

Republic of Belarus

Draft

Migration Profile Light

2013

The text of the Migration Profile Light on the Republic of Belarus has been prepared by the Secretariat of the Prague Process based on the available public sources. The text was forwarded to the Department for Citizenship and Migration at the Ministry of Internal Affairs of the Republic of Belarus on 1 February 2016 for consideration, comments or approval. In anticipation of reply, this version is published as a draft. The draft is a consultation document and cannot be considered as reflecting the official position of the country.



Purpose of the report and disclaimer

After the adoption of the Building Migration Partnerships Joint Declaration in Prague in April 2009, the Building Migration Partnerships initiative (BMP) started to work on establishing the BMP Knowledge Base. The Knowledge Base, nowadays known as the Prague Process Knowledge Base, consists of a set of Extended Migration Profiles¹ elaborated and endorsed in 2010-2011 and the interactive online map (i-Map), which visualises the available information.

The Prague Process Targeted Initiative (PP TI) is an EU-funded project, which builds upon the BMP initiative and implements selected priorities identified in the Prague Process Action Plan endorsed in Poznan in November 2011. One of the objectives of PP TI is to maintain the Knowledge Base, keep it up-to-date and develop it further.

While continuous attention to updating and developing Extended Migration Profiles remains, the PP TI has taken into account the feedback received from the Prague Process participating states and has proposed the concept of the Migration Profile Light. In comparison to the Extended Migration Profile, which from its name indicates that the information should be of thorough and detailed nature, the Migration Profile Light should be a handy tool with a limited number of pages clearly indicating the areas of interest. The Migration Profile Light should aim at key priorities and problems, easy annual updatability and standardised data for all countries involved.

The proposed Migration Profile Light (MPL) concept has been well received by the Prague Process participating states and Germany volunteered in testing the concept by filling in the template. The MPL on Germany has been developed and the process of its establishment has led to identification of gaps in the first template, which have been covered in cooperation with the PP TI Support Team at ICMPD. At the time of publication, MPLs were prepared by Germany (2013), Hungary (2014), Republic of Armenia (2014), Czech Republic (2015), Republic of Kazakhstan (2015), and Republic of Uzbekistan (2015).

The aim of the PP TI is to establish the Knowledge Base as a useful tool consisting of state-owned migration profiles with standard and comparable data categories. While aiming at the seven leading states of PP TI and the PP TI non-EU participating states, the interest of the Prague Process is to collect national MPLs for all 50 Prague Process participating states.

The MPL is an exercise, which targets all states, believing that this will lead to mutual understanding of the migration situation in partner states, existing migratory flows, priorities, problems and interests. The MPL should serve as an informative but also policy making tool. In case of need, methodological and expert support is planned to contribute to the development of MPL in states with limited experience with such exercise.

Ownership and responsibility of the content in terms of data provided in this Migration Profile resides solely with the country elaborating the report.

¹Albania (endorsed 2010), Armenia (2011), Azerbaijan (2010), Bosnia and Herzegovina (2010), Czech Republic (2010), Georgia (2011), Hungary (2011), Kazakhstan (2010), Kyrgyzstan (2011), Poland (2010), Romania (2010), Slovakia (2010), Tajikistan (2010), Ukraine (2011).

The PP TI Support Team within the International Centre for Migration Policy Development (ICMPD) is ready to help and can be contacted at ppti@icmpd.org. The Knowledge Base of the Prague Process is accessible at www.pragueprocess.eu and www.imap-migration.org, section Prague Process.

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1. Background information on the country

1.1. Size, population, bordering countries and length of borders²

Official name	Republic of Belarus
Capital	Minsk
Size	207,600 km ²
Population	9,465,200
Year of accession to the EU	-
Member of the Schengen area	No
Neighbouring countries	Latvia, Lithuania, Poland, Russia, Ukraine
Length of border	2,969 km

1.2. Short characteristics of the country

The Republic of Belarus, part of the USSR for 70 years, attained its independence in 1991 and is today a presidential republic. Belarus is an EU neighbouring country, sharing over 1000 km of border with Poland, Latvia and Lithuania. After 1991, the migration situation in the country has been determined by the national interest and the socio-economic relations with the neighbouring Russia, other CIS countries, and later on the European Union. The Russian Federation has been an attractive destination for labour migration due to its large labour market open to Belarusians, reduced transportation costs and recognition of qualifications. Current migration flows are mainly directed to the EU, the United States and the CIS countries. The CIS countries are the main source countries of migrants in the Republic of Belarus.

² Data from the Belarus Facts Portal, available online at: <http://belarusfacts.by/en/belarus/about/> (12.11.2013)

2. General migration flows and stocks of immigrants and emigrants

The Belarusian migration policy is developed and implemented by the Ministry of Internal Affairs, Ministry of Foreign Affairs, State Border Committee, Committee of State Security and the Ministry of Labour and Social Protection. In 2003 the Department of Citizenship and Migration (DCM) was established within the Ministry of Internal Affairs. The DCM was put in place in order to coordinate the activity of the interested Ministries and other authorities managing migration processes and combating irregular migration.

The Department of Citizenship and Migration fulfils a number of tasks, such as³:

- 1) To develop and implement the Belarusian law in the field of: citizenship, departure, and entry, legal status of foreign citizens and stateless persons, refugee status and asylum, external labour migration, population registration.
- 2) To improve the legal acts on citizenship, migration and population registration.
- 3) To organise the management of migration processes and migration situation in Belarus, and to combat irregular migration.
- 4) To support information exchange and cooperation between state agencies and other organisations, including interstate and multinational data exchange.

In the field of external labour migration, the Department of Citizenship and Migration:

- a) takes measures of combating and preventing irregular external labour migration;
- b) keeps records of the migrant workers;
- c) gives a permission for external labour in Belarus;
- d) realises licensing activities related to employment abroad;
- e) participates with diplomatic representative offices and consulates of Belarus in trial in case of breach of emigrant workers' rights who are citizens or stateless persons, residents of Belarus;
- f) in order to achieve all the above, cooperates with international organisations (United Nations Organisation, IOM, World Bank, World Trade Organisations, Eurasian Economic Space, Commonwealth of Independent States) and non-governmental organisations such as La Strada Belarus and Red Cross.

In line with the national interests, the migration policy of Belarus is aimed at sustaining national security and keeping social, economic and political stability of the country, as well as implementing the rights, liberties and legal interests of Belarusians. In Belarus there is no single document which sets up the migration policy of the country, the priorities being established from the main legislative acts, together with the guidelines which set the working framework for the DCM. A mid-term goal of the national authorities is to bring these together into a single Migration Policy Concept. In developing such a Migration Policy Concept, Belarusian authorities are taking into consideration international experience on migration

³ According to the information provided by the Ministry of Internal Affairs of Belarus

management (with examples from EU countries and Russia), the optimisation of internal migration flows according to national interests as well as the improvement of migration management at national level. Belarus has elaborated an Action Plan for 2011-2015 which also addresses the management of external and internal migration, demographics as well as tools to combat irregular migration⁴.

2.1. Migration flows

Most immigrants are coming to Belarus from Kazakhstan, Ukraine and Russia. The Department of Citizenship and Migration has identified five most important migration flows for the migration management: internal, external, external labour migration, forced and illegal migration.

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Arrivals	25943	23355	18939	18146	14642	13031	14124	14155	17413	19892	17169	17510	18040
Departures	13812	14270	13378	12986	12510	11082	8498	9479	9268	7643	6866	7610	8712
Net migration	12131	9085	5561	5160	2132	1949	5626	4676	8145	12249	10303	9900	9328

Source: General migration results in Belarus (persons), National Statistics Committee

When analysing the data on arrivals to and departures from Belarus in the last 12 years, one could note a decreasing yearly net migration from 2000 (12131 persons) until 2005 (1949 persons). From 2006 onwards data on net migration fluctuates (4676 persons came to Belarus in 2007, compared with 12149 in 2009 or with 9900 in 2011). However, for the second half of the interval the general trend displays an increasing net migration from 5626 persons in 2006 to 9328 persons coming to Belarus in 2012. Considering the challenges in gathering data on irregular migration, it is worth mentioning that official data on mixed migration flows does not always reflect the actual migration flows.

2.2. Migration stock

Total	9503807
Belarus	9182270
Other	125971
Of which	
CIS countries	111900
Azerbaijan	1452
Armenia	1622
Kazakhstan	1811

⁴ According to the Department of Citizenship and Migration within the Ministry of Internal Affairs

Kyrgyzstan	135
Moldova	1636
Russia	83561
Tajikistan	320
Turkmenistan	2828
Uzbekistan	1661
Ukraine	16874
Non-CIS	14071
Of which	
Vietnam	466
Georgia	1078
Israel	1157
India	333
Iran	300
China	1545
Lebanon	334
Lithuania	2995
Poland	1553
Syria	293
Turkey	345
Sri Lanka	304

Source: 2009 Census, Population of Belarus by country of citizenship

When analysing the population of Belarus by country of citizenship (from the 2009 Census), it is noticeable that most immigrants hold a CIS country citizenship. Most of them are Russian citizens (83561), followed in number by citizens of Ukraine (16874) and of Turkmenistan (2828).

Country of residence	Source			
	Population Census			
	DIOC-E (a)		GMOD v.4 (b)	
	Year	Total	Year	Total
Total		1242148		1784015
Europe		1146624		1548719
European Union		252072		242523
Estonia	2000	14785	2001	14883
Latvia	2001	68752	2001	21449
Lithuania	2001	55661	2001	56273
Poland	2001	104154	2001	105489
Russia	2002	894058	2002	935782
Israel	2001	53298	2001	331
USA	2000	33369	2000	40886

Source: Belarusian emigration stocks by country of residence according to two sources – a) DIOC-E is an international database registering the international stock of migrants (aged 15 and over). It is provided by the Organisation for Economic Co-operation and Development (OECD) and covers 31 OECD, 58 non-OECD destination countries and 233 countries of origin. b) GMOD v.4 (Global Migrant Origin Database, version 4) is a bilateral migration database registering the stock of international migrants. It is provided by the Development Research Centre on Migration, Globalisation and Poverty (Migration DRC) and covers 226 destination and origin countries. Note: Data was retrieved from the CARIM East database.

Regarding emigration, data from the beginning of the new millennium shows that the number of Belarusian citizens living abroad was somewhere between 1.2 and 1.8 million. Most emigrants reside in Russia and Poland.

3. Legal migration with special focus on labour migration

3.1. Responsible state authorities

The Ministry of Internal Affairs, with its sector on External Labour Migration, and the Ministry of Labour and Social Protection are the main state authorities developing and implementing the labour migration policy in Belarus. Until 2003 the Ministry of Labour was in charge of migration. As of 2003 the Ministry of Interior is in charge of migration issues, while the Ministry of Labour manages the foreign labour force.

Any foreigner with the right to work in Belarus can make use of the information provided by authorities in order to find employment, but only Belarusians, migrants with permanent residence and refugees are entitled to use the authorities' support in finding employment. In this aspect it is to be noted that there are also certain levels of equal treatment similar to the European Union legislation, yet EU Directives on legal migration tend to extend equal treatment for employment services not only to those categories of foreigners who have permanent residence but also to foreigners holding a residence permit and having the right to work.

3.2. Policies

The following legal documents are governing the foreign labour migration in Belarus: **Act of December 30, 2010 on "External Labour Migration"** (entered into force on 12 July 2011), **Presidential Decree no. 450 of September 1, 2010 approving the regulations on licensing of certain activities**, **Act of January 7, 2012 on "Combating Trafficking in Human Beings"** and the **Law on legal status of foreign nationals and stateless persons in Belarus**.

Regarding the external migration legislation, the main legal documents in this field are the Act on External Labour Migration and the Act on Combating Trafficking in Human Beings. According to the **Sector on External Labour Migration of the Ministry of Internal Affairs**, the primary role of the law on external labour migration is to provide an effective response to illegal migration in order to prevent and combat forced labour and trafficking. The act on External Labour Migration regulates the relations in the sphere of foreign labour, including: employment outside Belarus under labour contracts with foreign employers and foreigners residing in Belarus; employment and labour activity in Belarus under labour contracts with foreign employers who do not have permanent residence permits in Belarus.

Citizens of Belarus can find employment abroad either by themselves or by using the services of a licensed employment agency. Before departure, every citizen has the right to notify the Department for Citizenship and Migration (DCM) about leaving Belarus for employment. In case the contract was signed with a foreign employer, the employee has the right to send a copy of this contract to DCM. Such notice is intended to

ensure the protection of workers' rights, freedom and legitimate interests. This is not an obligation, but a right intended to protect the citizens working abroad.

Employment agencies must obtain a license to be able to act as temporary work agencies and recruit Belarusian workers to be employed abroad. By September 2013, 79 entities have received such a license. Refusals of granting the licence can be appealed. According to the Sector on External Labour Migration of the Ministry of Internal Affairs, there are more such entities working illegally. In the first half of 2013, 92 violations took place (both by licensed and illegal working entities). Belarusian authorities implement awareness raising campaigns promoting the importance of information gathering before signing up for employment abroad (through mass media, leaflets, consulates, website and a hotline). The campaigns also emphasize the potential risks that migrants can face when working abroad.

Foreigners coming to work in Belarus can find employment either by themselves or through licensed national and international organizations. To attain the work permit, foreigners need to fill in an application, present their passport and pay a state duty of approximately 70 USD. A foreigner can fill a vacancy if that specific job cannot be taken by a Belarusian national or by a foreigner (already) permanently residing in Belarus. Moreover, according to Art. 25 of the "External Labour Migration" Act, immigrant workers may not hold positions which, according to the Belarusian laws, are to be filled only by citizens of Belarus. Asylum seekers, refugees or foreign investors can work without a permit. Russian and Kazak citizens also do not need this permit due to the free trade agreement.

Article 14 of the Act on External Labour Migration stipulates that Belarusian or stateless persons permanently residing in Belarus, and who are working abroad, shall be guaranteed protection by Belarus in the country of current employment. Diplomatic missions and consular offices of Belarus are obliged to take measures to protect these emigrant workers and provide them protection according to the Belarusian legislation, including international treaties signed by Belarus. If there are no diplomatic missions and consular offices of Belarus in the country of employment, the protection of rights and legitimate interests of emigrant workers in accordance with international treaties of Belarus may be dealt with by the relevant authorities of other states.

In accordance with Article 26 of the Law "On External Labour Migration", for the employment of more than ten foreigners without permanent residence permits in the Republic of Belarus, the employer is obliged to receive, from DCM, the permission to hire these foreign workers. If a foreigner wants to be employed by more than one employer, another special license has to be obtained.

Belarus concluded agreements in the field of labour migration with several states: Russia (agreement concluded in 1993), Moldova (1994), Ukraine (1995), Poland (1995), Armenia (2000), Azerbaijan (2007), Serbia (2009) and Vietnam (2011). According to the Ministry of Internal Affairs, Belarus intends to conclude such an agreement every 2-3 years. At the time of drafting this report, negotiations were ongoing with Venezuela, Qatar and China. These agreements aim at avoiding the dumping of salaries on the labour market. They also stipulate the procedure of state insurance, medical care services and compensations of travel costs, money transfer as well as information exchange.

At the CIS level there is a multilateral agreement in the field of labour migration which was adopted in 1994. Belarus joined the agreement in 1997. The Convention on legal status of migrant workers and members of their families of CIS States was signed in 2008. Based upon these agreements every citizen of the signatory countries can work on the other states' territory without any special work permit, but they are subject to the labour legislation of the country of destination. In the framework of the Customs Union (Russia-Belarus), the Common Economic Space (an agreement on cooperation to counteract irregular labour migration from third states) was signed in Saint Petersburg in 2010. Another agreement on the legal status of migrant workers and members of their families was signed in 2010.

A draft agreement concerning labour force exchange programs between the CIS states is currently elaborated by Russia. Belarus has specific cooperation with a number of countries – for example with Turkmenistan in the chemical industry or with Venezuela in the construction industry.

In general, a foreigner can be employed if the vacancy could not be filled by a citizen. The Belarusian policy is oriented towards attracting skilled workers to the labour market. For this purpose, a job market analysis and certain mechanisms to assess the situation are being implemented at the national and local level (e.g. there is a lack of qualified workers in Minsk during the preparations of the upcoming Hockey World Championship in 2014). In the first 9 months of 2013 the Belarusian labour market attracted foreign workers in construction (79% of the total foreign workers); in management, engineering and other highly qualified positions (10%); in service industry and trade (3%).

In Belarus there is no legal procedure regarding a labour market test which an employee has to undertake. Usually, after one week of searching for a Belarusian employee, the employer can search for an employee from abroad. The procedure for issuing a work permit takes between 7 days (in investment projects) and 15 days.

There are separate procedures for issuing a work permit and for issuing a residence permit. However, by getting a simple work permit, the worker automatically gets a temporary residence permit for up to 1 year. Nevertheless, specialists and employees of state bodies can directly apply for a residence permit. The employers announce their vacancies to the local Executive Committee which forwards them to the Ministry of Internal Affairs, which then gives the authorization to issue a residence permit. The permit is issued for 2 years, then 5 years and then it can be issued for an indefinite period of time.

Regarding social protection, it is relevant to note that all persons (incomers/leavers) residing in Belarus have a right to pension allowances. Two different types of pension exist in Belarus: work pension and social pension. The retirement age is 55 for women and 60 for men and they should work at least 5 years before retirement. This threshold will be raised to 10 years.

Belarus signed bilateral (Russia, Latvia, Lithuania) and multilateral agreements (CIS countries except a few countries such as Georgia or Azerbaijan) for social security and exporting social rights. Negotiations are ongoing with Ukraine and Azerbaijan. No agreement exists with the EU, but there is a deduction system for employees who have been working in the EU – if the worker paid, he/she can receive pension for those years spent in the EU. The minimum pension allowance amounts to approximately 100 Euro/month, the

average is 200 Euro/month. The Constitution of Belarus grants free health insurance for nationals while foreigners have to pay.

In 2010 an Employment Agency was founded in order to recruit Belarusians for employment abroad. Its main profile is recruiting Belarusians for cruise lines and it signed the first agreement with the Carnival Cruise Lines in 2004. The target group is 21-32 (35 for specialists) year-old citizens. The Employment Agency signs all year round contracts and has agreements with different companies. They advertise all year to attract different types of specialists to their different activities (such as waiters, hotel staff and shop assistants). They should have license for each activity, therefore every new activity has to be registered. The registration procedure takes about 1 week.

The agency interviews the candidates and maintains a database for every company. The employers interview once or twice a year and organize trainings for the recruited candidates. The agency also organizes preparation trainings which include English courses and hospitality courses as well. These trainings cost 100-300 USD. The agency provides pre-departure information for the recruited candidates. The agency also arranges the travel tickets and interviews at the embassies. In average it takes between one and five months for a contract to be signed.

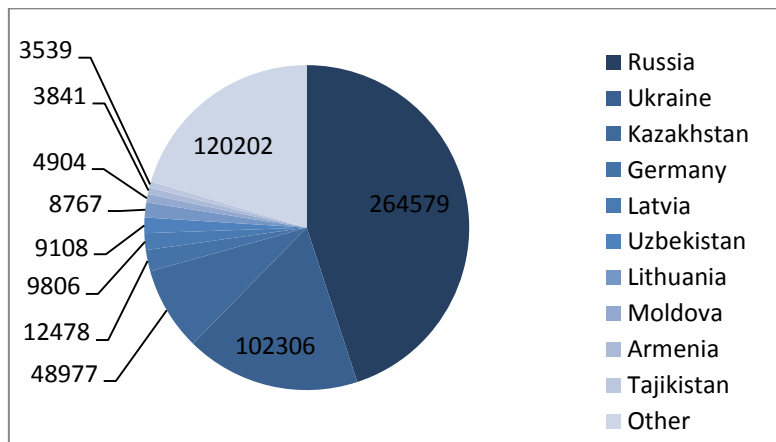
The salary is about 1000 USD and the employer provides for the plane ticket, meals and accommodation as well as medical care. The employees are offered a special visa, the so-called Maritime Transit Visa, which is valid all over the world. The participants in this program can work on board only for about 8 (maximum 10) months according to the Maritime Convention. On average, 30% of the participants stop their career after the first contract, 50% have 2-3 contracts and 25% have 5-6 contracts. In 2012 50 persons used the services of the agency, compared with 200-300 persons yearly in previous years.

3.3. Statistics

In 2013 a total of 16743 permits were issued (new and renewed permits). The permit, valid for one year, is a precondition to obtain an employment visa in Belarus.

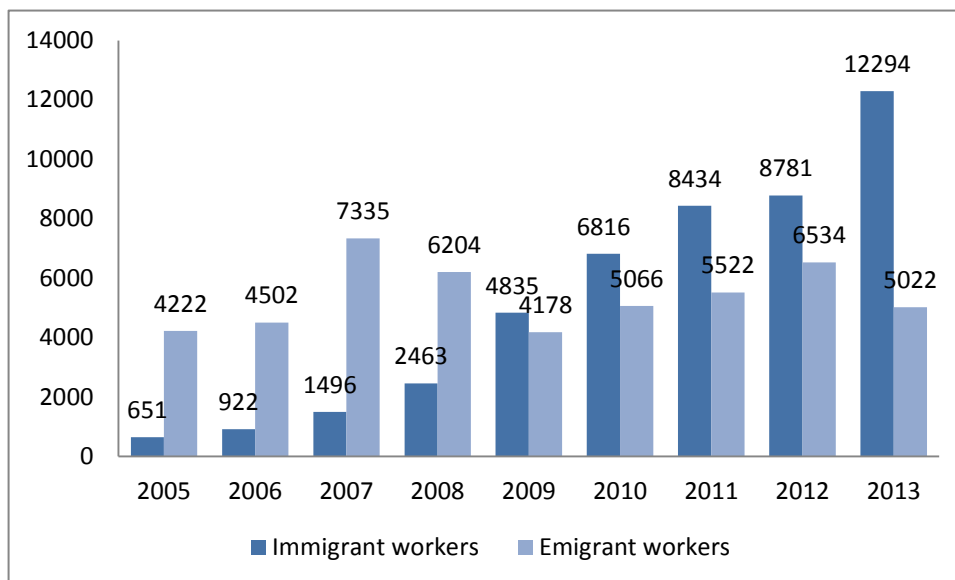
The number of Belarusians leaving the country to work abroad is increasing (2009: 5066 persons, 2010: 5522, 2011: 6543). The number of persons coming to Belarus to work is also increasing (2007: 1496, 2008: 2463, 2009: 4835, 2010: 6816, 2011: 8434, 2012: 10088).

Employed population residing in Belarus by country of birth (other than Belarus), 2009



Source: 2009 Population Census, National Statistical Committee as quoted in CARIM East Database

The global economic crisis has changed the flows of labour migration in the Republic of Belarus. According to the National Statistical Committee and the Department of Citizenship and Migration in 2009, the number of Belarusian citizens who went abroad on labour contracts is constantly increasing (in 2009: 4178, 2010: 5066, 2011: 5522, 2012: 6534). On the other hand, it should be noted that the number of foreign citizens and stateless persons who entered Belarus for employment continues to grow (in 2007: 1496, 2008: 2463, 2009: 4835, 2010: 6816, 2011: 8434, 2012: 10088).



Source: Department of Citizenship and Migration (DCM) of the Ministry of Interior; Note: data for 2013 refers to the first 9 months of the year.

The 5022 migrant workers that signed labour contracts for working abroad for the first 9 months of 2013 went mostly to Russia (4269), to the United States (289), to Germany and Poland (189, 187 respectively). The rest up to 5022 registered for work in the United Arab Emirates, Qatar, Saudi Arabia, Norway, Lithuania, France, Singapore and Italy.

Regarding the migrant workers which signed contracts in Belarus for the first 9 months of 2013, they came mostly from Ukraine (4513), China (2216), Turkey (915), Lithuania (864), Uzbekistan (861). Other countries of origin are Moldova (397), Vietnam (336), Georgia (274), Armenia (267), Latvia (225) or Tajikistan (151).

4. Irregular migration in the country

4.1. Responsible state authorities

The main institution responsible for combating irregular migration in the Republic of Belarus is the Ministry of Internal Affairs. In cooperation with the State Border Guard Committee, National Security Committee, Ministry of Foreign Affairs and other state institutions, the Ministry of Internal Affairs implements measures related to the development of state migration policy, control over irregular migration, as well as preventive measures. The Border Committee cooperates closely with EU agencies such as Frontex, and with other countries such as Ukraine, Moldova or Russia.

4.2. Policies

According to the Department of Citizenship and Migration, there are several factors which contribute to irregular migration to Belarus. Authorities have identified a number of internal factors, such as:

1. Lack of protection of the state border of the Republic of Belarus in the eastern direction. Belarus is bordered by five states, the total length of the state border being 3601 km, out of which 1160 with European Union Poland 398,7km; Lithuania 664,7km; Latvia 170,6; Ukraine 1084,0km; Russia 1283,0km. Protected Area boundary is - 2318 km.
2. Free movement between the CIS countries.
3. Favourable economic and social conditions in the Republic of Belarus.

The external factors identified are the following:

1. Instability of the socio-economic situation in the countries of origin of migrants.
2. Unstable political situation in the countries of origin of migrants, the effects of war, armed conflict, etc.
3. Smuggling of migrants and related activities.

In addition to these factors, the authorities have identified 2 main routes used by irregular migrants:

- Country of origin to Russia and to BLR (illegal entry) and then to Latvia, Lithuania or Poland (illegal entry)
- Country of origin to Russia and to Belarus (legal entry) to Latvia, Lithuania or Poland (using forged documents).

One of the main problems identified by the authorities is related to foreign students who try to migrate further illegally or take part in criminal activities.

Following the measures taken by the Belarusian authorities at the borders with Poland, Latvia and Lithuania, illegal immigrants in transit started to avoid Belarus and instead try to enter Ukraine. According to Belarusian authorities' information, the Ukrainian authorities reported increases in the numbers of illegal entries.

Regarding the irregular migration data, Belarus has several data systems: 1) Migration and Citizenship Department System (gathers data regarding migration, including offences in the area of migration), 2) Refugees Automated System, 3) other Automated IT Systems (such as the Visa Consul Automated System, Unified data System on Offences or the Passport Automated System). Also to tackle irregular migration, Belarusian authorities plan to introduce a Population Automated System, once the biometric passports will be issued.

The national policy on combating trafficking in human beings (THB)

The main forms of THB (national or international) identified by the Belarusian authorities are: trafficking for sexual exploitation, for labour exploitation and for removal of organs. The number of victims exploited abroad is higher than those exploited in Belarus. The total number of victim was 4970 between 2002 and 2013.

Regarding relevant international treaties, Belarus ratified the Palermo Protocol in 2000 and plans to join the Council of Europe Convention on THB.

Regarding the administrative resources used for tackling trafficking, the central department of the Ministry of Internal Affairs has 32 officers, further 116 officers at regional and 302 officers at local level working in this particular area. The responsibility for rehabilitation of victims is divided among different ministries depending on the age of the victims (age 18 and older - Ministry of Labour, between age 3 and 18 - Ministry of Education, under age 3 - Ministry of Health). The department is cooperating with IOM, Red Cross as well as other international organizations and NGOs. 3720 crimes related to THB were detected since 2000, and the numbers are decreasing. At the time of drafting this report, there are no specialized courts dealing with trafficking cases and no specific training for judges takes place in Belarus.

Belarus is characterized as a transit country, as it has a long border with the EU and it is tempting for irregular migrants to cross the borders to the EU via Belarus.

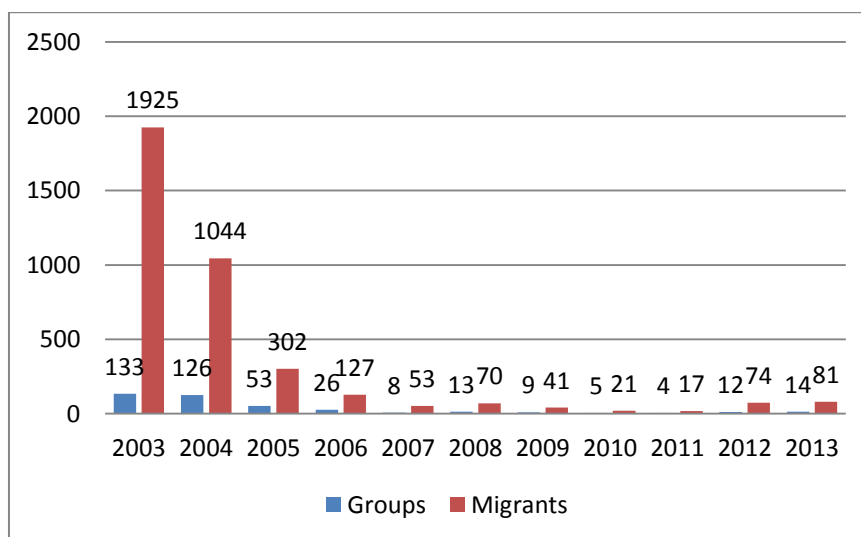
Belarus is highly interested in the elaboration and implementation of readmission agreements. A readmission agreement with Turkey was concluded in March 2013 and ratification is pending. In October 2013 an agreement with Kazakhstan was initiated and another one with Russia is to be signed. When drafting this report, other agreements were being drafted with Georgia and Ukraine. As these five are the first readmission agreements concluded, Belarus has no significant practice in this field.

4.3. Statistics

The Ministry of Internal Affairs published low figures on detected irregular immigrants. A little more than 80 persons were cited for criminal activities (mainly for organizing illegal immigration). Belarus pays attention to criminality among the foreign population on its territory. In such cases Belarus has the necessary legislation to control immigration, including criminality. Accordingly, immigrants can be deported, but only on a case by case base. Concerning the crime rates in the country and the respective percentage of foreigners in the first nine months of 2013, in total 72267 crimes were committed, out of which a very low percentage (1.4%), 1011 crimes were committed by foreigners. Hence, 750 crimes per 100.000 citizens were registered in the first nine months of 2013 regarding Belarusian citizens compared to only 14 crimes per 100.000 citizen committed by foreigners. This is the lowest figure in the CIS countries, as Belarus pays particular attention to reduce the crime rate committed by foreigners.

The number of irregular migrants within organized criminal groups in 2003 was 1925 (133 groups). The data displays a general decreasing trend, with 1044 persons in 126 groups being detected in 2004, 302 persons in 53 groups in 2005, 127 persons in 26 groups detected in 2006. The latest data show that, in the first nine months of 2013, 81 persons and 14 groups were detained.

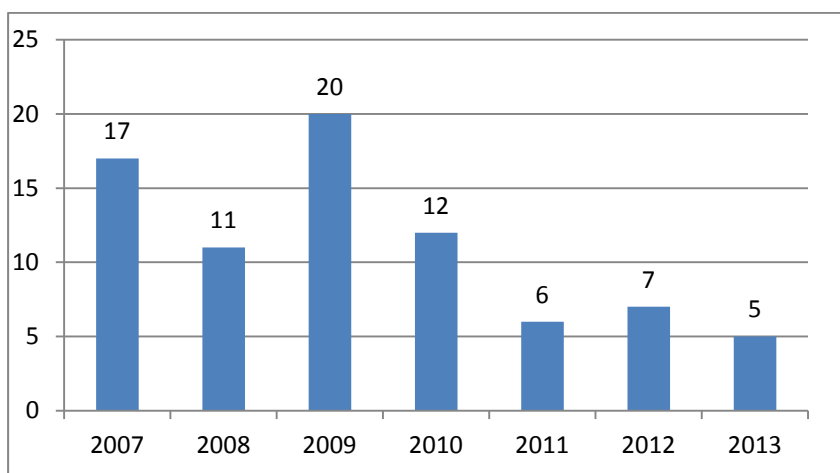
Irregular migrants detained in organized groups



Source: Department of Citizenship and Migration (DCM) of the Ministry of Interior; Note: data for 2013 refers to the first 9 months of the year.

The number of foreigners cited for organizing illegal migration displays a fluctuating trend. In 2007 there were 17 foreigners prosecuted, in 2008 there were 11, in 2009 20, and in 2012 7. In the first nine months of 2013, 5 persons were prosecuted for organising illegal migration. The figures show that due to the intensive cooperation with the neighbouring countries the criminals have started to use other countries' borders.

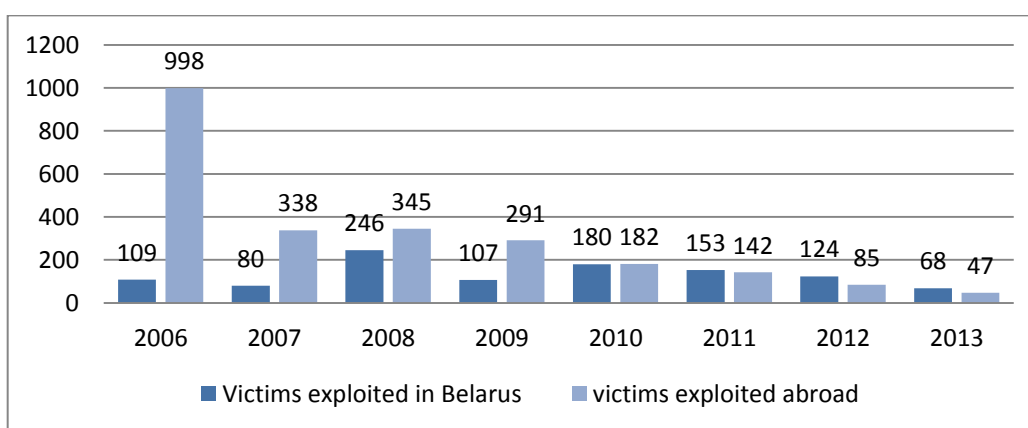
The number of foreigners prosecuted for organizing illegal migration



Source: Department of Citizenship and Migration (DCM) of the Ministry of Internal Affairs; Note: data for 2013 refers to the first 9 months of the year.

Regarding the number of victims of trafficking exploited abroad and in Belarus, the chart below shows that, although with a general decreasing trend, the number of victims exploited abroad is, until 2009, higher than the number of victims exploited in Belarus. From 2010 the number of victims exploited in Belarus starts to be slightly bigger than the number of those exploited abroad.

Victims exploited in Belarus and abroad (trafficking in human beings)



Source: Department of Citizenship and Migration (DCM) of the Ministry of Internal Affairs; Note: data for 2013 refers to the first 9 months of the year.

5. Integration

5.1. Responsible state authorities

The Ministry of Internal Affairs is the main authority in charge of the policy on the integration of foreigners in Belarus.

5.2. Policies

The Belarusian integration policy includes, among others, the following provisions (Titarenko 2012):

- 1) Officially registered migrants, who have the right to work or reside in Belarus or who obtained a work permit, enjoy basically the same rights and obligations as Belarusian citizens.
- 2) These migrants can receive state support for medical insurance, housing (rent) or study
- 3) In Belarus there is a general neutral (or positive) attitude towards migrants. It has been argued that, due to cultural similarities, immigrants from former USSR countries are more likely to enjoy such positive environment than immigrants from other countries, especially from non-CIS countries.

Regarding the level of integration into the Belarusian society as perceived by migrants themselves, some recent research⁵ revealed that there is indeed a difference between migrants from CIS countries (therefore Russian speakers) and migrants coming from other countries (and who do not speak or who have a limited understanding of the Russian language). Whereas migrants from the CIS region do not report any barriers in terms of integration (as they feel accepted by the host society), migrants from other countries rely on migrant networks or intermediaries. According to one explanation, these migrants have different interests than the state integration policy, as they regard Belarus as a transit country in their migration trajectory towards other European countries (Titarenko 2012). Based on policy interviews, this paper concludes that CIS migrants are better integrated in Belarus than migrants coming from countries outside CIS region.

5.3. Statistics

As shown above and in the table below, most international migrants come from Russia, Ukraine and Kazakhstan. According to the National Statistical Committee, between 2005 and 2009 almost 40000 immigrants arrived to Belarus, out of which more than 14000 came for family related issues. More than 32000 arrived in Belarus from the CIS countries, with a bit more than 7000 immigrants coming from other (non-CIS) countries.

⁵ Note that this research used qualitative methods, including depth interviews with experts and a limited amount of immigrants. For this reason the findings are not representative for all immigrants, but they offer eloquent examples of how one reflects upon their own migration situation.

	Total	Immigrants by reason of arrival and country of previous residence, of which those who indicated reasons for arrival					
		work	study	family formation	return to previous place of residence	family circumstances	asylum seeking
Immigrants who arrived to Belarus between 2005-2009	39252	2050	6891	2718	5164	14164	191
of which arrivals from CIS	32132	1653	3835	2396	4373	12781	138
Azerbaijan	432	51	86	50	7	139	4
Armenia	346	32	17	33	8	135	18
Kazakhstan	3052	265	260	57	255	1549	26
Kyrgyzstan	338	14	7	15	24	176	21
Moldova	575	32	30	85	63	223	2
Russia	18773	933	803	1241	3377	7929	35
Tajikistan	163	4	44	10	7	67	1
Turkmenistan	2697	2	2492	11	17	67	
Uzbekistan	631	25	8	42	63	334	23
Ukraine	5125	295	88	852	552	2162	8
non-CIS	7096	394	3051	321	789	1378	53
Viet Nam	214	116	77	1		7	
Germany	289	14	17	24	62	99	
Georgia	296	29	17	28	11	96	30
Israel	250	2	12	10	95	75	
India	141	4	127	2	1		
Iraq	124	1	111	3		3	1
Iran	148	5					
China	1424	32	1316	1	3	2	
Latvia	551	25	22	38	128	224	
Lebanon	193	2	145	7	6	14	1
Libya	118	1	54	2		29	
Lithuania	606	36	67	56	108	209	1
Poland	227	29	9	20	35	72	
Syria	142	4	120	6	1	2	
US	278	5	2	7	93	104	
Turkey	257	34	117	26	9	36	1
Sri Lanka	252		249	1		1	

Source: National Statistical Committee, 2009 Population Census

6. Migration and development

6.1. Responsible state authorities

In charge of policies that have an impact on migration as a factor for development in Belarus are several ministries, among which are the Ministry of Internal Affairs, Ministry of Finance as well as the Ministry of Economy.

6.2. Policies

The Common Economic Space (CES) between Belarus, Russia and Kazakhstan gives citizens of these countries the freedom of movement within CES (Valetka 2013).

6.3. Statistics

When it comes to remittances, according to some Belarusian economists, the amount of money sent by Belarusian emigrants and the money spent in Belarus by immigrants in 2010 amounts to a total of 1.3 billion dollars (Titarenko 2012). The data on remittance inflows presented by the table below displays an increasing trend from 2006 (340 million US dollars) to 2008 (443 million US dollars) and a decreasing until 2010 (376 million US dollars). A similar trend is displayed by the remittances outflows.

Indicator	2006	2007	2008	2009	2010
Remittance inflows (millions of US dollars)	340	354	443	358	376
Remittance outflows (millions of US dollars)	93	109	141	112	105
Remittances as a percentage of GDP (%) ⁶	1	1	1	1	1

Source: United Nations, DESA-Population Division and UNICEF (2012). Migration Profiles - Common Set of Indicators

7. Asylum and international protection

7.1. Responsible state authorities

The authority dealing with asylum applications in Belarus is the Department of Citizenship and Migration within the Ministry of Internal Affairs.

⁶ "Remittances as Percentage of GDP: Remittances inflows as a percentage of GDP. Source: World Bank staff calculation based on data from IMF Balance of Payments Statistics Yearbook 2011 and data releases from central banks, national statistical agencies, and World Bank country desks."

7.2. Policies

There are four forms of protection in the Republic of Belarus: political asylum (may be granted by the President of the Republic of Belarus in accordance with the Constitution) and refugee status, subsidiary protection and temporary protection (can be granted in accordance with the Law of the Republic of Belarus on granting refugee status, subsidiary protection and temporary protection).

Asylum seekers can submit an asylum application to the migration office; the decision is taken by the Citizenship and Migration Department of the Ministry of Internal Affairs. Examination of the asylum application is implemented under the single procedure. The Citizenship and Migration Department has to make a decision on granting refugee status, subsidiary protection, or to refuse the application and opt for deportation if there are no obstacles to deportation or other legal grounds for foreigner to stay.

A refugee status can be granted to foreigners according to the 1951 Geneva Convention and 1967 Protocol on the Status of Refugees; subsidiary protection is granted in accordance with the principle of non-refoulement (in accordance with art. 21 of the Law, if there is a serious ground to believe that a foreigner would face a threat of capital punishment, torture or other severe, inhuman or degrading treatment or punishment, or his life otherwise would be in danger because of the violence under the conditions of armed conflict of international or local nature, and an alien cannot enjoy protection by the state of his/her citizenship). Temporary protection can be granted in case of mass influx of foreigners to the territory of the state and when under such exceptional circumstances the implementation of the usual asylum procedure is impossible.

The law “On the granting of refugee status, subsidiary protection and temporary protection to foreign citizens and stateless persons within the Republic of Belarus” entered into force on 3 July 2009. The law introduced a (renewable) one-year subsidiary protection status for people who are not given the refugee status. Russian citizens can apply for refugee/ subsidiary protection status as well (ECRE 2010).

The new law speeds up the appeal procedure (for cases in the fast track procedure) which must be appealed in court within seven days. This court decision cannot be further appealed (ECRE 2010). The regular appeals must be initiated within 15 days after the decision to reject the claim for refugee status. Moreover, the law simplifies the access of refugees and asylum seekers to the labour market. Asylum seekers have the right to private accommodation for which they can receive state benefits. Temporary accommodation in one of the two (temporary) accommodation centres is also provided. These centres are located in Vitebsk and Gomel. International organisations report that finding accommodation represents a challenge for asylum seekers and that an accommodation centre is needed also in Minsk (ECRE 2000).

Refugees who have been living for 7 or more years in Belarus are entitled to apply for citizenship.

7.3. Statistics

According to the European Council on Refugees and Exiles, in 2009, 143 asylum seekers applied for protection in Belarus. Out of these 143, 8 were granted the refugee status while 2 were given subsidiary protection (ECRE 2010). According to the UNHCR, until January 2013, 576 refugees have been residing in Belarus, while there are 6194 refugees originating from Belarus. There are 62 asylum seekers in Belarus, while 946 asylum seekers are “persons whose application for asylum or refugee status is pending.”

Persons residing in Belarus (a):

Refugees(b)	576
Asylum seekers(c)	62
Returned refugees(d)	0
IDPs(e)	0
Returned IDPs(f)	0
Stateless persons (g)	6969
Various(h)	0
Total population of concern	7607

Persons originating from Belarus (a):

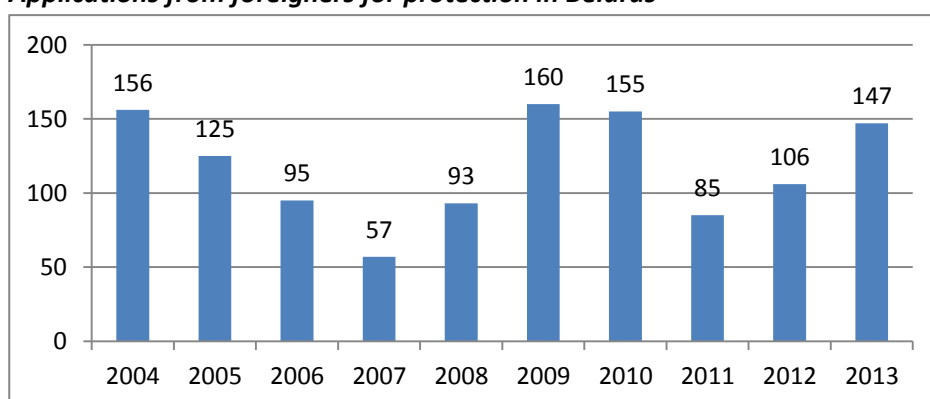
Refugees(b)	6194
Asylum seekers(c)	946
Returned refugees(d)	0
IDPs(e)	0
Returned IDPs(f)	0
Various(h)	0
Total population of concern	7140

Source: UNHCR Minsk, available online at <http://www.unhcr.org/pages/49e48d256.html>

Note: (a) In the absence of Government estimates, UNHCR has estimated the refugee population in most industrialized countries based on 10 years of asylum-seekers recognition (until January 2013). (b) Persons recognized as refugees under the 1951 UN Convention/1967 Protocol, the 1969 OAU Convention, in accordance with the UNHCR Statute, persons granted a complementary form of protection and those granted temporary protection. It also includes persons in a refugee-like situation whose status has not yet been verified. (c) Persons whose application for asylum or refugee status is pending at any stage in the procedure. (d) Refugees who have returned to their place of origin during the calendar year. Source: Country of origin and asylum. (e) Persons who are displaced within their country and to whom UNHCR extends protection and/or assistance. It also includes persons who are in an IDP-like situation. (f) IDPs protected/assisted by UNHCR who have returned to their place of origin during the calendar year. (g) Refers to persons under UNHCR's statelessness mandate. (h) Persons of concern to UNHCR not included in the previous columns but to whom UNHCR extends protection and/or assistance.

According to the Department of Citizenship and Migration, between 2004 and the first 9 months of 2013, there were 1189 applications from foreigners for protection in Belarus. The yearly applications display several trends. First, there is a decreasing trend from 156 applications in 2004 to 57 applications in 2007. The numbers are increasing again to 160 applications in 2009 and fluctuate in the coming years – 85 in 2011, 106 in 2012 and 147 applications in the first 9 months of 2013.

Applications from foreigners for protection in Belarus



Source: Department of Citizenship and Migration (DCM) of the Ministry of Internal Affairs; Note: Data for 2013 refers to the first 9 months of the year.

The 147 applications from the first 9 months of 2013 were filed by citizens of Syria (44), Afghanistan (37), Georgia (13), Armenia (9), Egypt and Russia (8 each), Pakistan (4), Azerbaijan, Ukraine, Iraq, Iran, RD Congo (3), Moldova, Estonia (2), Bangladesh, Yemen, Congo, Lebanon, Libya (1).

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