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ПРАДСТАЎНІЦТВА
РЭСПУБЛІКІ БЕЛАРУСЬ ПРЫ
АДДЗЯЛЕННІ ААН І ІНШЫХ
МІЖНАРОДНЫХ
АРГАНІЗАЦЫЯХ У ЖЭНЕВЕ**



**MISSION PERMANENTE
DE LA REPUBLIQUE DU BELARUS
AUPRES DE L'OFFICE DES NATIONS
UNIES ET DES AUTRES
ORGANISATIONS
INTERNATIONALES A GENEVE**

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The Permanent Mission of the Republic of Belarus to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and referring to Office's Note G/SO 214 (89-9) of 16 August 2005 has the honor to transmit the information of the competent Belarusian authorities as for implementation of CHR resolution 2003/45.

The Permanent Mission of the Republic of Belarus avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.



October 2005

Office of the United Nations High Commissioner
for Human Rights
Geneva

(Translated from Russian)

Information from the competent bodies in the Republic of Belarus concerning the implementation of Commission on Human Rights resolution No. 2003/45

1. Has your Government instituted programmes, policies or other measures to prevent violence against women in the family and community?

The problem of violence or the threat of violence against women is currently viewed as a social problem requiring the concerted efforts of all parties concerned, and as one of the most serious obstacles to achieving gender equality. The main feature of current strategies to prevent and eliminate violence against women and children, including domestic violence, is an integrated approach.

Having signed the final documents of Beijing + 5 and the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”, Belarus has undertaken the obligation to implement measures to prevent violence against women. The Government’s concern for this problem is borne out by the inclusion of a section entitled “Women and violence” among the eight priorities of the national plan of action for gender equality for the period 2001-2005, which was approved by Cabinet of Ministers Decision No. 670 of 8 May 2001.

The aforementioned section contains a series of measures to prevent and combat violence against women, including improvement of the system for reporting statistics on crimes involving domestic violence; sociological research to reveal the causes of violence, its prevalence, the consequences for the victims and the services required for the rehabilitation of victims;

familiarizing the public with international legislation on the problem of violence against women; establishing social service institutions that provide various types of assistance for women victims of violence; training social workers, appropriate staff in the health and education sectors and in the law enforcement agencies to deal with women victims of violence; information and education campaigns to prevent violence in the family and trafficking in women.

The national plan of action to improve the situation of children and to protect their rights for the period 2004-2010, approved by Cabinet of Ministers Decision No. 1661 of 18 December 2003, contains a section entitled “Protecting children against violence, trafficking, all forms of exploitation and armed conflicts”.

With a view to preventing violence against women as well as trafficking in persons, in its Decision No. 1636 of 8 November 2001, the Cabinet of Ministers approved a State programme of comprehensive measures to prevent trafficking in persons and the spread of prostitution for the period 2002-2007. It includes social, medical, legal and organizational measures to be implemented through the joint efforts of the relevant State institutions, voluntary associations and other parties concerned.

In recent years, Belarus has taken legislative measures to prevent violence in the family and provide assistance for its victims. Among other things, it has introduced a number of amendments to the Criminal Code and the Code of Criminal Procedure.

The principles for the legal protection of children against violence were laid down for the first time in the Marriage and Family Code, which entered into force in 1999: the child is considered as an independent subject in the family and not as dependent on “parental authority”. According to article 189, “every child has the right to the protection of his or her person against all forms of exploitation and violence”.

In the light of the implementation of a United Nations Development Fund for Women (UNIFEM) regional public awareness campaign entitled “A life free of violence”, in 2003 a bill on the prevention and suppression of domestic violence was drafted.

A comprehensive approach to combat trafficking in persons was adopted in Presidential Decree No. 3 of 9 March 2005 on measures to combat trafficking in persons. The Decree reinforces the legal foundations for system-wide cooperation among State institutions in preventing and suppressing trafficking in persons, including for the purposes of sexual exploitation. The Decree establishes administrative and criminal responsibility for offences in connection with job placement and studies abroad, the modelling and advertising business, international adoption and marriage agencies.

Presidential Decree No. 352 of 8 August 2005 on preventing the consequences of trafficking in persons was adopted in order to establish the legal and organizational foundations for ensuring proper protection for victims of criminal activities involving trafficking in persons. The Decree defines the mechanisms for providing support to victims of trafficking, such as rehabilitation shelters, security measures, temporary residence permits, the special obligations of diplomatic missions, and measures to protect child victims of trafficking.

With a view to raising public awareness of the problem of violence against women, consolidating the efforts of all parties concerned in the prevention of domestic violence, and broadening the range of social services available to victims, between October 2001 and January 2003, along with eight countries members of the Commonwealth of Independent States (CIS) and Lithuania, Belarus participated in the UNIFEM regional public awareness campaign entitled "A life free of violence".

In addition to creating greater awareness, the aim of the activities undertaken was to promote active opposition to violence and to encourage people to report to law enforcement agencies and social service institutions in order to receive qualified help from psychologists, legal experts and social workers.

During the campaign, some 1,500 people took part in seminars, round tables, conferences and training sessions. Representatives of all sociodemographic groups were involved in the awareness-raising activities, with special emphasis on young people as the group most likely in the future to assimilate new standards of behaviour.

As part of the project, a group of journalists received training so that the problem of violence against women would be duly reflected in the mass media. As a result, the mass media began to give greater coverage to the problem of violence in all its various forms.

Between October 2001 and March 2002, sociological research was carried out in all nine countries involved in the campaign in order to ascertain the degree of public awareness of domestic violence against women and sexual harassment in the workplace or place of study.

The research showed a rising trend in the number of cases of violence against women in the family. Most of the men questioned considered family violence to be acceptable, and women often do not seek the help of the law enforcement agencies.

The Ministry of Education approved and implemented policy guidelines (1999) and a programme (2000) on how to educate children and young students in Belarus. These are comprehensive basic documents that provide practical guidance on how to educate children and young persons in the new millennium, bearing in mind the goal of achieving gender equality. The essential features of the personality that must be formed when educating and raising children that were singled out include: ethical culture, the culture of family relations, gender culture and the culture of a healthy lifestyle.

In reviewing school curricula, the preparation and publication of textbooks and teaching methods, particularly in the social sciences and the humanities, efforts are made to eliminate sexual discrimination and degrading female stereotypes.

Through various educational and extra-curricular activities, teaching and education institutions form a person's moral qualities and respectful relations and equality between the sexes. Such issues are covered in the courses entitled "Man and the world" and "Man. Society. The State". Special courses have been introduced in many general education schools in order to prepare students for family life and to promote a healthy lifestyle and safe and responsible behaviour. Educational programmes entitled "Man", "The individual" and "The citizen" are being taught in education institutions in order to make the younger generation aware of the social roles of men and women and their equal rights, and to prepare young people for family life.

Activities organized by education institutions in connection with Family Day and Mother's Day also help to achieve gender equality, foster respectful relations between the sexes and create awareness among students of the social roles of boys and girls and men and women. In accordance with a presidential decree, 2006 has been declared Mother's Year in Belarus.

Issues relating to the prevention of violence against women and children have been included in training and refresher courses for teaching staff.

In 2004-2005, the Ministry of Education funded research on violence against children in the family and the home. Recommendations on ways of preventing violence (edited by L. Smagina, Candidate of Pedagogical Sciences) and the handbook *Organizing efforts to prevent trafficking in persons* (edited by V. Chechet, Doctor of Pedagogical Sciences) were prepared for social pedagogues and educational psychologists.

A human rights education system has been developed. A special course entitled "The rights of the child" is being taught in general education schools, vocational training and special secondary schools, teacher training colleges, law schools and advanced training institutes. A special course entitled "Human rights", which includes the study of women's rights, has been introduced in all education institutions. The special courses entitled "The rights of the child" and "Human rights" complement each other and form an inseparable whole in shaping a rights-based attitude among young men and women.

A variety of activities were carried out in the education system in connection with the fiftieth anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the Convention on the Rights of the Child. They included training seminars and publicity and awareness-raising activities for children and their parents. The "Human Rights" Academic Methodological Laboratory and its Centre for Information and Training in the Field of Human Rights and Civil Education have been functioning since 1995 at the State University National Institute of Higher Education.

During training and education, attention is paid to developing leadership qualities among girls and their self-assertiveness and self-actualization through various forms of socially important activities.

Officials from the Ministry of Internal Affairs monitor the activities of individuals and legal entities that find jobs for Belarusian citizens abroad, as well as of travel and modelling agencies, in order to uncover and prevent cases of recruitment and sexual exploitation of women in foreign countries.

With a view to preventing children and young persons from being drawn into the sex industry, a study of families at risk was conducted. In cooperation with the administrations of education institutions, social-pedagogical identity cards have been compiled of families with many children, single-parent families, low-income families and foster families, as well as students who are on the files of the inspectorate for juvenile affairs and internal school files.

Tutorship and guardianship agencies and officials from inspectorate for juvenile affairs jointly monitor the adoption of children by foreigners.

As part of the information campaign to prevent domestic violence and trafficking in women, in 2005 the Ministry of Internal Affairs prepared a range of research and information material for the national media, including 23 official announcements, 49 information and research articles, 8 briefings with high-ranking officials from the Ministry of Internal Affairs, programmes on special subjects and information for broadcast on television and the radio.

At the Academy of the Ministry of Internal Affairs, dissertations have been written on such gender equality issues as “Theoretical and practical legal aspects of investigating offences involving trafficking in persons” and “Criminal responsibility for trafficking in persons: improving legislation and practice”. A scholarly article entitled “Combating trafficking in persons: a comparative analysis of foreign legislation” has been prepared (M. Shrub), and recommendations for investigating criminal cases involving the transport of women from Belarus for the purpose of sexual exploitation have been drafted and implemented.

In addition to conducting awareness-raising activities, it is necessary to overcome the still widespread view of violence as a family and interpersonal problem rather than as a violation of human rights and a serious offence, to encourage women to seek the services of specialists (psychologists, legal experts and social workers) to resolve problem situations, and to publicize the services offered by social service institutions.

2. Has your Government instituted programmes, policies or other measures to protect and provide services for women who have been subjected to violence?

With a view to preventing offences in the family and the home, the Ministry of Internal Affairs has developed and introduced a special monitoring system called “Family life”. As at 1 January 2005, 20,400 individuals were on the files of the internal affairs authorities for having resorted to violence in family conflicts. The measures that are being applied more and more often against such individuals include official warnings, initiation of administrative proceedings, admission to institutions for occupational therapy, and withdrawal of parental rights.

Violence in the family does not only undermine the family’s basic way of life but also jeopardizes the security of society at large. The growing awareness of the extent and complexity of this phenomenon has led to increased preventive measures and a broader range of social services for victims of violence. A social service system, including the establishment of crisis centres for women and children who have been victims of violence, is being developed in accordance with the national plan of action for gender equality for the period 2001-2005 and the Presidential Programme for the period 2001-2005 entitled “Children of Belarus” (subprogramme, “Development of social services for families and children”).

There are currently 156 local social service centres in Belarus. In order to comply with Presidential Decree No. 352 of 8 August 2005 on preventing the consequences of trafficking in persons, the Ministry of Labour and Social Welfare adopted decision No. 117 of 19 September 2005, which provides for the establishment of rehabilitation shelters for victims of trafficking and violence within the local social service centres.

The necessary assistance and shelter is also provided for victims of violence and trafficking by the following:

- The rehabilitation centre for the victims of trafficking in persons in Minsk, which has been operating since 2004 under the project begun on 1 July 2003 by the European Commission, United Nations Development Fund and the Government of Belarus BYE/02/004 entitled “Combating trafficking in women in the Republic of Belarus”. Fourteen victims of trafficking underwent social and psychological rehabilitation at the shelter in 2005.

The project involved the creation of a database on specialized institutions and organizations in Belarus and European countries that offer assistance to women victims of trafficking. A hotline (8-801-100-8-801) is operating to provide information free of charge to people travelling abroad to find work, to study or to get married;

- A crisis centre for women and children who are the victims of domestic violence (Minsk) attached to the Radislav voluntary association. The costs of victims' stay in the centre are covered by the International Organization for Migration (IOM) under the project entitled "Combating trafficking in women in the Republic of Belarus". In 2005, the shelter and crisis centre provided assistance to 28 girls, including seven children. Some 162 individuals have received consultations on psychological and legal matters at the shelter;
- A day-and-night care division has been established with the support of IOM at the local social service centre in Pinsk;
- A rehabilitation department for the victims of violence and trafficking attached to the Mogilev oblast diagnostic centre;
- A mini-shelter for women victims of trafficking has been established at the Belarusian Young Women's Christian Association in Minsk, under the La Strada programme. In 2005, 35 victims of trafficking received rehabilitation assistance in this shelter;
- The Mogilev oblast rehabilitation centre for the victims of violence and trafficking opened in August 2005 at the Mogilev oblast diagnostic centre;
- The Helping Hands information and consultation centre at the Mogilev oblast branch of the Belarusian Red Cross Society has been active since 1 January 2005. During that time, the centre has provided assistance to 48 victims of trafficking.

In the Gomel oblast, 21 multi-service divisions have been established at the social service centres and provide social, psychological and legal assistance to women and children who have been subjected to violence or have been the victims of trafficking; there is also a telephone hotline (063).

Eighteen health-sector workers have received training at the psychotherapy, psychiatry and sociology departments of the Belarusian Academy of Medicine for Postgraduate Studies. In particular, they were taught to take account of the specific requirements of working with women victims of violence.

3. Has your Government taken measures to prosecute and punish violence against women occurring in the family and community?

A careful analysis of criminal activity reveals an increase in negative phenomena relating to violence in the family.

In 2005, approximately 2,700 offences were committed in the family or the home, and in virtually every other case the person involved or the victim was a woman. In 2005, family and domestic conflicts were the cause of more than 100 murders and approximately 300 cases of grievous bodily harm.

In order to step up the efforts of the relevant services to prevent serious consequences in family and domestic relations, in 2005 administrative proceedings were initiated against some 50,500 individuals for rowdy behaviour in the home (Code of Administrative Offences, art. 156). Some 2,875 individuals were admitted to occupational therapy institutions for alcohol abuse and offences committed against other citizens, almost 1 in 10 of whom were women (275).

In 2005, 2,130 criminal cases were opened under articles 153 (Intentional infliction of minor bodily harm), 154 (Cruel treatment) and 186 (Murder threats and threats to commit serious bodily harm) of the Criminal Code - an increase of 28.9 per cent over the previous year.

Almost 9,500 case-files were officially registered and submitted to the courts under article 156, paragraph 1, of the Code of Administrative Offences (Intentional infliction of minor bodily harm or battery).

In 2005, the Ministry of Justice prepared a draft policy guideline on protecting victims of criminal activity. A clause has been included in the plan of draft legislation for 2006, which provides for the drafting of a bill on the legal status of the victims of criminal activity.
