a medical examination before placement in a state institution.

Medical education institutions implement an educational policy in the field of preventing human trafficking and related crimes.

Within the limits of available resources, measures are being taken to increase public awareness of

the problem of trafficking in persons, especially women and girls.

Health care organizations are working to prevent family and sexual violence against minors, as well as informing law enforcement agencies about identified facts of harm to the health of minors as a result of rape and other acts of a sexual nature, as well as about establishing the fact of pregnancy among persons under 16 years of age in accordance with the developed algorithm. Institutions, within their competence, and in pursuance of orders of the Ministry of Health of the Republic of Belarus dated February 28, 2019 No. 249 “On some issues of the implementation of Decree of the President of the Republic of Belarus No. 18”, dated No. 4 “On the procedure for providing information constituting medical confidentiality to law enforcement agencies,” letters from the Ministry Healthcare of the Republic of Belarus dated December 22, 2021 No. 3-3-8/23633 “For execution”, regarding the information algorithm medical workers of territorial divisions of internal affairs bodies, provide identification, informing interested organizations and departments about minors in a socially dangerous situation, about patients who sought medical help in respect of whom there was reason to believe that harm to health was caused as a result of illegal actions, including road traffic accidents, as well as in cases in which the patient's condition and disease may threaten the life and (or) health of other people.

Measures are being taken to educate young people in the spirit of traditional family values.

In order to increase awareness on the issues of preventing and combating human trafficking, including sexual exploitation of women and girls, training was carried out for various categories of specialists in the social protection system, education, health care, and internal affairs, whose competence includes providing assistance to persons affected by violence in family, including children who witness domestic violence.

Training seminars were held for medical workers on the timely identification of signs of sexual violence and exploitation of minors, the algorithm of actions when identifying them and the procedure for informing law enforcement agencies.

Regular meetings, lectures, conversations, psychological trainings are carried out with teachers, social educators, psychologists of schools, institutions of vocational education and secondary specialized education, aimed at informing, explaining, educating on the problem of an acute social phenomenon such as sexual violence and exploitation of minors, as well as informing about the possibility of modern threats against minors.

At the state educational institution “Belarusian Medical Academy of Postgraduate Education”, the department of psychotherapy and medical psychology conducted advanced training courses with the participation of representatives of the Ministry of Internal Affairs, which included issues of combating violence.

Active cooperation has been ensured with non-governmental organizations, including women's organizations, with the Belarusian Orthodox Church in order to develop documents of mutual interest, conduct forums, scientific and practical conferences to exchange experiences and discuss issues of social and spiritual assistance aimed at strengthening, developing and maintaining family traditions and culture of family relationships, effective counseling programs, vocational training.

Teen-friendly centers are actively working, where medical specialists provide counseling to teenagers, parents, and teachers, including individual counseling, group counseling, telephone counseling, volunteer training, specialized medical care, sociological research in the form of questionnaires, preparation and conduct of youth events.

Information stands and websites of healthcare organizations and Teen Friendly Centers contain up-to-date information for teenagers and their parents about the prevention of violence, the medical consequences of violence, the capabilities of government healthcare organizations, structural units where you can receive the necessary psychiatric (psychotherapeutic, psychological) assistance, opportunities receiving emergency psychological assistance by calling the “Helpline”, telephone numbers of regional emergency psychological assistance services.

Along with medical assistance, assistance is actively provided within the framework of interdepartmental plans for protecting the rights and legitimate interests of citizens recognized as needing state protection.

Information of the Ministry of Education

In 2023, the Ministry of Education ensured the preparation of a resolution of the Council of Ministers of the Republic of Belarus dated August 17, 2023 No. 539 “On the implementation of the Law of the Republic of Belarus dated March 9, 2023 No. 256-3 “On amending codes on issues of criminal liability”, which regulates the procedure for creating and the operation of child-friendly interrogation rooms.

The resolution determines that a child-friendly interrogation room is a specially equipped room in which the body conducting the criminal process interrogates minor victims or witnesses under the age of sixteen in criminal cases involving crimes against personal freedom, honor and dignity, life and health, sexual integrity or sexual freedom. A child-friendly room can be used for the criminal prosecution body to obtain explanations from minors when conducting checks on statements and reports of crimes in the manner prescribed by the Criminal Procedure Code of the Republic of Belarus, conducting investigative and other procedural actions with the participation of minor victims or witnesses, as well as for the work of teachers and psychologists with minors in order to provide them with social and pedagogical support and psychological assistance.

In the period 2023-2024 it is planned to create at least one child-friendly interrogation room in each district, city of regional subordination, in the city of Minsk – at least two such rooms.

In pursuance of the National Mechanism for Assistance to Minors Victims of Sexual Violence assistance cards have been developed for such children to be provided to their parents (legal representatives), if necessary.

Information stands have been set up in educational institutions with materials on preventing violence and providing assistance to minors who have suffered from violence, information on obtaining emergency psychological assistance at the Republican Center for Psychological Assistance, information from centers friendly to teenagers in the healthcare system. Information of similar content is posted in online groups of students and pages of educational institutions.

The work plans of educational institutions include activities with students (pupils), parents and teachers to protect minors from sexual violence and exploitation: round tables, parent meetings, seminars, workshops. Information materials are distributed among participants in the educational process: “Children’s world without violence and cruelty”, “How to behave with strangers”, “Where to turn for help”, “Prevention of emotional abuse of children”, “Safety plan”, “How to protect a child from violence” etc.

In order to improve the psychological and pedagogical competence of parents the “Parent University” project is being implemented in institutions of general secondary education.

In all regions of the country, educational authorities have formed regional teams to respond to crisis situations in educational institutions, which included educational psychologists trained at the Republican Center for Psychological Assistance (more than 250 specialists).

Issues of organizing preventive work and providing comprehensive socio-pedagogical support and psychological assistance to students who have suffered from violent acts are studied routinely on an ongoing basis by territorial education authorities with the involvement of resources from regional groups of crisis psychologists.

Information of the Ministry of Foreign Affairs

Attaching great importance to the fight against THB and taking into account that this type of crime belongs to cross-border organized crime, Belarus believes that international cooperation increases the effectiveness of overcoming this offense at the national level.

In this regard our country continues to keep this topic on the international agenda. Belarus is the author of the resolution “Improving coordination of efforts to combat trafficking in persons,” which is adopted by consensus in the UN General Assembly on a two-year basis.

In May 2023 at the initiative of Belarus a thematic resolution “Combating human trafficking in commercial transactions, public procurement systems and supply chains of goods and services” was adopted by consensus at the 32nd session of the UN Commission on Crime Prevention and Criminal Justice.

Information of the Ministry of Justice

Recommendation «to review any legislation which may impede the work of specialised anti-trafficking NGOs» (point 199 of the report).

In order to improve approaches to the creation and activities of public associations in 2023 the Law of the Republic of Belarus of February 14, 2023 No. 251-3 “On amendments to laws on the activities of political parties and other public associations” and the Law of the Republic of Belarus of February 14, 2023 No. 250-3 “On the foundations of civil society” were adopted. The provisions contained in these laws will make it possible to raise the development of civil society in the Republic of Belarus to a higher level, intensify the work of public associations, increase its efficiency and constructive interaction with government authorities.

Additionally it is reported that the non-governmental organizations mentioned in the Report (International public association “Gender Perspectives”, Republican human rights public association “Belarusian Helsinki Committee”) were liquidated in accordance with the procedure established by the legislation of the Republic of Belarus by decisions of the Supreme Court of the Republic of Belarus for violations of the legislation of the Republic that occurred in their activities Belarus and its charters.