

On 12 July 2017, a Maladzečna District court tried two teachers for the death of 13-year old high school student Viktoryja Papčenia.

Viktoryja died tragically last September under the wheels of a truck while harvesting potatoes for a local agricultural enterprise. School No. 11 had sent Viktoryja and her classmates to work in the field without parental consent.

The practise of sending students to state agricultural enterprises to work for free during harvest time has its roots in Soviet times. This phenomenon still remains common in modern Belarus, and most Belarusians do not see it as a form of forced labour.

According to the International Labour Organisation, [violations of workers' rights](#) in Belarus go beyond unpaid youth labour. The most notorious examples include forced labour of prisoners, soldiers, and inmates at labour therapy facilities, as well as occasional unpaid work on Saturdays and [mandatory job placements for university graduates](#).

A deadly potato harvest

In the Papčenia case, the court found the truck driver and the two supervising teachers guilty of manslaughter. However, the officials directly responsible for sending the underage students to do heavy physical work instead of going to class still walk free and keep their jobs.

The chain of responsibility starts with the head of the Maladzečna District Executive Committee, Aliaksandr Jahnaviec, who organised assistance for the potato harvest. The Local Department of Education and the deputy head teacher of school No. 11, Dzianis Kurec, followed suit and ordered underage students to skip class to harvest potatoes.

Finally, the teachers, who taught physics and French and were not qualified for agricultural work, agreed to supervise the students. Thus, authorities had sanctioned illegal work for minors, without even bothering to ask parents' permission or provide work contracts.

The father of the victim, Aleh Papčenia, was not able to prove that the incident constituted illegal work for the agricultural enterprise Ushod-Agra (formerly called a *kolkhoz* or collective farm). The court took the side of the school, which stated that harvesting potatoes was a part of the 'educational process.'

‘Nothing to lose but your chains’

Since 1999, presidential decrees have significantly [weakened workers’ rights](#) in Belarus. For instance, Decree No. 29, signed in 1999, transformed permanent work contracts into fixed short-term contracts, endangering job security for over 90 per cent of employees. In 2014, Decree No. 5 further undermined workers’ rights, giving employers more powers to fire workers.

Discriminatory labour legislation and continuous suppression of independent trade unions leave workers at the mercy of their employers. According to the International Trade Union Confederation (ITUC) Global Rights Index, Belarus ranks 5 (the lowest possible mark: ‘no guarantee of rights’) on a scale from 1 to 5, based on the degree of respect for workers’ rights.



The continued existence of [subotniki](#) – another Soviet legacy of unpaid quasi-voluntary work on selected Saturdays of the year – is another symptom of this problem. Some workers have the option of staying at their workplace and contributing some part of their daily earnings to fund various public projects. Those less lucky have to perform menial tasks such as cleaning streets.

By law, participation in subotniki is voluntary. In practise, however, workers have no choice, as the discriminatory fixed-term contract system severely restricts their rights and impacts job security.

Should an employee refuse, the employer could decline to extend his or her contract for the next year. The teachers in the Papčenia case did not deny their guilt, but to a certain degree they were also victimised by the existing system, in which contradicting the boss could mean getting fired.

A right or an obligation?

According to the Belarusian Helsinki Committee, forced labour practises affect various social groups, including soldiers, inmates of detention facilities, labour therapy centres, and even recent university graduates.

In 2011, former presidential candidate and then political prisoner [Mikola Statkievič](#) broke several ribs and his hand while working at a prison-run sawmill, due to lack of protective clothing. According to the human rights organisation Viasna, no charges were brought against those in charge of the correctional facility.



Along with Turkmenistan, Belarus remains the only post-Soviet state to preserve labour therapy centres, commonly known as LTPs. Originally designed to re-socialise alcoholics and drug addicts, this kind of occupational rehabilitation is voluntary. However, if a person has committed over three civil offences under the influence of alcohol or narcotics, the authorities can easily commit him or her to such centres.

Other groups at risk of forced labour are individuals who have lost their parental rights. According to Decree No. 18, they must reimburse the custody costs of their underage children to state childcare facilities. Should they neglect their duties due to intoxication, the authorities can place them in LTPs.

LTPs remain under the jurisdiction of the Ministry of Internal Affairs, which limits access to the facilities of the public and journalists. Since 2003, the number of LTPs in Belarus has grown from two to nine. Human rights activists at Viasna estimate that the overall number of inmates exceeds 6,000.

Even recent university graduates can fall victim to a form of forced labour. Although the law guarantees free higher education, scholarship holders must submit to mandatory job placement after graduation. The Belarusian authorities are reluctant to abandon this programme, even though it [has proven ineffective](#).

The Belarusian Constitution guarantees every citizen the right to work in safe and secure conditions. Nevertheless, it appears that for many in modern Belarus, the right to work is more of an obligation. As the recent [‘social parasite’ protests](#) have demonstrated, continuous implementation of Soviet inspired labour practises can result in unpredictable consequences for the regime, mobilising the protest potential in society.

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