



# Convention on the Rights of the Child

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Committee on the rights of the Child

## Consideration of reports submitted by States parties under article 44 of the Convention

Third and fourth periodic reports of States parties due in  
2007

**Belarus** \* \*\*

[13 November 2008]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

\*\* The annexes may be consulted at the secretariat.

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## **Introduction**

1. Under article 44 of Convention on the Rights of the Child, the Republic of Belarus presents the combined third and fourth periodic report on the implementation of the Convention in the country during the period 1999-2007.
2. The information used in this report has been provided by the ministries and other Government bodies whose competence includes the protection of the rights and legitimate interests of children, and by relevant NGOs.
3. The report has been prepared by an inter-agency working group consisting of representatives of Government bodies and NGOs, including the public associations “Belarusian Children’s Fund”, “Belarusian Association for Assistance to Disabled Children and Young Persons” and “Belarusian Women’s Union”.
4. The report has been drawn up in accordance with the “General guidelines regarding the form and content of periodic reports to be submitted by States parties under article 44, paragraph (1) (b) of the Convention” (CRC/C/58/Rev.1 of 25 November 2005). Its various sections contain replies to the Committee’s concluding observations on the second periodic report of Belarus, and information on developments which occurred in the period under consideration.
5. The report has been reviewed and approved by the National Commission on the Rights of the Child.

## I. General measures of implementation

*Paragraphs 12 and 13 of the concluding observations of the Committee*

6. In the period 1999-2007, a set of measures designed to enhance the current legislation on protecting the rights and improving the condition of children in the country was carried out with a view to the practical implementation of the Convention and of the Rights of the Child Act in the light of the recommendations formulated by the Committee after considering the second periodic report.

7. The comprehensive protection of children's rights has been promoted through the adoption of a number of normative legal instruments regulating the system for the prevention of neglect of minors, the social protection of orphans, the protection of children at risk by the State, and the rearing of children with special developmental needs.

8. Subsequent to the adoption, on 9 July 1999, of the Marriage and Family Code, which stipulates the rights and obligations of parents and children and regulates issues linked to family and marriage relations, the following legislation was enacted:

- Presidential Decree No. 281 of 24 May 2001 on the "Children of Belarus, 2001-2005" Presidential Programme;
- Act No. 200-Z of 31 May 2003 on the bases of the child-neglect and juvenile-delinquency prevention system;
- Act No. 285-Z of 18 May 2004 on the education of persons with special developmental needs (special education);
- Act No. 73-Z of 21 December 2005 on guaranteeing the social protection of under-age or other young orphans or other under-age or young persons deprived of parental care;
- Presidential Decree No. 318 of 15 May 2006 on the "Children of Belarus, 2006-2010" Presidential Programme;
- Council of Ministers Decision No. 840 of 6 July 2006 on State security for under-age or other young orphans or other under-age or young persons deprived of parental care, and children placed in establishments for the prevention of child neglect and juvenile delinquency;
- Presidential Decree No. 675 of 16 November 2006 on the National Commission on the Rights of the Child.

9. Presidential Decree No. 18 of 24 November 2006 on supplementary measures for affording State protection to children in dysfunctional families has been a major step in the area of operational provisions for protecting children's rights and affirming parental responsibility for their rearing.

10. The Act on completing and amending certain Acts regarding State protection of children in dysfunctional families", which took effect on 5 January 2008, was drawn up in the period under consideration in order to expand and refine the legal basis for assessing the condition of the children concerned and the possibility for them to be brought up within families. The Act established criteria for identifying cases of inappropriate child-rearing and for depriving parents of parental rights.

11. Normative legal instruments regarding social protection and respect for the rights of children are accessible to all interested persons, including on the website of the National Centre for Legislation and Legal Studies ([www.pravo.by](http://www.pravo.by)). The main such instruments adopted in recent years are listed in annex I to this report.

*Paragraphs 15 and 17 (a), (b) and (c) of the concluding observations of the Committee*

12. The country's system for the protection of the rights of children has been further developed and organized according to the Committee's recommendations.

13. Presidential Decree No. 675 considerably enhanced the membership, powers and role of the National Commission on the Rights of the Child, created in 1996.

14. The National Commission comprises representatives of the National Assembly, the Government, local government, the judiciary, educational establishments and NGOs; and actively cooperates with public associations, religious and other organizations, psychologists and jurists.

15. The National Commission draws up proposals for the improvement of social policy and mechanisms for supporting children and strengthening the family; supervises and coordinates the activity of Government bodies, local executive and administrative units and other organizations in promoting the realization of the rights and the protection of the legitimate interests of children; and monitors the implementation of Government programmes for supporting the child and the family.

16. The National Commission is active at every province centre through authorized representatives; and, in all regions of the country, operates community liaison offices, where National Commission members periodically conduct field meetings with children, their legal representatives and other persons on issues related to realizing, protecting and supporting the rights of children. Children have recourse to that mechanism, which is empowered to resolve a broad range of issues.

17. The National Commission monitors the implementation of the Convention, reviews children's complaints in a child-friendly manner and, if necessary, takes measures to remedy violations of the rights of children. In practice, the National Commission fulfils the role of an Ombudsman for children.

*Paragraph 19 (a) of the concluding observations of the Committee*

18. During the period under consideration, the Government ensured the progressive implementation of a series of measures for averting a decline in the standard of living of households, and in particular of large, single-parent and rural families. Thus, low-income families with many children receive non-cash housing allowances, if the cost of housing and community services exceeds 25 per cent of total family income.

19. Moreover, families with many children are exempted from land use fees regardless of the location of the land parcel, the employability of family members, and which family member has been assigned the land plot; and from taxes on their buildings and facilities, save for those intended or used for income-generating activities.

20. The Government consistently follows a policy of ensuring housing for young and large families as a matter of priority

21. In paying off subsidized loans, families with many children receive from the Government financial assistance in the form of incremental write-offs of the outstanding loan balance. Thus, when a third, fourth or fifth child is born to a family, or the family has three, four or five children, that balance is respectively reduced by 50, 70 or 100 per cent.

22. Pursuant to Council of Ministers decision No. 831 of 8 July 2004, families which, on the date of signature of a loan contract or of a subsidization decision, have three or more unmarried children aged up to 23 and living with the parents may, as a family with many children, receive a subsidized loan or lump-sum grant to build, reconstruct or acquire a residence.

23. Under Presidential Decree No. 585 of 22 November 2007 on Government financial support for young and large families, such families are entitled to public assistance in paying off bank loans used to build, reconstruct or acquire a residence. When a third, fourth or fifth child is born to a family, or the family has three, four or five children, that assistance amounts to, respectively, 20, 40 or 50 times the per capita minimum subsistence budget.

24. Under the targeted social assistance system, aimed at providing temporary material support to single-parent and large families with young children and a per capita income not exceeding the legal need assessment criterion, approximately 540,000 persons received such assistance in the period 2001-2007.

*Paragraphs 19 (b) and (c) of the concluding observations of the Committee*

25. Ongoing economic recovery made it possible to take specific measures for enhancing financial support and avoid a decline in the level of social safeguards for families with children. In the period 2002-2006, benefits to such families more than doubled.

26. Strengthening social support for families with up to 3 years old children is a Government policy priority. Under Presidential Decree No. 95 of 14 February 2006, which removed differentiations as to the size of childcare allowance for children of that age, unemployed women bringing up such children are entitled to the same childcare allowance as employed mothers, namely an amount equal to 65 per cent of the minimum subsistence income.

27. Government support in the form of a monthly allowance is received for 251,500 children aged up to 3 (95 per cent of that age group) regardless of total family income, and for 250,200 children over 3 (16 per cent of that age group) as a function of total family income.

28. Overall, Government support is provided for more than 500,000 children (27 per cent of the child population).

29. Government support for children with disabilities is a priority of the country's social policy.

30. The Presidential Decree of April 2007 on certain issues related to personal income tax advantages and deductions aims at reducing the tax burden for families with disabled children.

31. Accordingly, child benefits are extended to families rearing up to 18 years old children with disabilities or affected by HIV/AIDS, regardless of total income per family member.

32. Under a legislatively established special social-insurance pension assessment scheme, disabled children aged up to 18 and suffering from diseases connected with the Chernobyl disaster are granted pensions higher than those received by pensioners of other categories. In addition to guaranteed pensions, such children are entitled to other forms of guaranteed social protection, including a lump-sum grant for health injury, and health-improvement assistance provided in kind on an annual basis.

33. Further details regarding the allocation of funds in support of families with children is included in the core information provided in section VI of this report.

34. The "Children of Belarus, 2001-2005" Presidential Programme was aimed at boosting the effectiveness of the State system for supporting children, especially those particularly disadvantaged, and ensuring that authorities at all levels follow common social-policy priorities and guidelines established by the Government. As a result of measures taken under the programme, health care for children and women was upgraded, the adverse

effects of the Chernobyl disaster on the health of children and pregnant women were reduced, issues related to the protection of the rights and interests of children with special developmental needs were resolved, basic-education and vocational-training opportunities for disabled children were enhanced, the system of establishments providing social services for families and children was improved, and procedures were created, and are actively implemented, for the placement of orphans with foster families.

35. Measures currently implemented under the “Children of Belarus, 2006-2010” programme include the subprogrammes “Children of Chernobyl”, “Children with disabilities”, “Orphans”, “Children and the law: Upbringing and personality”, “Children’s nutrition” and “Social protection of family and children”. Sector ministries play a key role in the implementation of such subprogrammes.

36. Programme execution issues are reviewed at meetings of the National Commission on the Rights of the Child and, twice a year, by the Government.

37. Programme priorities include improving the quality of life for families with children; enhancing children’s health; promoting a healthy way of life for children; reducing the adverse effects of the Chernobyl disaster on children’s development; averting children’s disabilities; ensuring optimal life-sustaining activities for disabled children; preventing social orphanhood; protecting the rights of orphans and children left without parental care and ensuring their social integration; and supporting the preparation of high-quality and environmentally sound food products for children.

38. Programme implementation costs, regardless of funding source, total Belarusian Roubles (BR) 1,407.667 billion, including BR 107.16 million for building and reconstruction at 1991 prices.

39. The table below shows the sources of funds used for “Children of Belarus, 2001-2005” activities other than the “Children’s nutrition” subprogramme and the construction of permanent facilities:

<i>Funding sources (BR million)</i>	<i>Years</i>								
	<i>1999</i>	<i>2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
State budget	464 673	876 500	47 384.7	58 307.8	71 064.4	80 582.1	81 286.1	70 513.8	87 602.3
Local funds	300 993	406 793	5 269.46	9 182.72	10 746.0	22 630.6	47 591.2	7 017.4	23 703.1
Extrabudgetary funds	-	-	981.4	3,296.4	4 702.2	5 098.9	5 915.8	557.8	3 036.5
Social Protection Fund of the Ministry of Labour and Social Protection	-	-	7 090.9	10 134.1	12 501.5	15 986.6	16 225.3	-	-
Presidential Programmes Fund	29 200	21 500	-	-	-	-	-	-	-

*Paragraphs 21 (a), (b) and (c) of the concluding observations of the Committee*

40. During the reporting period, considerable efforts were made to enhance the monitoring of the realization of children’s rights and the availability of information on their situation. A National Report on the situation of children, published every year since 1998, contains specific sections on children with disabilities, orphans, child refugees, child victims of violence and other categories of vulnerable children.

41. Assisted by the United Nations Children’s Fund (UNICEF), the Ministry of Statistical Data and Analysis carried out in 2005-2006 a Multiple Indicator Cluster Survey (MICS 3) on living conditions for 0-5 year olds and women aged 15-49. The survey provided basic indicators on mother- and child-health protection, children’s development and education, and women’s knowledge about HIV/AIDS; and yielded data on 22 of 53



indicators related to the Millennium Development Goals (MDGs). UNICEF has also helped to set up a national social and economic database, BelarusInfo, using DevInfo technology.

*Paragraph 23 (a) of the concluding observations of the Committee*

42. Activities undertaken by the Government, the National Commission on the Rights of the Child, and other national or local authorities in connection with the implementation of the Convention are carried out in cooperation with international organizations, including UNICEF, the United Nations Population Fund (UNFPA), the United Nations Development Fund for Women (UNIFEM), the World Health Organization (WHO), the International Committee of the Red Cross (ICRC), the International Organization for Migration (IOM), and such international Governmental organizations or NGOs as, inter alia, “Hope Express”, the Swiss Agency for Development and Cooperation (SDC) and the Christian Children’s Fund (CCF).

43. Belarusian NGOs working with or for children, inter alia the “Belarusian Children’s Fund”, the “Belarusian Association for Assistance to Disabled Children and Young Persons”, and the Belarusian Red Cross Society, are systematically invited to cooperate on the practical resolution of issues related to safeguarding the rights and interests of the country’s children.

44. Since 2001, the Ministry of Education, in cooperation with SDC, conducts programmes for improving the living conditions of children with special developmental needs. The main activities carried out include assisting residential establishments for mentally or physically impaired children to create a barrier-free environment, supporting the boarders’ social, physical and psychological rehabilitation with equipment and training, and helping State correction- and development-training and rehabilitation centres to improve the standard of living of families rearing children with special developmental needs.

45. A project on “Enhancing adolescents’ and young persons’ access to reproductive health information and services, 2003-2007” is carried out by Ministry of Health establishments in cooperation with “Hope Express”. Within the framework of the project, 57 volunteer disseminators were trained in the “Equal Teaches Equal” model for providing young persons with reproductive health information, and 205 volunteers learned that procedure. Moreover, a total of 300,000 copies of various information pamphlets were produced and distributed; and experience was acquired in conducting relevant large-scale awareness-raising campaigns covered in national and local media news and special reports.

46. Under the “Children’s Heart” programme, conducted by the Ministry of Health in cooperation with the “Belarusian Children’s Fund” and the International Children’s Heart Foundation (ICHF), USA, 295 operations were performed and 1,215 children received medical attention in the reporting period. In 2006, an international medical team of Belarusian and USA specialists operated 50 children free of charge.

47. Long-term humanitarian projects for assisting children in the areas of education, health, environmental issues and dealing with the effects of the Chernobyl disaster are carried out in cooperation with UNICEF, WHO and national NGOs. In particular, “Belarusian Children’s Fund”, a major domestic NGO, contributes to the implementation of State programmes supporting talented young persons and extending financial, humanitarian, medical, legal and other assistance to those most in need, such as orphans, disabled children, social orphans and child victims of the Chernobyl disaster.

48. The country's educational bodies, in cooperation with the Belarusian Red Cross Society and the International Federation of Red Cross and Red Crescent Societies (IFRC), implement the "Youth against HIV/AIDS" programme, aimed at developing appropriate educational activities for preventing and combating HIV/AIDS in the schools, specialized secondary education establishments and higher education institutions.

49. The Ministry of Education actively cooperates with the Belarusian NGO "Parents' House" on measures for assisting children left without parental care and placed in residential institutions.

50. In 2006, Government bodies actively involved the NGO "Belarusian Association for Assistance to Disabled Children and Young Persons" in national activities and in the International Festival of Children and Youth Art "Light your star", attended by 4,500 children from around the country.

*Paragraph 23 (b) of the concluding observations of the Committee*

51. The right to freedom of association is enshrined in article 36 of the Constitution and in the law.

52. The registration procedure for public associations was considerably simplified during the reporting period. Presidential Decree No. 605 of 6 October 2006 on certain issues related to the official registration of public associations and their unions abolished the State Commission for the registration or re-registration of public associations, and transferred its function to the Ministry of Justice. At the regional level, local public associations are registered by the justice units of provincial and the City of Minsk executive committees.

53. The registration procedure for youth and children's voluntary organizations was also considerably simplified. Presidential Decree No. 574 of 14 September 2006 on certain issues related to the levy of fees exempts such organizations from State fees for registration and submission of their logo.

54. The registration procedure for NGOs meets international standards.

55. Of the 2,248 NGOs registered in Belarus as at 1 January 2007, 231 were international, 724 national and 1,293 local. Of the 100 new NGOs registered in 2007 alone, 5 were international, 15 national, 15 provincial, 12 regional, and 68 urban.

56. Registered NGOs working with or for children include 23 children's, 522 physical-education or sport, 352 charitable, 304 awareness-raising, cultural, recreational or educational, and 156 youth organizations.

57. Youth and children's NGOs with the largest membership are the National Union of Young Persons, the National Young Pioneers' Organization, and the Voluntary Organization of Young Lifeguards and Firefighters. Note should also be made of the activities of the Association of Belarusian Guides, the Association of Belarusian Scouts, the Belarusian Committee of Youth Organizations and the Belarusian Association of UNESCO Clubs.

*Paragraph 25 (a) of the concluding observations of the Committee*

58. Knowledge about the Convention is disseminated through an integrated country-wide information system.

59. Under the "National plan for the development of human rights education, 1999-2004", a far-reaching and multi-tiered education system has been built in order to promote a human rights and children's rights culture, and related textbooks and teaching guides and aids have been published.

60. A specific “rights of the child” course taught in the country’s schools comprises a set of such activities as exercises, pupil training, and video presentations.
61. A collection of international legal instruments has been published, three national teaching aids have been developed and a recommended literary reading list has been compiled to provide teachers with methodological support for human-rights education.
62. In that learning process, pupils widely use such thematic publications as “Your rights: Tenth anniversary of the Rights of the Child Act”, “Textbook for children with special developmental needs” (2004), “International humanitarian law for school children” (2003), “Human rights for school children “ (2005), “Principles of law” (2006), “Laws about children: A book for minors” (2006), and a textbook entitled “I am a citizen of the Republic of Belarus” (2007).
63. In the required secondary education course “Man, Society, State”, students become acquainted with human rights and freedoms in the modern world; and study such international legal instruments as the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the International Covenant on Economic, Social and Cultural Rights.
64. Information on human rights is also provided in other courses in the form of specific lessons or as an element integrated into school work.
65. As part of legal awareness months organized for all students every year, general education schools traditionally organize legal training sessions, law-related debates and press conferences, and legal proficiency contests and tournaments, students participate in the preparation of related articles in their school magazine, and legal topics are addressed in discussion clubs.
66. Schools organize information stands on “Adolescents and the law” and “The Rights of the Child Act”, and libraries set up thematically related book displays.

*Paragraphs 25 (b) and (c) of the concluding observations of the Committee*

67. During the reporting period, efforts to improve human-rights and children’s-rights teaching at all education levels continued, and specialists were systematically trained in working with and for children.
68. The qualifications of “Man, Society, State”, “Principles of law in Belarus” and “Human Rights” schoolteachers are systematically upgraded at the national and regional levels.
69. Informational and methodological aids for pedagogues include data on the human rights situation in the country. Books and booklets on children’s rights for specialists include “The rights of the child: Theory and methods” (1999), “Theoretical and methodological principles for awareness-raising activities by social and cultural institutions in the area of children’s rights protection “ (2002), “Forty school-work topics on the rights of the child for 6-10-year-olds” (2005) and “Minors’ rights: A book for adults” (2006).
70. The Ministry of Education and the Belarusian Red Cross Committee have approved a manual entitled “Analyzing humanitarian law” (training modules for the young); and trainers’ training seminars and courses are carried out. The manual is currently extensively used in general-education, vocational-training and specialized secondary-education establishments in the framework of an elective or special humanitarian-rights course.

71. Training in the protection of the rights and monitoring of the interests of children is available to the pedagogical staff of educational establishments, including counsellors and psychologists, as part of retraining and qualifications upgrading in provincial colleges for advanced training, the national Postgraduate Training Academy and the country's higher education institutions.

72. At the Institute of retraining and qualifications upgrading for judges and the staff of public-procurator offices, courts and other justice bodies, within the Belarusian State University, sessions are held on, inter alia, the legal settlement of marriage- and family-related disputes affecting the rights and interests of children.

73. The Supreme Court provides courts with written explanations regarding disputable issues related to the implementation of legislation on the legal status of the child. The plenum of the Supreme Court adopts decisions aimed at ensuring that courts hearing cases affecting the lawful rights and the interests of children apply the law uniformly. The presidium of the Supreme Court and of provincial courts and the City of Minsk court systematically examine the reports of subordinate courts on matters of compliance with legislation on the administration of justice in cases involving minors. Additional measures are taken for defending the rights and legitimate interests of children.

74. Qualifications upgrading in the area of children's rights is organized for the staff of juvenile affairs inspectorates in Ministry of Internal Affairs training units.

*Paragraph 25 (d) of the concluding observations of the Committee*

75. In order to assist the Ministry of Education in disseminating information on the rights of the child in the period 2003-2005, the Belarusian Association of UNESCO Clubs, a public association, launched the "Children's Rights University" project for raising children's awareness of their rights and creating a pupil- or student-teacher system for that purpose. As a result of the project, the cities of Vitebsk, Grodno, Lida, Brest, Mogilev, Gomel and Minsk and the Minsk province were each provided with three regional coordinators knowledgeable about and experienced in organizing dissemination work, and 35 dissemination groups were set up, consisting of one teacher and four pupils from different schools, to carry out information activities related to the rights of the child. Manuals on children's rights for pupils and teachers have been published in paper and CD editions as part of the project.

76. The "International Summer University of UNESCO Clubs", organized every summer with the assistance of the Belarusian Association of UNESCO Clubs and attended by 150-200 leaders of UNESCO clubs and children's and young person's public associations, promotes children's self-rule, training in leadership skills and children's rights, and the training of pupil- or student-teachers.

## **II. Definition of the child**

*Core information*

77. The 2000 and 2004 versions of the Rights of the Child Act maintained the definition of the child as stated in article 1 (b) of the Act, namely an "individual up to the age of 18 (maturity), unless he or she, under the law, acquires full civil capacity earlier".

78. The country's legislation and regulatory instruments draw no distinction between girls and boys with regard to the definition of the child.

*Prosecution for criminal and administrative offences*

79. The Rights of the Child Act lays down general principles regarding the incurrance of criminal liability by minors. Such liability is regulated in detail by the Criminal Code, the Criminal Procedure Code and the Administrative Offences Code.

80. Under article 108 of the Criminal Code, the criminal liability incurred for committing an offence up to the age of 18 is subject to the provisions of Criminal Code section V, "Particularities of the criminal liability of persons up to 18 years of age".

*Sexual relations*

81. Under the Criminal Code, criminal liability is incurred for knowingly engaging in sexual intercourse or lewd conduct with a person under the age of 16.

82. Under article 170 (2) of the Criminal Code, criminal liability is incurred for knowingly coercing a minor into acts of a sexual nature.

*Civil law relations*

83. Every child acquires civil capacity (the capacity to have civil rights and to fulfil obligations under article 16 of the Civil Code) upon birth. Such capacity is retained throughout a citizen's life.

*Employment and recruitment*

84. Under article 21 of the Labour Code, no employment contract may be concluded with a person less than 16 years of age. With the written consent of a parent, tutor or guardian, a minor who has reached the age of 14 may be employed for light work which does not affect the child's health, development or general education.

### **III. General principles**

#### **A. Replies to observations of the Committee**

*Paragraphs 27 (a), (b) and (c), and 32 (a) and (b) of the concluding observations of the Committee*

85. The Convention's general principles and provisions on upholding the rights and protecting the interests of children are duly enshrined in the legislation of Belarus.

86. Under that legislation, respect for the best interests of the child is the top priority in any activity concerning children. In particular, under article 3 of the Rights of the Child Act, the action of local executive and administrative authorities, public procurator's offices and courts of law must be guided by the need to protect the interests of children as a matter of priority.

87. Under article 4 of the Act, every child has an inalienable right to life, and the State acts to safeguard the life of children against unlawful infringements.

88. Under article 32 of the Constitution, parents or persons in loco parentis have an obligation to take care of the health, development and education of their children; and no child may be subjected to cruel treatment or humiliation or assigned work that may be harmful to his or her physical, mental or moral development.

89. Under article 189 of the Marriage and Family Code, every child is entitled to the protection of his or her personality, honour and dignity against any form of economic, sexual, political, mental, moral, physical or psychological exploitation or violence.

90. Article 11 of the Rights of the Child Act guarantees the children's right freely to express their views on any issue related to their interests. Moreover, children have a right to be heard, in person or through their representative or a competent body, in any judicial or administrative proceedings affecting them.

91. In the event that their rights under the Convention or national legislation are violated, children may request the tutelage and guardianship authorities or the public procurator's office to defend their rights and interests; and may seek such protection through their legal representatives.

92. Under Belarusian law, a child over 14 may file a petition with a court of law without the consent of the parents or persons in loco parentis, and seek legal assistance, including counsel, in order to exercise or protect his or her rights and freedoms.

93. In a number of cases, the Bar provides children with legal counsel free of charge.

94. Compliance with the relevant provisions of the law is mandatory in adopting political, judicial and administrative decisions, and carrying out projects and programmes, which affect the interests of children.

95. The principles of the Convention are heeded in preparing and formulating policy at all levels, and in the actual work of social, medical and educational institutions and judicial and administrative bodies.

96. In particular, these principles form the basis for a number of targeted national initiatives aimed at ensuring the well-being of children and the protection of their rights, including, inter alia, the National Action Plan for the improvement of the situation of children and the protection of their rights, 2004-2010, and the "Children of Belarus" Presidential Programme and the "Young Talent of Belarus, 2006-2010" Government Programme.

97. The initiatives in question aim at promoting the full physical, mental and moral development of the new generation; enhancing the quality of life of children and their protection from violence and cruelty; and encouraging their participation in decisions affecting their interests.

98. The Government Programme for the development of physical education, sport and tourism, 2003-2006, was carried out in the reporting period with a view to strengthening the health of children and young people, disseminating a healthy way of life, and organizing leisure activities for children. In that context, extracurricular popular-sport, physical-education and health-improvement projects for pupils and students were developed and implemented; the material and technical infrastructure of educational institutions was enhanced; the retraining and qualifications upgrading system for physical education staff was improved; the number of physical education specialists in the country's preschool establishments increased; and innovative professional experience in the quality of physical-education and health-improvement practice was broadly accepted and extensively applied in the educational establishments.

99. The "Youth of Belarus" Government programme, launched for the period 2006-2010 under Presidential Decree No. 200 of April 2006, aims primarily at, inter alia, enhancing the opportunities for receiving quality education, disseminating a healthy way of life, assisting young families, and facilitating the development of affirmative initiatives for children.

100. The implementation of targeted programmes by the Government contributes to addressing, at the national level, the problems of children in need of special social protection, such as orphans, disabled children, child refugees, and children affected by the Chernobyl disaster.

101. The National Commission on the Rights of the Child (see paragraphs 13-17) and the Commission for Juvenile Affairs attached to the Council of Ministers perform a fundamental role in resolving issues related to the protection of children's rights.

102. The area of responsibility of the Commission for Juvenile Affairs and analogous commissions attached to provincial and local government authorities includes the implementation of measures for the protection of the interests of minors, the presentation of those interests to the authorities, to enterprises, and to organizations and establishments engaged in supporting, educating and rearing children.

103. In the event of infringement of the rights and legitimate interests of children, these commissions may, in accordance with the law, take action against the parents or persons in loco parentis, who are responsible for a minor's maintenance, upbringing and education and for his or her health- and work-related protection; request the competent organs to initiate proceedings for the protection of a minor's rights and legitimate interests; and participate in court hearings.

104. In 2007, proclaimed "Year of the Child" in Belarus, a large-scale information campaign was launched on the situation of children in the country and the protection of their rights and legitimate interests.

*Paragraphs 29 (a) and (b) of the concluding observations of the Committee*

105. As part of the system of mechanisms for monitoring changes in the situation of children and the level of implementation of the Convention, a national report on the situation of the country's children is drawn up and presented to the Government on an annual basis since 1998. Inter alia, the report contains information on vulnerable categories of children, including disabled children, social orphans and victims of the Chernobyl disaster.

106. In the period 2004-2006, research was carried out and surveys entitled "Analysis of the situation of children and women in Belarus", "Development of young children", "The situation of women and children in Belarus in the context of the spread of HIV/AIDS", "Vulnerability of children infected by or exposed to HIV/AIDS, their parents and teachers and the health workers concerned" and "Potential, experience and opportunities in ensuring the participation of children in decision-making related to their health and development" were published, assessing progress in the areas of protection of the rights and improvement of the situation of children, and addressing related problems.

107. Targeted measures aimed at the protection of children belonging to vulnerable categories are developed on the basis of surveys on the situation of children and the conclusions of relevant reports.

108. In particular, measures taken by the Government for alternative forms of organization of the life of orphans, in line with their right to live and be reared in a family, have contributed to an 8 per-cent decreasing in the number of children in residential institutions between 2000 and 2006.

109. The "Children of Belarus, 2006-2010" Presidential Programme addresses a number of issues related to the improvement of conditions for rearing orphans in foster, adoptive or guardian families, to their adoption, and to the preparation of orphans, children left without parental care and children in orphanages and residential schools for leading an independent life.

110. Government programmes under implementation include targeted measures for improving and expanding the scope of social services for families rearing children with disabilities.

*Paragraph 30 of the concluding observations of the Committee*

111. The Government pays considerable attention to the issues of equal rights and the eradication of all forms of discrimination. The relevant norms of international law are incorporated into the national legislation. The principles of equal civil rights and prohibition of discrimination of any type are enshrined in article 22 of the Constitution, worded as follows: “All shall be equal before the law and entitled without discrimination to equal protection of their rights and legitimate interests.” This norm is reflected in the legislation on the protection of children’s rights, culture, education and religion.

112. Under article 6 of the Rights of the Child Act, “all children have equal rights regardless of origin, racial, ethnic or civil affiliation, social status, property, sex, language, education, attitude towards religion, place of residence, health and any other circumstances pertaining to children or their parents”.

113. The principle of tolerance has always been intrinsic to Belarusian society, whose traditional indulgence and broad-mindedness stem from objective historical, geographical and economic factors. These qualities, developed by the Belarusian nation in the course of centuries, permeate its daily life and have ensured its unity and strength.

114. The Government pays constant attention to issues related to the citizens’ ethnic and religious life and contributes to their solution. Government policy aims at facilitating the development of the cultural identity of all ethnic groups, strengthening religious tolerance and broad-mindedness, preventing ethnic and religious disputes, and promoting inter-ethnic and inter-faith dialogue in the country.

115. In the family and at school, children are brought up and educated in a spirit of understanding and respect for the ethnic, national and religious groups present in the national territory, and for their culture and language.

116. In order to prevent racism and racial discrimination, the courses offered by the country’s educational establishments in history, philosophy, ethnography, art and culture around the world, world literature, law and psychology focus on inculcating children and young persons with respect for the cultural and religious identity, spiritual traditions and customs of other peoples.

117. There are no inter-faith or ethnic conflicts in the country.

## **B. Right to life, survival and development of the child**

118. The principles established by the Convention with regard to the right to life, survival and development of the child are specifically enshrined in Belarusian law and subordinate legislation and are implemented through the creation and organization of special mechanisms to that effect.

119. The following three articles of the Rights of the Child Act focus on the above rights:

- Article 4, entitled “Right to life”, in addition to the State’s guarantee of a child’s life against unlawful infringements, prohibits imposing the death penalty or life imprisonment for crimes committed while the offender was still under 18.
- Article 5 confirms the right of children to the protection and promotion of their health. To that end, the Government takes measures conducive to the mother’s pre- and post-natal health and the child’s healthy development, and provides free medical care for children, including diagnosis, disease control and prevention, health-resort treatment and recuperation.



- Article 8 guarantees for every child the right to the living conditions necessary for full physical, mental and psychological development and provides for a system of social and economic measures to that end.

120. The norms in question also underlie article 184 of the Marriage and Family Code. Under that article, children have the right to live in peace, safety and dignity, necessary for their full physical, mental and spiritual development. In rearing their children, parents must attend to their health and their physical, mental and psychological development and prepare them for work commensurate with their aptitudes and for independent life. All children are entitled to health protection and free medical care provided by the State, and their development is monitored through obligatory annual check-ups in dispensaries.

121. The Health Act defines procedures and conditions for preventive health care and out- and in-patient treatment of ailing children.

122. In addition to the Marriage and Family Code, the Civil Code and the Labour Code also stipulate the parents' duty to attend to their children's health and physical, mental and psychological development. Under articles 172 and 173 of the Criminal Code, criminal liability is incurred for parents' failure to fulfil their obligations, abuse of parental rights, and involvement of a minor in an antisocial or illegal activity.

123. Families with children are entitled to welfare benefits subject to procedures and conditions laid down in the Act on Allowances to Families with Children.

*Prohibition of capital punishment for offences committed by persons under 18*

124. In Belarus, capital punishment and life imprisonment may not be imposed for crimes committed while the offender was still under 18.

*Registration of, and, where appropriate, investigation into and accountability for children's deaths*

125. In the reporting period, child mortality due to road traffic accidents increased, per 100,000 children, from 4.2 in 2004 to 5.8 in 2005 and 6.7 in 2006, declining to 5.6 in 2007. Boys aged 6-14 have been the category of children most frequently experiencing fatal road traffic accidents.

126. No cases of death of children up to 18 years of age from malaria, poliomyelitis or acute hepatitis A and C virus were reported in the period 1999-2007.

127. The following table shows mortality related to hepatitis B virus and respiratory infections among children aged up to 14, tuberculosis and HIV/AIDS among children aged up to 18:

	<i>Hepatitis B virus</i>		<i>Acute respiratory diseases</i>		<i>HIV/AIDS Children up to 18</i>		<i>Tuberculosis</i>	
	<i>Per 100 000</i>	<i>Number of cases</i>	<i>Per 100 000</i>	<i>Number of cases</i>	<i>Per 100 000</i>	<i>Number of cases</i>	<i>Per 100 000</i>	<i>Number of cases</i>
1999	0.05	1	0.25	5	0.14	4	0.04	1
2000	0	0	0.05	1	0.04	1	0.04	1
2001	0	0	0.25	3	0.04	1	0.04	1
2002	0.06	1	0.06	1	0	0	0	0
2003	0	0	0.3	5	0.08	2	0	0
2004	0	0	0.06	1	0.04	1	0	0
2005	0	0	0	0	0.17	4	0.05	1
2006	0	0	0	0	0	0	0.06	1
2007	0	0	0.21	4	0	0	0	0

*Prevention and control of the spread of suicides among children*

128. The number of suicides among children and adolescents has fluctuated over the years. Thus, the number of suicides among persons under working age increased from 14 (or 0.9 cases per 100,000 inhabitants) in 2006 to 22 (or 1.4 cases per 100,000 inhabitants) in 2007. In urban areas, the respective rates were 3 (or 0.3 cases per 100,000 inhabitants) in 2006 and 7 (or 0.6 cases per 100,000 inhabitants) in 2007. In rural areas, those rates were 11 (or 2.4 cases per 100,000 inhabitants) in 2006 and 15 (or 3.4 cases per 100,000 inhabitants) in 2007.

129. The Ministry of Health annually reviews suicide indicators compiled for all of the country's population groups, including children, on the basis of statistical data.

130. Ministry of Health ordinance No. 575 of 9 July 2007 on measures for the prevention of suicide and assistance to persons having attempted suicide regulates the design and implementation, within the Ministry system, of a set of measures intended to prevent suicide and addressing a number of related organizational, professional and other issues.

131. In 2007, Ministry of Health specialists drew up a draft Government suicide prevention programme, 2008-2012. The document provides for a set of measures for averting suicides, including among minors.

132. A series of books and booklets, published in Belarus in the period 1999-2006 for specialists on the prevention of suicidal behaviour among children and young persons, includes such titles as "A child's right to protection from all forms of violence, and adolescent suicide prevention" (2006), "The psychology of suicidal behaviour: A guide for higher education students" (2005), and "Causes, aspects and prevention of suicidal occurrences among children and adolescents in residential schools" (2004).

## **IV. Civil rights and freedoms**

*Paragraphs 33 and 34 of the concluding observations of the Committee*

133. In Belarus, all children enjoy the rights to freedom of expression, freedom of association and peaceful assembly, and access to appropriate information.

134. With a view to developing a strategy and plan of action for promoting the participation of children and young persons in social life, a survey was carried out in 2007, taking stock of the country's potential, experience and opportunities regarding children's involvement in making decisions affecting the realization of their rights and the pursuit of their interests. Based on the findings, plans for promoting the participation of children and young persons in decision making focus on setting up youth councils attached to executive boards, and social-service and information units run by and for the young under the aegis of educational institutions and libraries. There are also plans for developing accredited training modules and manuals on the history, theory and procedure of children's and youth social movements, establishing a single legal information for young persons within educational institutions, and setting up special schools for educating parents about the rights of the child.

135. The children's forum movement, which has been developing country-wide, is expected to significantly enhance cooperation among adults, children, Government bodies and public associations in decision-making processes promoting the interests of children.

136. Forums organized in the reporting period were entitled: "The children of Belarus on the eve of the third millennium" (2000), "A better world for and with the children" (2001), "Leader - 2002" (2002) and "Forget not a single child" (2003). Participants in the 2006 National Children's Forum "Children of Belarus: Action on behalf of the future" was

attended by 150 members of children's and youth voluntary organizations and self-regulated initiatives from every region of the country, and representatives of Government and other public bodies, including the National Commission on the Rights of the Child, the National Assembly, Ministries and other State authorities, the Belarusian Children's Fund, the National Youth Union, and the National Young Pioneers' Organization.

137. Organizing international children's forums has become a traditional practice. Since 2005, an international forum entitled "Friendship without Borders", hosted every year at the "Zubryonok" (or "Baby bison") National Health Camp for Children, brings together leaders of children's public associations and initiatives from, inter alia, Belarus, Kazakhstan, Latvia, Lithuania, Moldova, Poland Russia and Ukraine.

138. The Belarusian media extensively cover issues related to improving the situation of children, strengthening and upholding family ties, enhancing the family's prestige, and promoting the publication and dissemination of related literature.

139. The publication of books for children and young persons increased in recent years, from 505 titles in 2004 to 967 titles totalling 6.8 million copies in 2007. The books and booklets published include works of literature by domestic and foreign classical writers and young authors.

140. These publications are broken down by readership age as follows:

- For preschoolers: 317 titles totalling 3.7 million copies
- For young pupils: 249 titles totalling 1.3 million copies
- For average school-age pupils: 292 titles totalling 1.2 million copies
- For older pupils: 109 titles totalling 0.6 million copies.

The books and booklets in question, which accounted for 7.7 per cent of the total number of literature titles and 13.6 per cent of the corresponding total number of copies, included 65 titles in Belarusian and 900 titles in Russian, totalling 0.26 and 6.5 million copies respectively.

141. Issues related to the rearing, education and well-being of children and adolescents, family and school relations and behaviour in daily life are actively treated by the children's, adolescents' and young persons' press in high print run publications. Some of the most popular newspapers are *Yuniyi Spasatel* ("Young Rescuer"), *Znamya Yunosty* ("Youth Banner"), *Perekhodny Voзраст* "Transitional Age", *Zorka* ("Dawn"), *Ranitsa* ("Morning") and *Chyrvonaya Zmena* (Red Rising Generation) (an insert in the newspaper *Zvyazda* ("Star")). *Kacheli* ("Swing"), *Vyaselka* ("Rainbow") and *Byarozka* ("Birch Tree") (in Belarusian) are journals for children. These publications receive annual subsidies from the State budget through the Ministry of Information.

142. The proclamation in Belarus of 2006 as Year of the Mother and of 2007 as Year of the Child contributed significantly to the dissemination of information in support of children. These events included a series of measures designed to raise the population's awareness of the rights of the child, strengthen Government support for families with children, promote the image of the family, improve the system for the protection of children's health, ensure safety in children's daily life, and facilitate the social integration of children placed in residential institutions, disabled children and other groups of disadvantaged minors.

143. Material on and for children appears in the State nationwide social and political press in, inter alia, such columns as "Education strategy", "Demographic situation", "Talent from the backcountry" and "Family report" in the *Respublika* ("Republic") newspaper; "Young but not green", "The Nation's health", "Our dear moms" and "Right to protection" in the *Belaruskaya Niva* ("Belarusian Cornfield") newspaper; and

“Bridgehead”, “Our cause”, and “Guestbook“ in the *Zvyazda* newspaper. Issues of interest to the young generation are treated in such special sections as, inter alia, “Society”, “Man and his work”, and “Health” in the *Savetskaya Belorussia* (“Soviet Belarus”) newspaper; “Children and we” and “We are young” in the *Belaruskaya niva* (“Belarusian field”) newspaper; “I am young” in the *Narodnaya gazeta* or “People’s newspaper”; the *Zvyazda* “Healthy country” special edition; and the *Narodnaya gazeta* “Family” supplement. Columns such as “Children are our future”, “Our children”, “Demography”, “Childhood light”, “Benevolence”, “We and our children”, “Our hour”, “Fates of children”, “Render childhood to the children” and many others appear in the State regional press.

144. The State unitary enterprises “International Integrated-Information Centre” and “Press House Public Press Centre” contribute to a better understanding of problems affecting children by sponsoring more than ten press-events on child-related issues.

145. A “Best children’s and youth newspaper” and a “Best children’s and youth magazine” award have been instituted in the framework of the “Golden Letter” national print-media contest with a view to the wide dissemination of themes related to children and youth.

146. The Ministries of Information, Health, and Sport and Tourism and the public association “Belarusian Women’s Union” organize national contests among print-media journalists for outstanding creative work regarding, inter alia, childhood, motherhood and healthy living.

147. Presidential Decree No. 18 on supplementary measures for affording State protection to children in dysfunctional families” significantly boosted efforts to improve child rights protection, enhance the image of the family, promote healthy living and increase parental accountability for their children’s upbringing. Such issues are constantly highlighted in the media, including on Belteleradiocompany television, in the televised news programmes “Novosty“ (“News”), “Panorama”, “Good morning, Belarus!” and in special broadcasts for children and the young, namely “Constellation of hopes”, “At Europe’s crossroads” and “Prime time” (on television “Channel One”), and “Open area”, “Our children”, “Rural youth” and “Safe formula “ (on radio “Station One”). The magazines *Rescue Service 01* and *Healthy Lifestyle* publish monthly columns on preschool safety.

148. Family- and child-related issues are constantly addressed in the ONT (“Nation-wide Television”) programmes “Our morning”, “Our news” and “Outlines” and in special editions of the “Selection” talk show. CTV (“Metropolitan Television“) addresses young-generation and parental issues in the “24 hours” and “Week” news reports and in the ongoing “Children’s town” thematic series. Mention should also be made of such social features as, inter alia, “There must be a home”, “Children’s day “, “I need a family”, “Mom and dad - that’s me” and “Where are you, mom and dad?”.

149. Internet users account for 56.5 per cent of the population of Belarus, which in that connection ranks 22nd in the world (according to UNCTAD, “Information Economy Report 2007-2008, Science and Technology for development: the new paradigm of ICT”). Affordable Internet-courses are offered at public libraries. Children use Internet services extensively. A course on “computer science” is taught at the sixth grade of general education schools, familiarizing the pupils with work involving various types of data and preparing them for living in the Information Society. Computer technology and multimedia equipment are installed in 255 children’s libraries servicing 1,148,000 readers aged up to 15.

## V. Family environment and alternative care

### *Paragraph 35 of the concluding observations of the Committee*

150. Presidential Decree No. 18 on supplementary measures for affording State protection to children in dysfunctional families” contributed decisively to the effectiveness of efforts to protect the rights of children left without parental care and the prevention of social orphanhood.

151. Through Council of Ministers and joint ministerial decrees, procedures have been established for:

- Identifying and registering children at risk;
- Identifying children in need of State protection;
- Formulating and approving plans for the protection of children’s rights and legitimate interests, and individual schemes for such protection;
- Granting orphan status to children removed from their parents;
- Assessing a family’s preparedness to recover a child;
- Collecting from parents compensation for the costs of maintenance of children under State care.

152. A national mechanism for targeted work with families has been set up to provide them with assistance while preventing parents from shirking the responsibility to bring up and support their children. A system for early prevention of social orphanhood has been created for timely and comprehensive inter-agency action in order to identify problems faced by specific families and to preserve those families for the children through appropriate financial, social and psychological assistance and guidance. The areas of action of the various public bodies engaged in family support have been delineated so as to increase the individual bodies’ accountability and effectiveness in preserving families and the efficiency with which regional or municipal resources are employed to pull families back from the brink of social disintegration.

### *Paragraph 36 (a) of the concluding observations of the Committee*

153. Government policy guarantees comprehensive protection of the mother, the child and the family by the State and by society.

154. The National Demographic Security Programme, 2007-2010, adopted through Presidential Decree No. 135 of 26 March 2007, includes a subprogramme entitled “Birth-rate incentives and family reinforcement” and aimed at ensuring social and economic support for the family, the mother and the child, enhancing the image of the family, reducing the number of divorces, promoting healthy living in the family, encouraging conscientious fulfilment of parental responsibilities, and encouraging families to accept to look after and bring up orphans.

155. Under the National Gender-Equality Plan, 2001-2005, measures were implemented in order to strengthen the family; safeguard women’s rights to protection in employment and to life and health in view of their role as mothers; promote effective cooperation and joint responsibility between women and men in all aspects of family life, especially child-rearing; and enhance the image of the family.

### *Paragraph 36 (b) of the concluding observations of the Committee*

156. The State system of social support for families with children consists of the economic, social and employment safeguards and rights established by law, and the social

institutions and bodies ensuring the realization of those rights and creating conditions which enable the families to fulfil their social role. State assistance to families with children consists mainly of financial support (grants or allowances) related to the children's birth, sustenance and education; material assistance in money or in kind; work-related, tax, housing, medical and other advantages; and social services (in the form of socio-medical, psychological, socio-legal and other social support).

157. The National Demographic Security Programme, 2007-2010, provides for systematic information and awareness-raising measures aimed at enhancing the image of the family, inter alia by highlighting the father's role and encouraging the conscientious fulfilment of parental responsibilities.

158. In order to provide families at risk with qualified social, rehabilitation and legal assistance, 156 Local Family Support Centres (LFSCs) were created, and operate, within the system of the Ministry of Labour and Social Protection; and databases with personal information have been set up for various family categories.

159. Sociological research designed to identify trends in family dysfunction and the antisocial conduct of parents or other family members on the basis of questionnaires, coupled with an analysis of the underlying causes, constitutes a major task of the LFSCs and serves as a basis for prognosticating and preventing crises in interpersonal and family relations by discouraging the conduct in question. The families concerned are monitored through casework, adapted to the nature of the actual problems and including interviews, counselling of family members by specialists, assistance and mediation services in resolving legal and social problems, contacts with law-enforcement units and juvenile affairs commissions, and other measures. Families in a conflict situation, separation for instance, are assisted through individual and group work; and steps are taken to strengthen the parents' psychological and pedagogical capacities, including with respect to the child rearing.

160. Healthy living and the prevention of alcoholic, drug or other addictions and of domestic violence are disseminated ever more broadly through awareness-raising initiatives and social, psychological and legal assistance for abused women and children. Pre-marital counselling, dispensed to young people regarding the importance of fulfilling parental responsibilities and the social significance of family planning, has been intensified in order to prevent conflict situations within the family.

161. The functioning of social education establishments within the education system, namely social education centres and social shelters for children, has improved. The network of such establishments develops in response to specific regional circumstances and needs. In 2007, the country's 156 social education establishments engaged in the social rehabilitation of families and minors at risk and in need of State protection comprised 55 social shelters for children, 16 social education centres and 85 social education centres with a social shelter for children.

162. Social education establishment specialists follow up on dysfunctional families and provide family counselling and social education assistance in cooperation with the social education services created under Ministry of Education decision No. 42 of 27 April 2006, approving the Regulation of social education and psychological units in educational establishments. The staff of these units was enriched with social education specialists and education psychologists, one of whose basic tasks consists in the protection of the rights and interests of children. As a result, as at 1 January 2007, 2,630 social education specialists and 2,084 education psychologists worked in general education establishments.

*Paragraphs 36 (c) and (d) of the concluding observations of the Committee*

163. Social workers, social education specialists and education psychologists receive specific training in assisting dysfunctional families at the social education, psychology and

education psychology faculties of higher education institutions in Minsk and all provincial capitals, for instance the “Maxim Tank” State College for Teachers and, in Brest and Grodno, respectively, the “A. S. Pushkin” and “Yanka Kupaly” State Universities.

164. The training of social education specialists and education psychologists for social education and psychological units in educational establishments focuses on the detection of early signs of family dysfunctions, the prevention of social orphanhood, and work with children and families at risk and in need of State protection.

165. The staff of general education establishments of any type must include a social education specialist and a psychologist who work with children from dysfunctional families and minors with difficulties.

166. In recent years, the Government reinforced the responsibility of parents and public bodies for the upbringing of children through the adoption of Presidential Decree No. 18 of 24 November 2006 on supplementary measures for affording State protection to children in dysfunctional families. In that connection, the training of the specialists for education, health, labour and social protection, and internal affairs bodies includes programmes and courses on work with children and families, and on the prevention of family dysfunction.

167. A course on the fulfilment of parental responsibilities has been developed for teachers’ college students; and material has been published and a series of training initiatives have been carried out for the parents of children with special developmental needs.

168. With UNICEF and Stockholm University assistance, a group of specialists of the Ministries of Education, Health, and Labour and Social Protection has completed in Sweden an internship on current problems of socio-psychological assistance to families, family-specialist cooperation on childhood issues, and early comprehensive assistance to families and children with special developmental needs.

*Paragraph 38 (a) of the concluding observations of the Committee*

169. Health care establishment specialists systematically work with young families to prevent child abandonment.

170. Awareness-raising campaigns are launched on a national scale with a focus on the rights of orphans and children left without parental care and on their rearing within a family. The National Adoption Centre of the Ministry of Education and health care establishments undertake targeted action in that area.

*Paragraphs 38 (b) and (c) of the concluding observations of the Committee*

171. In recent years, the mechanism for rearing children categorized as orphans in a family setting was further developed through placement in foster or adoptive families or family-type foster homes. In some of the country’s regions, 100 per cent of minors left without parental care are brought up in a family. As a result, a number of orphanages have been shut down and the buildings and land thereby released have been transferred to social welfare bodies and social education establishments. More details on that issue are provided as part of core information in section V, “Family environment and alternative care”.

*Paragraph 38 (d) of the concluding observations of the Committee*

172. The Government has worked on the improvement of the legal and regulatory framework for the protection of rights and legitimate interests of orphans and children left without parental care. About 50 decisions have been taken by the Government and by State authorities on issues regarding that group.

173. The measures in question significantly improved material conditions for the children concerned, and the protection of their rights to housing and to living in a family. The regulatory framework for adoption and the functioning of orphanages, family-type children's homes, children's villages or towns and adoptive and foster families have been updated. It has thus been possible to resolve a number of long-standing problems, which had impeded the social integration of orphans and children left without parental care and perpetuated the state of orphanhood.

174. The Act on social support guarantees for orphans, children without parental care, and persons from those groups" and Presidential Decree No. 565 of 29 November 2005 on certain measures for the regulation of housing issues entered into force in that year.

175. Under the above legislation, State guarantees for the full development of orphans and children left without parental care were established, and comprehensive measures were taken for their effective social integration.

176. The "Children of Belarus" Presidential Programme and the National Action Plan for the improvement of the situation of children and the protection of their rights, 2004-2010, provided for comprehensive measures for improving the living conditions of children in residential establishments.

177. Follow-up on graduates of residential institutions for orphans is conducted in three testing areas, while in three further areas an organizational model for fostering young persons educated in residential institutions is further developed.

*Paragraph 38 (e) of the concluding observations of the Committee*

178. The professional capacities of residential institution staff, including social workers and social education specialists, are upgraded on the basis of the specific requirements of work with the children of the particular establishments.

179. The Ministry of Education regularly organizes training seminars for the staff in question. The work of residential institution specialists is facilitated with special teaching manuals. In 2007, for instance, residential institution staff was provided with teaching methodology manuals for the "Preparation of children left without parental care for independent life" and the "Social integration of residential institution pupils".

180. The National Adoption Centre of the Ministry of Education and the State Academy for Postgraduate Studies are also actively engaged in upgrading the qualifications of pedagogues working with the category of children in question.

*Paragraph 38 (f) of the concluding observations of the Committee*

181. Children under State care may file complaints with the administration of residential institutions, the juvenile affairs commission, the tutelage and guardianship authorities, the public procurator's office or the National Commission on the Rights of the Child. The law entitles such children who are at least 14 years old to request a court of law to ensure the protection of their interests, on an equal footing with other children of the same age.

182. Government authorities monitor on an ongoing basis the living conditions, the rearing and education of children under State care.

183. The tutelage and guardianship authorities review at least twice a year the situation of children placed with foster families. The living conditions of such children are monitored by the social education and psychological units of educational establishments.

184. The tutelage and guardianship authorities regularly review issues related to the realization of the right of orphans and children at risk to be reared in a family.

*Paragraph 38 (g) of the concluding observations of the Committee*



185. Minors leaving children's homes and residential institutions receive special attention and support from the State.

186. Ensuring the rehabilitation of that category of children and their social integration, including into a family setting, is a priority of the "Children of Belarus" Presidential Programme.

187. Through the LFSCs, orphans and children left without parental care who are former pupils of residential institutions receive support and comprehensive assistance, including vocational, technical, and specialized secondary-education and higher-education training.

188. Orphans and children left without parental care who are former pupils of residential institutions are registered in regularly updated databases.

189. Database formatting and the organization of the registration of the above children are results-oriented and based on close cooperation between education bodies, internal affairs units, juvenile affairs commissions and inspectorates, employment services and local government.

190. In order to record in detail the situation of the above children and other persons from the group of orphans and children left without parental care, the LFSCs conduct interviews, inquiries and inspections of the material and domestic conditions in which they live.

191. The main activities carried out by the LFSCs for the above group may be recapitulated as follows:

- Social support for personal-life organization, including the exercise of the right to accommodation, inter alia in social housing or a hostel, the completion of formalities for pensions and grants, and access to material and humanitarian assistance;
- Assistance in securing vocational training and employment, including a temporary job or social work;
- Guidance and psychological counselling for social adaptation; overcoming adverse experiences; developing a capacity for changing values, orientation and behaviour models; and choosing an appropriate lifestyle;
- Legal counselling, including information on entitlements, guarantees and privileges, and assistance in the exercise of such rights;
- Organization of leisure activities.

192. Social and psychological assistance and personality trait correction are a significant part of the practical solution of individual problems of persons from the group of orphans and children left without parental care, particularly former pupils of residential institutions. Training, correction and counselling teams are organized in the LFSCs for dealing with the persons in question. Psychological, educational and informational support is provided, individual work plans are prepared and habits necessary for an independent life are developed. Since, as a rule, such work is conducted among low-income population groups, the LFSCs offer material and humanitarian assistance, as appropriate.

193. Requested forms of assistance also include legal counsel, preparation of various documents, and help with survivor's benefits, disability pensions, and inheritance issues.

194. According to LFSC records, the number of former residential institution pupils and persons reared in fostered or adoptive families has developed as follows:\*

<i>Regions</i>	<i>Years</i>		
	<i>2005</i>	<i>2006</i>	<i>2007</i>
Republic of Belarus	10 902	12 059	11 431
Brest province	1 271	1 159	1 115
Vitebsk province	790	823	977
Gomel province	2 119	2 696	1 681
Grodno province	908	1 030	1 087
City of Minsk	524	1 100	977
Minsk province	4 544	4 471	4 669
Mogilev province	746	780	925

\* Data collected since 2005 through State statistical reporting form 1-SOC, "Activity report on residential social service establishments", according to Ministry of Statistics and Analysis decision No. 189 of 25 November 2005.

*Paragraph 40 (a) of the concluding observations of the Committee*

195. Some of the measures taken by the Government to prevent the subjection of children to violence, ill-treatment and abuse, including sexual violence, have been the collection of statistics on recorded cases of physical and mental violence against children, the conduct of surveys in that area and, on that basis, the formulation of recommendations for the entities concerned, including education, internal-affairs, social-protection and health bodies.

196. Statistical reports on abuse victims, including children, are drawn up by the Information Analysis Centre of the Ministry of Internal Affairs on the basis of information entered into in a consolidated online database of offences committed in the country. The reports are transmitted to child protection bodies and social education centres for extending professional assistance to the children concerned and taking appropriate measures with regard to the perpetrators.

197. Research-based initiatives undertaken in the country in the period 2004-2007 to counter violence against children have included the following steps:

- Comprehensive analysis of the effect of violence on the formation of the personality of juvenile offenders (2004-2005)
- Streamlining of activities undertaken by the schools' social education units for the prevention of all forms of violence against children (2004-2005)
- Through social education centres and social shelters for children, social education support to minors subjected to violence and in need of professional assistance and rehabilitation (2006)
- Through education-, labour- and social-protection-, defence-, internal-affairs- and culture- establishments whose work concerns families, children and young persons, development, introduction and systematic offer of informational and educational programmes or elective courses on the prevention of violence in the family, the community and society and on the promotion of attitudes conducive to non-violent conflict resolution (2007-2008).

198. In 2007, representatives of the Ministries of Education, Labour and Social Protection, Internal Affairs, and Health, and national voluntary organizations participated in a comprehensive survey, carried out with UNICEF assistance, on the situation regarding violence against children in the country. The findings were used in seminars and thematic round tables for the staff of establishments working with children.

*Paragraphs 40 (b), (c), (f) and (g) of the concluding observations of the Committee*

199. The system set up in the country in order to protect the rights of child victims of violence and assist such children includes child protection bodies, social education centres and social shelters for children, and the social education and psychology units of education establishments.

200. The National Action Plan for the improvement of the situation of children and the protection of their rights, 2004-2010, is in the process of implementation.

201. The objectives of National Action Plan measures designed to protect children against violence, trafficking, and all forms of exploitation and armed conflict, include the following goals:

- Familiarizing children and specialists working with children with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and with the recommendations formulated by the Committee within the framework of the general discussions on “Violence against children within the family and in schools” and “State violence against children”;
- Developing and implementing the system of recording and registering cases of physical, mental or other violence against children;
- Raising public awareness of crimes and other offences against minors and of the respective penalties;
- Detecting acts endangering society and harmful to children, and holding the perpetrators accountable;
- Reviewing and generalizing the implementation of legislation aimed at the protection of the life and health of minors in an extreme situation, who are victims of crimes, cruelty or violence;
- Restricting television films, video recordings and printed publications with a violent, cruel, depraved or vulgar content.

202. Work for the prevention of violence against children is undertaken under the “Children of Belarus, 2006-2010” Presidential Programme, whose activities contribute to an attitude change towards non-violent relationships with children, and include rating cinema films, audiovisual products and advertisements, identifying children and families at risk, and training specialists in working with them.

203. The detection of family dysfunctions and the provision of social and psychological assistance to children in need of support by the LFSCs and the social education units of educational establishments contribute to preventing and dealing with domestic violence. LFSC or social education unit specialists check out the situation of families, identify those requiring institutional support, provide psychological assistance to conflict-ridden families, and follow up on them. Work is also done with alcoholic parents whose addiction adversely affects their children, if they live under the same roof.

204. In practically every town or region of the country, social education units of educational establishments, LFSCs or social shelters for children focus on minors in need of assistance and protection.

205. Regional LFSCs include special assistance sections for women and children exposed to domestic violence.

206. The Government seeks to raise the population's awareness of the issue of domestic violence and to consolidate the activities of bodies involved in preventing that phenomenon. A series of initiatives were undertaken to that end as part of the United Nations Development Fund for Women (UNIFEM) regional public awareness campaign "A life free of violence - it's our right" in the period 2001-2003.

207. In 2002, within the framework of the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010, a national initiative entitled "The right to be a human being in a human world" enabled children, parents and specialists to provide information about the United Nations General Assembly Special Session on Children; and a children's drawing and poster contest was organized on the theme "A World Fit for Children".

208. The awareness-raising campaign "April, month for violence-against-children prevention" has become an annual event, during which information is disseminated, and round tables, press conferences, and radio broadcasts take place. A number of training programmes and masterclasses are conducted with the support of the "Children are not for violence" public association.

209. In the reporting period, the above activities were attended by 7,100 minors and 2,446 specialists. Flyers, posters and booklets, such as "Violence leaves a scar for life", "Cruel treatment is ...", "Right to a life without violence or humiliation", "Children, here is advice from Antoshka-Dapamožka ['helpful little Anton']", "My eight safety rules", "My virtuous circle" and "Parents' checklist for communicating with children", were published for children, parents and specialists. A manual on "Prevention of cruel treatment of children" was published in 2007.

210. Public associations, for instance "Children are averse to violence", a member of the international network "End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes" (ECPAT International), participate in action for the prevention of violence against children.

*Paragraph 40 (d) of the concluding observations of the Committee*

211. The Rights of the Child Act guarantees the right to inviolability of the personality and the protection of the child from exploitation and violence. Under article 9 of the Act, the State ensures the child's protection against exploitation of all forms, including sexual, and against physical or mental violence, cruel, inhuman or degrading treatment, and sexual harassment, including by parents, their substitutes, or relatives.

212. Under article 154 (2) of the Criminal Code, knowingly subjecting a minor to torture is punishable with judicial supervision for 1-3 years or with imprisonment for 1-5 years.

213. The regulations of education establishments forbid corporal punishment.

214. Analogous work is undertaken with regard to parents. The issue of the adverse effects of corporal punishment and the use of alternative methods of ensuring discipline in the families is on the agenda of parents' meetings, to which psychologists, physicians and members of relevant commissions and inspectorates are invited.

215. In a number of regions, counselling posts for parents operate at their place of work. Social integration units hold monthly sessions with parents, addressing legal, psychological and medical issues.

*Paragraph 40 (e) of the concluding observations of the Committee*

216. Children subjected to violence or cruel treatment may request protection of their rights and interests from the tutelage and guardianship authorities, the public procurator's office or the National Commission on the Rights of the Child. They may also seek such protection through their legal representatives.

217. The law entitles children who are at least 14 years old to have recourse to a court on their own and to receive legal assistance in realizing their rights and freedoms.

218. The participation, obligatory under article 435 of the Criminal Procedure Code, of a teacher or psychologist in such legal proceedings is conducive to better understanding and trust among those conducting the inquiries and contributes to the protection of the rights and legitimate interests of the child.

219. The 156 social education establishments active in the country provide psychological, medical, social and other types of professional assistance to children subjected to violence or at risk. Further details on this issue are provided as part of core information in section V.

### **A. Parental guidance**

220. The parents' right to rear their children and to attend to their health, development and education is enshrined in article 32 (c) of the Constitution and specified in detail in the Marriage and Family Code. In particular, under article 65 (2) of that code, parents, in priority, have the right and obligation to decide the manner, means and methods of bringing up their children; and, under article 75 of the code, a child's legal representatives, acting as trustees for the child and his or her property, must attend to the child's physical, mental and moral development, health, education and preparation for independent life.

### **B. Parental responsibilities**

221. The term "minor at risk" was introduced through Act No. 200-Z of 31 May 2003 on the bases of the child-neglect and juvenile-delinquency prevention system in order to enhance the protection of children and the accountability of parents. Implementing the Act, the Ministry of Education issued decision No. 47 of 28 July 2004, containing instructions on the procedure for identifying minors in need of State protection, and in particular a definition of that category of children and specific criteria for considering that a minor is at risk. In 2004, the term "children in need of State protection" was introduced into the Marriage and Family Code.

222. Presidential Decree No. 18 of 24 November 2006 on supplementary measures for affording State protection to children in dysfunctional families was adopted in order to enhance parental accountability for the rearing and living conditions of their children. Under the Decree, children may be placed under State care, if parents are alcohol or drug addicts, lead an immoral life or otherwise fail to meet their obligation to ensure their children's sustenance and upbringing, thereby placing them at risk.

223. When a child is placed under State care, the parents, if unemployed, are placed on a watch list by the internal affairs units and, if necessary, are subjected to an identity documentation check and fingerprinted. Where the child is removed from his or her legal representatives and placed under State care by decision of the Commission for Minors' Affairs or of a court of law without deprivation of parental rights, parents must reimburse the authorities for the child's maintenance costs. Expenses are also charged to parents

deprived of parental rights, if they are under custody, in occupational therapy dispensaries or in detention or partial-confinement facilities. If unemployed, or employed but unable to cover the expenses in full, the parents may be afforded employment enabling them to meet their obligation to ensure the sustenance and rearing of their children.

224. The Office of the Prosecutor-General monitors compliance with legislation on child rights protection and, in cooperation with law-enforcement and education-system units and LFSCs, seeks to identify parents blatantly failing in their child-rearing duties, dysfunctional families and children at risk.

225. Of the 2,134 verifications of compliance with legislation on minors conducted in 2006, 740 focused on children's rights and 451 on the prevention of alcoholism among adolescents. The outcome consisted of 1,342 recommendations to discontinue detected infringements, 1,285 warnings about significant violations, 476 orders to end an offence and 274 protests against illegal decisions or acts by officials.

226. Of the offenders, 1,214 incurred disciplinary, 694 administrative and 71 financial liability, while penalties and fines were imposed on 20 legal entities. Damages for violations of legal provisions on minors are assessed on a case-by-case basis.

227. In 2007, more than 7,000 persons incurred administrative liability for blatant failure in their duty as a parent or person in loco parentis to ensure a child's rearing and education, and the juvenile affairs inspectorates of internal affairs bodies placed 3,900 legal representatives of children on a watch list.

### **C. Separation from parents**

228. Deprivation of parental rights, one of the steps taken by the authorities in the case of inappropriate child-rearing, is an extreme measure, used when it is impossible to protect a child's rights and interests otherwise. Article 80 of the Marriage and Family Code provides a full list of acts, whose commission by the representatives of a child justify that measure. The list includes failure in child-rearing duties; abuse of parental rights; cruel treatment of children; immoral way of living, with a prejudicial effect on the children; alcoholism or addiction; and a written child-relinquishment application by the parents

229. The protection of children's rights and legitimate interests are addressed in Supreme Court plenum decisions No. 9 of 20 December 2000 on judicial practice regarding adoption, No. 5 of 22 June 2000 on judicial practice in marriage dissolution cases and No. 11 of 30 September 2004 on judicial practice regarding child-rearing disputes.

230. According to judicial procedure, deprivation of parental rights may take place on any of the grounds listed, in the presence of the public procurator and a representative of the tutelage and guardianship authority. The proceedings may be initiated by either parent, a guardian or trustee of the child, the public procurator, the tutelage and guardianship authority or other organizations legally empowered to ensure the protection of rights and interests of children. In 2007, 4,760 parents were deprived of parental rights by the courts, compared to 4,344 in 2006.

231. The following table shows a breakdown of children's loss of parental care in 2007, by cause:

<i>Causes</i>	<i>Mother (%)</i>	<i>Father (%)</i>
Deprivation of parental rights	61.6	37.5
Death of parent	23.3	15.7
Sentencing of parent	3.1	3.6
Child relinquishment	3.1	1.4
Child removal by court decision	3.1	1.9
Parent's failure to rear the child	2.5	2.1
Disqualification of parent	0.7	0.7
"Missing" status of parent	0.7	0.7
Illness of parent	0.9	0.4
Certified child abandonment	0.7	-
Child's birth out of wedlock	-	36.5

232. The above information reveals that that loss of parental care largely consists in social orphanhood, a problem calling for the consolidation of the efforts of State and voluntary organizations.

233. Parental rights may be restored under conditions specified by the law, namely where the parents' conduct, way of life and child-rearing attitude have substantially improved, provided that such restoration is in the child's best interests and the child has not been adopted.

234. Despite the efforts made, the number of deprivation-of-parental-rights requests heard by ordinary courts increased from 3,244 in 1999 to 4,621 in 2007, while the number of such requests that were granted increased in the same period from 2,788 to 4,060.

235. To ensure appropriate implementation of the relevant legislation, the plenum of the Supreme Court adopted decision No. 7 of 26 September 2002 on judicial practice regarding deprivation of parental rights, paragraph 1 of which stresses that such deprivation is an exceptional measure for protecting a child's rights and interests.

236. As a rule, minors do not participate in the hearings. The court decisions, however, are based exclusively on the interests of the child.

237. In other types of cases related to marriage and family matters affecting children (such as, for instance, restoration of parental rights, child-rearing, adoption, and adoption annulment), the court must consider the child's views and preferences and settle the given dispute solely in his or her best interests. In order to avoid traumatizing the child or allowing him/her to be influenced by the parents, children over 10 are interviewed by the judge out of court. The views of younger children are recorded by the tutelage and guardianship authority representatives in preparing the case for the hearing.

#### **D. Family reunification**

238. Parental rights may be restored only by a court and, if he or she has reached the age of 10, taking the child's consent into consideration. Upon restoration of parental rights, all relevant legal relations are also fully re-established. However, if in the meantime the child has been adopted by third persons, the biological parents' legal connection with the child are definitively severed.

239. In 2007, 307 children rejoined their parents after reinstatement of parental rights.

240. The return, in 2007, of 3,632 children from social shelters to their families, which in the meantime had ceased to be at risk, attests to the effectiveness of efforts to prevent social orphanhood.

### **E. Recovery of maintenance for the child**

241. Under an August 2005 amendment to article 93 of the Marriage and Family Code, parents deprived of parental rights or not rearing their children on other grounds must provide compensation for the costs of their children's maintenance in residential institutions or foster families. Of the 22,579 requests for such reimbursement which were filed with courts countrywide in 2006 alone, 21,435 were heard and 20,873 (or 97.4 per cent) were granted.

### **F. Children deprived of a family environment**

242. Since September 2004 and in accordance with instructions received from the President of the Republic, the Ministry of Labour and Social Protection ensures the registration of orphans and children left without parental care who are former pupils of residential institutions, in order to provide them with comprehensive assistance. As of 1 March 2007, 10,953 persons were recorded in LFSC registers. They are assisted in registering, exercising their right to housing and finding employment. They also receive financial, legal and psychological assistance.

243. In the last four years the number of newly identified orphans and children left without parental care has steadily tended to decrease as a consequence of results-oriented action by child-protection bodies, densification of the regional network of social shelters for children and organization of early prevention of social orphanhood through the timely identification of dysfunctional families, which receive extensive social education support in order to safeguard child-parent relations.

244. The number of newly identified orphans and children left without parental care decreased to 4,472 in 2006, or 443 fewer than in 2005, and to 4,451 in 2007.

245. The number of children removed from parents deprived of parental rights decreased to 4,026 in 2006 (namely by 545 compared to 2005), and to 3,734 in 2007 (namely by 292 compared to 2006). The number of children abandoned by their parents decreased from 552 in 2001 to 184 in 2007 (namely by a factor of 3).

246. Of the total number of minors placed for rearing in various types of settings in 2007:

- 1,242 were placed under State care (including 134 minors attending educational establishments for vocational, technical, and specialized secondary-education and higher-education training);
- 1,979 were placed in foster families;
- 968 were placed in adoptive families;
- 35 persons were placed in children's villages;
- 63 were placed in family-type children's homes;
- 166 were adopted;
- 34 were returned to their parents;
- 12 persons were taken off the list for various reasons (employment, marriage, death and military training).



247. Of the 561 children adopted in 2007 (185 more than in 2006), 539 were adopted by Belarusian citizens and 22 by foreigners; and 493 were adopted by their step-parents.

248. As of 5 September 2007, of the orphans and children left without parental care being reared in the country, 2,023 were in 28 orphanages, 6,129 in 117 residential schools - children, 641 in 137 social shelters for children, and - children, and 4,872 in vocational and technical training establishments.

249. Of the 33,045 orphans and children left without parental care 53.9 per cent live in families. Of the 6,192 adopted children aged up to 18 who live in Belarusian households, 4,815 receive monthly maintenance allowances.

250. The educational infrastructure of residential institutions for orphans is currently enhanced and establishments of new types are created (residential cadet schools, factory schools, and arts-oriented secondary schools for gifted children), largely with a view to the effective preparation of the pupils for social integration.

251. Despite a certain stabilization of the situation regarding social orphanhood, the problem remains serious and calls for strengthening inter-departmental cooperation and consolidating the efforts of the various ministries, departments, other Government bodies and voluntary organizations.

## **G. Adoption**

252. Under Belarusian law, the adoption procedure is exclusively judicial and gives priority to domestic - versus intercountry - adoption. Children entrusted to Belarusian citizens within family settings (foster or adoptive families and family-type children's homes) may not be considered for intercountry adoption. Adoption by aliens may be examined only after information about the child has been in the national database of adoptable children for a year.

253. Belarus implements the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption on a new legal basis and only with States having engaged in coordination with the competent Belarusian authorities regarding the possibility of intercountry adoption of Belarusian children.

254. The procedural and legal arrangements for adoption in Belarus are based on the following principles:

- The all-round development of children is possible only when they are raised in the protective surroundings of a family, with an environment of well-being, love, understanding and respect.
- The right of the biological parents to care for and raise their child prevails.
- If a child cannot be guaranteed proper care in his or her own family, constant care must be provided by the child's relatives under a foster family arrangement. The order of priority for a child's placement with relatives is specified in articles 117 and 118 of the Marriage and Family Code.
- Adoption is possible only where the necessary care can be provided on a constant basis by a relative within the relative's family.
- Intercountry adoption may be considered as an option only where there is no possibility of adoption or placement of the child in a family in Belarus.
- Decisions on any issues related to adoption shall be guided by the child's best interests.

255. The legal rules of adoption are established in chapter 13 of the Marriage and Family Code, under article 125 of which, in particular, children may be adopted by adult citizens save for persons deprived of parental rights, persons declared legally incompetent or of limited competence and persons who have previously adopted children and in respect of whom such adoption has been revoked because of their failure to meet their obligations. Provided they have not been deprived of their parental rights, the parents' written consent is a prerequisite for adoption.

256. Under article 136 of the Marriage and Family Code, the adoptive child must also consent to the adoption, if he or she has reached the age of 10. The tutelage and guardianship authorities ascertain whether or not the child consents to the adoption. The secrecy of adoption is protected by law. Adoptive children aged 10 or over must give their consent before receiving a new surname or patronymic or before their first name may be changed. Where children to be adopted have no parents and have been placed under tutelage or guardianship, the guardians or tutors must give their written consent; and where the children have been placed in State children's homes, the administration of the home must give its consent. The adoptive child's consent is subject to verification by Belarusian consular authorities or by the court issuing the relevant decision.

257. Steps are taken to encourage adoption, with a preference for Belarusian families. Research is being conducted in order to develop a systematic basis for organizing and ensuring the optimal operation of family-type placement settings. Seminars on practical methodology for realizing a child's right to be reared in a family are regularly held for child protection specialists. The organization of psychological, pedagogical and legal training for potential adoptive parents is centralized at the establishment National Adoption Centre of the Ministry of Education, which has a ten-year experience in that area, and social education establishments in all regions of the country, through programmes approved by the Ministry.

258. Belarusian citizens wishing to adopt or accept to rear a child undergo obligatory training and are supplied free of charge with a full set of relevant literature. Some of the books and pamphlets on the prevention of social orphanhood published for specialists in the period 1999-2006 are entitled "Orphanhood as a social problem: A manual for pedagogues" (1999), "Social education work with children deprived of parental care: Methodological recommendations for the staff of residential institutions and alternative establishments for orphans" (2001), "Social education work with children of dysfunctional families: A manual for social pedagogues" (2003); "If you have decided to adopt a child: A manual for heads of educational establishments, social pedagogues, specialists of social education centres and social shelters for children, and foster-parents".

259. Large-scale awareness-raising and advocacy are undertaken at national level with a view to promoting a favourable attitude to adoptive families, thereby increasing the number of potential adoptive parents and helping to optimize the selection of families for the children concerned. The experience of adoptive or foster families successful in rearing and ensuring the social rehabilitation and adaptation of the adopted children is highlighted in the media.

260. The following table shows basic statistical data regarding adoption:

<i>Children placed through:</i>	2005	2006	2007
- National adoption	368	337	539
- Intercountry adoption	2	39	22
<b>Total</b>	<b>370</b>	<b>376</b>	<b>561</b>

261. Intercountry adoption decisions are taken by an provincial or the City of Minsk court, subject to a written permission to be obtained from the Minister of Education in every individual. Intercountry adoption or establishment of international tutelage or guardianship is governed by the following rules, designed to afford State protection to every Belarusian child placed with a foreign family.

- The competent State authorities of the country in which the prospective adoptive parent is resident must pledge to oversee the child's adjustment to his or her adoptive family and the child's living conditions during the post adaptation period and send annual reports on that process to the National Adoption Centre of the Ministry of Education over a period of at least five years or, in the case of international tutelage or guardianship, up to the child's majority.
- Foreign adopters and the competent State authorities of their country of residence must guarantee the maintenance of the contacts of the adopted Belarusian children with their native land and relatives.
- Up to the child's majority, Belarusian diplomatic authorities abroad are entitled to inspect the conditions in which he or she lives in the foreign adoptive family.
- Under the amended version of the Belarusian Citizenship Act, a child adopted by aliens retains his or her Belarusian citizenship until he or she reaches majority.

## **H. Illicit transfer and non-return**

262. The Agreement on cooperation among States members of the Commonwealth of Independent States (CIS) regarding the return of minors to the States of their permanent residence, signed in Kishinev, Moldova on 7 October 2002 entered into force for Belarus on 7 July 2006. Azerbaijan, Armenia, Kyrgyzstan, the Russian Federation and Ukraine are also parties to the agreement.

263. An agreement between the Government of Belarus and the Government of Italy on conditions related to the improvement of the health of Belarusian minors in Italy on the basis non-reimbursable assistance, signed on 10 May 2007 in Minsk, entered into force on 10 January 2008.

## **I. Abuse and neglect, including physical and psychological recovery and social reintegration**

264. The factors underlying the cruel treatment of children are complex and often inconspicuous. Addressing that phenomenon requires cooperation among highly qualified specialists in law, medicine, psychology, social work, social education and the media.

265. During the reporting period, efforts to enhance the activity of the network of social establishments continued, taking into account special regional characteristics and the needs of families and children.

266. In 2007, the country's 156 social education establishments engaged in the social rehabilitation of families and minors at risk and in need of State protection comprised 55 social shelters for children, 16 social education centres and 85 social education centres with a social shelter for children.

267. Regional education departments have created databases of children at risk. As of 31 December 2007, 28,770 children, belonging to 15,877 families had been placed in that category.

268. In 2007, social rehabilitation shelters for children engaged in rehabilitation work with more than 6,000 children in need of assistance.

269. The competent Government bodies combine their efforts in assisting families at risk.

270. The problem of violence against children is addressed ever more openly year by year. Various initiatives and activities undertaken in order to draw attention to the issue include media coverage and specialized literature. For instance, the National Institute of Education drew up and provided educational establishments with methodological recommendations entitled "A child's right to protection from all forms of violence, and adolescent suicide prevention".

271. The issue of domestic violence against women and children and the improvement of inter-departmental cooperation for preventing that phenomenon are discussed in the framework of a number of regional and national initiatives.

272. Considerable attention is paid to the professional training of specialists working with children subjected to violence.

273. Efforts to set up effective mechanisms for the protection of children from violence mainly consist of the following measures:

- Ongoing development of methods of work with families and children at risk;
- Upgrading of the qualifications of social education workers;
- Involvement of children in violence prevention activities through:
  - A course on "Safety basics for everyday activities";
  - Elective specialized course for grades I-XI on "Responsible and safe conduct";
  - Participation in the activities of children's public associations and the "Equal Teaches Equal" movement;
  - National children's forums;
  - Participation in surveys on the incidence of violence against minors.

274. In 2007, all specialists working in social education and psychological units of educational establishments received methodological recommendations on safeguarding the right of children to protection from all forms of violence and on suicide prevention. Qualifications upgrading programmes include lectures on "Prevention of violence against and cruel treatment of children" and group discussions on "Prevention of harassment in educational establishments" and "Protection against and prevention of child exploitation and trafficking".

275. Educational establishment organizers report a lack in effective technological and methodological approaches to families and children in need of assistance.

## J. Periodic review of placement

276. Under article 154 of the Marriage and Family Code the tutelage and guardianship authorities inspect on-site the performance of guardians and trustees and the living conditions of the children placed with them. Such inspections take place at least twice a year.

## VI. Basic health and welfare

### *Paragraph 42 (a) of the concluding observations of the Committee*

277. The health status of women and children and the development of health- and population-related indicators, especially the reduction in the maternal and infant mortality rates, reflect the state of the country's social and economic development.

278. In the period 2001-2006, health expenditures increased by a factor of 2.9, namely from US\$537.5 million to US\$1,579.5 million. Per capita, these expenditures increased by a factor of 2.76, namely from US\$52.8 to US\$145.5.

279. The progress achieved by Belarus with regard to the protection of mothers and children has been acknowledged at the international level. According to the European Bank for Reconstruction and Development (IBRD), *Transition Report 2005*, health expenditures in Belarus amount to 4.9 per cent of GDP, the highest such rate in CIS countries.

280. Belarus leads the CIS and many East Europe countries in ensuring a low mortality rate among children aged up to 5 (6.7 deaths per 1,000 births in 2007) and a low maternal mortality rate (5.8 deaths per 100,000 live births in 2007).

281. Pregnant woman fulfilling the requirements of the law are guaranteed medical observation in State health organizations, in-patient pre- and post-natal medical attention. The newborn is entitled to medical observation, care and treatment.

282. According to the United Nations Population Fund (UNFPA), *State of World Population 2007*, Belarus is the sole CIS country, where 100 per cent of births occur with professional assistance. In developed countries, that rate is 99 per cent.

### *Paragraph 42 (b) of the concluding observations of the Committee*

283. All children, including children from vulnerable groups, enjoy 100 percent access to free medical care, inter alia specialized and highly qualified medical attention.

### *Paragraphs 42 (c) and (g) of the concluding observations of the Committee*

284. The protection and reinforcement of children's health is a Government priority and a basic goal of the country's health care organizations and establishments. During the reporting period, the system of early diagnosis of various physiological or psychological impairments in children was improved, and a network of centres, departments and units for the rehabilitation of the children, including infants, was created and developed. Early intervention units operate in all provincial centres and health care is available to children in 14 medical rehabilitation hospitals or establishments. As a result, the rate of children at third or fourth health-loss degree declined from 46.2 per cent in 2005 to 44.9 per cent in 2006.

285. Work on building the country's early intervention system, crucial to the development of disease treatment and prevention for mothers and children, began in 2003. Comprehensive early support is provided at early intervention centres and units of the Ministry of Health and at correction- and development-training and rehabilitation centres of the Ministry of Education. Oblast-level inter-departmental programmes providing

comprehensive early care for children with special developmental needs, and relevant methodological recommendations and information material for specialists and parents have been drawn up; and related training seminars and international and national inter-departmental meetings are organized. A number of establishments have been endowed with equipment assisting the development of children with special developmental need.

286. As part of reinforcing children's health, special attention has been paid to ensuring adequate nutrition for the country's children.

287. Since 1999, families with many children, single-parent families and families where both parents are students have been entitled to free nutrition for their children provided that the family's total monthly income in the preceding quarter did not exceed 20 per cent of the minimum per capita consumption budget of a four-member family.

288. Moreover, for up to two-year-old children, pursuant to Council of Ministers decisions No. 271 of 1 March 2007 and No. 1839 of 27 December 2007, the above benchmark rate was successively raised to 60 and 100 per cent of the minimum subsistence budget, thereby increasing the number of recipients in a targeted manner.

289. Children's food processing, carried out by 12 enterprises in the country, is subject to more exacting safety and raw-materials quality standards and to full hygienic control. Children's food production facilities may not be used for processing other foodstuffs.

290. Under the "Children's nutrition" subprogramme of the "Children of Belarus, 2006-2010" Presidential Programme, children's food processing enterprises are renovated and technically upgraded and reequipped in order to fully meet family needs in that area.

291. A draft children's nutrition Act drawn up in 2007 highlights the preventive health care role that children's food can play, an aspect not addressed in earlier legislation.

292. The draft Acts regulates the identification of areas for the production of the necessary raw materials (crops and livestock) and lays down quality specifications for raw materials producers. Although such control currently exists, the new text establishes these provisions and other rules, including on children's nutrition standards, in a consolidated form.

293. Conditions for targeted children's nutrition assistance to disadvantaged large families and children's food pricing issues will also be regulated at the legislative level.

294. In the wake of the completed "Clean Water, 2001-2005" programme, the "Clean Water, 2006-2010" water-supply and sanitation programme has been launched with a view to ensuring the continuous supply of quality drinking water, increasing life expectancy among the population, and reducing the morbidity rate, including among children.

295. In 2004 the rate of use of improved drinking-water sources in Belarus amounted to 100 per cent, a level which was the highest in CIS countries and comparable to the level in developed countries.

*Paragraph 42 (d) of the concluding observations of the Committee*

296. The Belarusian reproductive-health protection system includes the following preventive practices:

- Preventing undesirable pregnancies, and reducing the number of abortions and the morbidity rate connected with abortion;
- Promoting, among the various age groups, lifestyle models that are safe and healthy;
- Providing advice on reproductive health issues;
- Encouraging family planning;

- Training women and their families for pregnancy and childbirth;
- Ensuring prenatal protection of the foetus, inter alia by preventing and treating of intrauterine infections;
- Preventing the vertical transmission of HIV/AIDS;
- Introduction of screening programmes for the prevention and early detection of reproductive system diseases.

297. The Government takes all appropriate measures for HIV/AIDS prevention, particularly with regard to mother-to-child transmission. During gynaecological examinations, pregnant women have the option to undergo an HIV/AIDS test. Should she test positive, the expecting mother receives pre- and post-natal antiretroviral treatment according to WHO recommendations. A caesarean section may be opted for on the basis of safety considerations. Breast milk substitutes are used to feed the child.

298. A National gender-equality action plan has been adopted for the period 2008-2010. The plan's reproductive health component provides for a number of activities designed to improve the legal and regulatory framework for the prevention of mother-to-child transmission of HIV/AIDS and cooperation with voluntary organizations in that area. The plan includes monitoring and quality control of services provided for such prevention and of the antiretroviral treatment of children.

299. The number of children aged up to 18 who are infected with HIV/AIDS remains low, namely 60 (or 14.59 per cent of the total number of infection cases) as at 1 January 2000, 42 (5.58 per cent) as at 31 December 2006, and 44 children (or 4.4 per cent) as at 31 December 2007. All children infected with HIV/AIDS receive a full range of assistance.

*Paragraph 42 (e) of the concluding observations of the Committee*

300. Within the framework of the country's Health Development Concept for the period 2003-2007, preventive and health-improvement measures were taken during the reporting period by local paediatricians and other physicians with the children and their parents at the children's place of residence, and by health workers in the preschool and general education educational establishments, with a view to preventing injuries to children and protecting children from accidents. Accident prevention work with minors includes specific training for minors and for adults in their environment in detecting and avoiding potentially hazardous situations and eliminating injury risk factors from a child's habitual surroundings.

301. Under the "Health protection and development of a healthy lifestyle" subprogramme of the "Children of Belarus, 2006-2010" programme includes a component for the prevention and control of injuries to children and their inculcation with habits conducive to a healthy way of life. Health, education and internal affairs unit specialists engage in results-oriented cooperation with children, teachers and parents. Since 2004, a course developed by the Ministry of Internal Affairs and the Ministry of Education on "Safety basics for everyday activities" is taught in all of the country's educational institutions.

302. In order to prevent and reduce the number of traffic casualties, the Motor Vehicle Inspectorate, in cooperation with education bodies, the media, and youth and other voluntary organizations, makes maximum use of young traffic wardens' units in the schools and other establishments. Annual national young traffic wardens meetings, road traffic safety days and other related events are organized.

*Paragraph 42 (f) of the concluding observations of the Committee*

303. Article 4 of the Child Act confirms the inalienability of every child's right to life. Action taken by parents and specialists for the prevention of manifestations of suicidal conduct among children are necessarily guided by the principle of optimizing conditions for the full realization of that right.

*Prevention and control of the spread of suicides among children*

304. During the reporting period, considerable attention was paid to research on and analysis of the causes of suicide among children and adolescents, and measures were developed to prevent and combat that phenomenon. Addressing the problem, the National Education Institute, a pedagogical research establishment under the Ministry of Education, conducted in 2004-2005 a study on "Systematic social-education action for the prevention of all forms of violence against the children". Based on the findings of the study, methodological recommendations, entitled "The situation, forms and basic causes of violence against children. Prevention of suicide attempts among minors" were prepared for educational establishment pedagogues.

305. Among the reasons, motives and grounds for children's suicides, specialists primarily refer to intrafamily conflicts, as a result of which a child may feel overtaxed or fully ignored as a personality. Conflicts in the school are rated second, and their role in inciting children's suicides is not less significant. Indeed, the psychological difficulties frequently experienced by adolescents in an educational establishment may lead to self-depreciation, a feeling of insignificance and defencelessness, and to a lack of resistance to stress. When a child is in such a crisis, timely psychological support and genuine interest may help to avoid tragedy.

306. The National Health Development Programme, 2006-2010, provides for measures for the prevention of suicides, including among children. Health establishments disseminate information on local psychological assistance hotlines, anonymous psychological counselling units, and health-centre psychotherapy units for adults and children. Health-establishment and other social education specialists work with teachers, parents and children, orienting adults towards an attentive and sensitive relation with children and young people, and encouraging children and adolescents to take an active approach to their condition and to be guided in their life by trustworthy values

*Paragraphs 44 (a) and (c) of the concluding observations of the Committee*

307. The Belarusian Government and society pay considerable attention to issues related to the promotion of a healthy way of life among children and young persons. The Government Programme for promoting healthy living among the population, 2002-2006; the "People's health" programme, 1999-2005; the Government Programme for national excessive-drinking and alcoholism prevention activities; the Belarus Breastfeeding Support project; and other related initiatives are successfully implemented.

308. Under the above programmes, health protection issues are addressed by the national and regional press in established or new columns for the young. Questions of healthy living, reproductive health, and combating drug addiction and alcoholism are treated in popularized science booklets and dissemination methodology literature. Related advertising in, inter alia, public transport, health facilities and educational establishments is widely used. A number of educational initiatives are undertaken for the promotion of



physical education and sport. Well-known politicians, athletes and artists participate in healthy-living advocacy activities for children and young persons.

309. The HIV/AIDS information and education unit, set up for young persons in 2005 under the aegis of the National Centre for Hygiene, Epidemiology and Public Health, provides professional advice on HIV/AIDS on a confidential basis and offers educational services, including access to a website for online HIV/AIDS-related training.

310. One of the priorities of the National Demographic Security Programme, 2007-2010, consists in the promotion of a healthy way of life and the creation of favourable living environment. Under the programme, children's polyclinics include adolescent- and youth-friendly care units, to which minors may turn on an anonymous basis for personalized advice regarding health protection and safe conduct.

311. Timely professional assistance in resolving psychological problems is available through dedicated telephone lines and hotlines for children and young persons. Sessions and interviews are organized with specialists (paediatricians, gynaecologists, substance-abuse therapists, sex therapists, and physical-exercise therapy specialists) on healthy conduct issues. Such assistance is available to adolescents and young persons on a confidential basis.

312. Women's health centres include family planning units. Health-promotion courses for pregnant women, young-family clubs for newly-weds, and relevant video viewing facilities for secondary- and higher-education students are set up as part of the activity of health organizations.

313. Health organizations also organize information open days, during which specialists advise the public on family, maternity and healthy-lifestyle issues.

314. The media inform young persons about the risks of tobacco smoking, alcoholic beverage consumption and use of drugs, through awareness-raising and educational television and radio broadcasts on, inter alia, anti-smoking measures and the promotion of a healthy way of life.

315. The organization of theme days, weeks or other events, such as "Healthy Lifestyle", "Youth against HIV/AIDS" and "Us against Drugs", and of analogous panel discussions, oral reports, audiovisual presentations and health conferences has become a regular practice in educational institutions.

316. Information and prevention stands, bearing such slogans as "Sit not on the needle", "Teenage drug-addiction prevention", "Don't perish from ignorance", "Youth without harmful habits", and "Make a choice", are set up in many educational institution buildings and residence halls. Educational institution libraries organize literature and popularized science exhibits on the prevention of tobacco-, alcohol-, and drug-addiction.

317. All educational organizations carry out extracurricular physical-exercise programmes, including popular-sport and health-improvement activities, groups and teams for various sports, physical exercise groups and the organization of health days.

*Paragraph 44 (b) of the concluding observations of the Committee*

318. The health of children and adolescents is a fundamental indicator of society's human development. Accordingly, the Government focuses on research into the scope and causes of health problems affecting children and adolescents and on the development of preventive measures in that area.

319. Children and adolescents undergo obligatory annual check-ups in health establishments for the detection of possible health concerns. HIV/AIDS tests are optional, anonymous and free of charge.

320. National research institutions participate in studies on health problems affecting children and adolescents. For instance, the Sociology Institute of the National Academy of Sciences (NAS), based on a survey into the causes and conditions underlying the non-medical use of drugs, has developed practical methodological recommendations for the prevention of drug addiction among young persons.

321. Based on the project “Sociological study of social and socio-cultural processes in present-day Belarus” and on research into the problem of tobacco smoking among young persons, both carried out by the above institute, a targeted prevention programme was developed on “Anti-smoking exercises and training in giving up smoking for students”.

322. The Ministry of the Internal Affairs Academy has carried out scientific research into the factors underlying the spread of addiction among minors. The findings served as a basis for a manual entitled “Drug addiction and crime”.

323. Within the framework of research into the range and nature of health problems affecting minors, the psychology and pedagogy department of the above academy compiled a manual for parents and local police officers on “Psychological and pedagogical aspects of juvenile delinquency prevention”.

*Paragraph 44 (d) of the concluding observations of the Committee*

324. The following components of the mother and child protection programme are carried out in cooperation with UNICEF: “Early childhood health care and development”, “Prevention of iodine deficiency disorders”, “Early psychosocial assistance to children” and “Prevention of mother-to-child HIV/AIDS transmission”.

325. Under the “Early childhood health care and development” initiative, television films were produced on the prevention of children’s injuries and poisonings and first aid to children; a parents’ manual on care for children for various diseases and injuries was published; and two seminars were held as part of research on the realization of a child’s right to live in a family through the prevention of abandonment in the hospital, and subsequent institutionalization, of first- or second-health-loss-degree infants aged up to 12 months.

326. According to WHO recommendations and UNICEF assistance, the label “child-friendly health facility” continues to be awarded to maternity units, women’s health centres and children’s polyclinics. Currently, 30 per cent of births occur in such child-friendly maternity units; and 10 per cent of children are attended in such child-friendly polyclinics.

327. Particular efforts are made to encourage breastfeeding, as a key to the infant’s proper early growth and development. As a result of breastfeeding promotion measures, the number of breastfed children doubled in the last ten years.

328. The comprehensive projects “Strengthening HIV/AIDS prevention in health centres”, “Enhancing young person’s access to reproductive health information services” and “Protection of adolescents” are carried out in cooperation with UNFPA.

329. The Belarusian Red Cross Society, with IFRC and IOM support, implements the “Youth against HIV/AIDS” programme, aimed at developing, on the basis of the “Equal teaches equal” principle, appropriate educational activities for preventing and combating HIV/AIDS in the schools, specialized secondary education establishments and higher education institutions.

330. In five youth-friendly units set up within health centres in the City of Minsk, psychological and medical counsel is provided with regard to reproductive health, including modern contraception.

331. Since 2005, the public association Zvestavanne and the Belarusian Association of UNESCO Clubs have conducted the “Boomerang” project, aimed at promoting safe and

responsible conduct and preventing HIV/AIDS infection, drug addiction, tobacco smoking and alcoholism among minors attending custodial educational institutions and adolescents at risk. Within the framework of the project, three educational manuals for teachers, social workers and adolescents have been published and training has been provided for peer instructors using the “Equal teaches equal” method.

*Paragraph 46 (a) of the concluding observations of the Committee*

332. With a view to reducing the adverse effects of the Chernobyl disaster on the health of children, the subprogramme “Children of Chernobyl, of the “Children of Belarus, 2006-2010” Presidential Programme provides for the improvement of medical assistance for the children concerned, the introduction of modern diagnostic and treatment methods, the health-resort treatment and recuperation of affected children, socio-psychological and pedagogical assistance for that group, and the building or reconstruction of treatment or preventive care establishments for children.

333. As mentioned in earlier reports, in 1991 the Supreme Soviet of Belarus adopted the Act on the social protection of persons affected by the Chernobyl disaster (hereafter “Chernobyl victim protection Act”).

334. Since 1999, the Government has taken the following supplementary measures in favour of children exposed to the effects of the Chernobyl disaster:

- Sick leave benefit for either parent of an ill child, or for another person actually looking after the child, equal to the full wages over the duration of the illness, including stay in a health resort, if the person concerned accompanies the child in such a facility;
- Free transport (except by taxi) of an ill child to and from the place of treatment and entitlement to special tickets;
- Monthly benefit, equal to a basic allowance, for unemployed mothers of disabled children in need of nursing according to the medical advisory board.

335. Women residing in the radioactively contaminated zones are entitled to maternity leave equal to 90 calendar days preceding and 56 calendar days following childbirth (or 70 calendar days following childbirth in the event of perinatal complications or multiple birth). Mothers residing in communities located in ulterior resettlement zones and entitled to resettlement may, until their child reaches 3 years of age, receive a childcare benefit equal to twice the amount of that benefit applicable by law to the country as a whole.

336. Children residing in communities located in ulterior resettlement zones and entitled to resettlement have a right to free medication (prescribed by a physician), free health-resort treatment or recuperation, and free upkeep in preschool establishments (or a nutrition allowance, if no place is available in such establishments) and children’s health camps. In zones subject to periodic radiation monitoring, children are entitled to free upkeep in their in preschool establishments (or nutrition allowance, if a place is not available in such establishments) and to free health-resort treatment.

337. Presidential Decree No. 542 of 28 August 2006 on free health-resort treatment and recuperation confirms the right of children residing in contaminated zones to free health-resort treatment or recuperation. Funded under the national budget, the health care system for the affected population allows for partial compensation for harm caused to the health of children by the Chernobyl disaster.

*Paragraph 46 (b) of the concluding observations of the Committee*

338. Special periodic medical examinations, aimed as early detection and timely treatment, constitute the basis for the country's system for preventing radioactivity-related diseases. Approximately 1.4 million residents, including more than 215,000 children, are under such observation. In the period 1999-2007, all children affected by the Chernobyl disaster underwent special medical examinations.

*Paragraph 46 (c) of the concluding observations of the Committee*

339. Soundly planned and balanced nutrition is crucial to preserving and strengthening the health of children residing in contaminated zones. In the period 1999-2007, the free nutrition system for such children improved significantly. The system in question is regulated by Council of Ministers decision No. 434 of 16 April 2004 on the organization of free nutrition for pupils and students in radioactively contaminated zones. The number of free meals to which such minors are entitled depends on the local density of radioactive contamination. Joint decision No. 81/1 of Ministry of Education and the Committee on problems related to the effects of the Chernobyl Disaster of 27 December 2004 defined one-, two- and three-meal nutrition standards (food packages) depending on the children's age. In the 2006-2007 school year, BR 79,542.5 million in national budget allocations were spent on free nutrition for of 195,000 contaminated-zone pupils and students.

340. Free health-resort treatment and recuperation play a significant role in health care for children exposed to the effects of the Chernobyl disaster. As of 1 January 2007, 222,665 children aged up to 15 and 66,795 children aged 15-17, including 1,334 children with disabilities connected with those effects, were entitled to that benefit. Accordingly, in the 2007 national budget, BR 82.0 billion were earmarked for free health-resort treatment and recuperation for the children concerned.

341. Children leaving the radionuclide contaminated zones need special attention and socio-psychological support. They are therefore first directed to children's rehabilitation and health-improvement centres fully prepared to provide them with the required professional assistance. In 2006, 14 such centres hosted 60,000 children (more than 40 per cent of the total number of those rehabilitated).

342. Radioactively contaminated zone schools leavers enjoy a number of advantages. In particular, other things being equal, they are given preferential access to higher education institutions, specialized secondary education establishments, vocational and technical schools and vocational training courses, and to living accommodations for the duration of their studies. They are also admitted to preparatory sections for higher-education regardless of the number of places available and living accommodations included. Moreover, they receive allowances 50 per cent higher than the standard amount.

343. Under Presidential Decree No. 128 of 19 March 2007 on certain issues related to the assignment and use of living quarters in State housing facilities, social-housing living quarters are assigned as a matter of priority to families registered as being in need of better housing and raising children with disabilities connected with the Chernobyl disaster.

*Paragraph 48 (a) of the concluding observations of the Committee*

344. The main approach to preventing children's disabilities in the country consists in prevention, early detection and early comprehensive assistance.

345. According to Ministry of Health research, the following ailments are the primary causes of disability in children under 18 years of age: neoplasia; malignant neoplasm; and blood, endocrine, eye and nervous-system diseases or mental disorders.

346. Early intervention centres and units, medical centres for the rehabilitation of children with psycho-neurological disorders, and correction- and development-training and rehabilitation centres are set up and operate with a view to children's disability prevention.

347. Under the subprogramme "Children with disabilities, of the "Children of Belarus, 2006-2010" Presidential Programme, and the Government Programme for disability prevention and rehabilitation of disabled persons, 2006-2010, a number of medical, social, social-education, psychological and pedagogical measures have been taken in order to upgrade medical assistance and health care for children, reduce child morbidity and disabilities, and provide disabled children with access to modern technology for individual rehabilitation and independent living. Families with disabled children supported through enhanced material and technical infrastructure in specialized institutions for such children and in residential schools.

*Paragraph 48 (b) of the concluding observations of the Committee*

348. In order to provide disabled children with timely assistance, their situation is monitored by units of the Ministries of Health, Labour and Social Protection, and Education, and of the executive committees of the City of Minsk and the provinces.

349. National and regional individualized databases of children with special developmental needs and children in need of particular assistance have been set up and are updated on an annual basis.

350. By containing operational information on every child, the databanks allow providing children with the specific assistance and support which they need; advising the lawful representatives of children with development disorders on education and training issues; streamlining the network of correction and pedagogical establishments for such children in a targeted manner; and making other decisions related to safeguarding the rights of children with special educational needs.

*Paragraph 48 (c) of the concluding observations of the Committee*

351. The proclamation in Belarus of 2006 as Year of the Mother and of 2007 as Year of the Child contributed significantly to the campaign carried out in those years for the dissemination of information in support of children.

352. The campaign included coordinated measures aimed at:

- Raising the population's awareness of the rights of the child;
- Enhancing Government support for families with children and strengthening the family's status;
- Strengthening the protection of children's health and ensuring their safety in everyday activities;
- Facilitating social integration for pupils of residential institutions and children with special developmental needs.

353. The national and regional media report on the activity of correction- and development-training centres for children with special developmental needs in order to disseminate the centres' experience.

354. A national television series entitled "Family affairs" regularly addresses various issues related to the rearing within a family, and to the social integration, of children with special developmental needs.

355. A series of popular pamphlets is aimed at assisting the parents of children with special developmental needs.

356. The national rehabilitation centre for children with disabilities of the Ministry of Labour and Social Protection implements a broad range of initiatives for the social adaptation of children with special developmental needs. These activities include concerts and stage productions in which such children participate, and museum and library visits.

357. Importance is attributed to the sponsorship of residential schools for children with special developmental needs and of families rearing such children by pupils', students', creative and worker's associations. In that process, the children and families concerned receive, in addition to financial assistance, crucial psychological support.

*Paragraph 48 (d) of the concluding observations of the Committee*

358. The Government implements a community-based policy on children with special developmental needs. Government-funded initiatives, such as the "Children with disabilities" subprogramme of the "Children of Belarus" programme, the Government Programme for disability prevention and rehabilitation of disabled persons, and the Government Programme for a barrier-free everyday environment for the physically disabled, contribute to improving the living conditions of children with special developmental needs and ensuring their social integration; and target all children, rural and urban, on an equal footing.

359. Act No. 285-Z of 18 May 2004 on the education of persons with special developmental needs (special education) laid down the legal, economic, social and organizational bases for the education of persons with capacity limitations, facilitating the access of all children to learning regardless of such limitations, in line with current trends in the area of children's and family rights protection. Vocational training and work within groups and clubs set up within LFSCs are organized for the children concerned, taking into consideration their aptitudes.

360. Particular importance is attached to work with disabled children and their families. Such children are systematically observed in order to identify their needs and requirements, and are provided with various appropriate services. Their parents are assisted by specialists (paediatricians, defectologists, psychologists and social pedagogues) in ensuring upbringing, training and education adapted to the children.

361. Considerable importance is also attributed to the retention and rearing of children with special developmental needs within their families. Accordingly, early intervention services focus on supporting parents and other members of the families concerned in accepting children with developmental disorders, broadening their own social boundaries and relations, and exchanging experience with other families; and on organizing the work of "Schools for parents". Similar support is provided by the correction- and development-training centres.

*Paragraph 48 (e) of the concluding observations of the Committee*

362. The Government provides support for children with disabilities and the families rearing such children. Under the Pension Benefits Act, disabled children aged up to 18 are entitled to a social pension whose amount depends on the applicable health-loss degree (determined by a medical and rehabilitation expert commission). That pension is namely equal to 150, 175, 200 and 250 per cent of the minimum retirement pension for, respectively, the first, second, third and fourth health-loss degree. In addition, the children in question receive a monthly allowance equal to 20 per cent of the minimum per capita subsistence budget of the population. Furthermore, survivor's benefits for such children amount to a welfare supplement equal to 50 per cent of the minimum retirement pension.

363. Social pensions to persons disabled as a result of mutilation or disease caused by, and to children surviving the family breadwinner as a consequence of, the Chernobyl disaster are determined on the basis of national average wages, and readjusted for increases in such wages, according to the following rates:

- 50 per cent in the case of category I disability, and of disabled children aged up to 18;
- 30 per cent in the case of category II disability;
- 15 per cent in the case of category III disability;
- 25 per cent in the case of children entitled to survivor's benefits.

364. Up to 18 years of age, social pensions for children with disabilities connected with the Chernobyl disaster are increased by a supplement equal to 100 per cent of the minimum retirement pension.

365. The presence of a disabled child in a family entails increased costs for hyperalimentation, treatment and constant care, and probably the need for one of the parents to give up his or her job. Accordingly, for disabled children aged up to 18, the Government provides an allowance equal to 40 per cent of total family income, regardless of its level. Benefits for other children of a family rearing a disabled child are assessed regardless of total family income. Unemployed persons who are not pension beneficiaries and rear a disabled child receive a childcare allowance equal to 65 per cent of the minimum subsistence budget, regardless of health-loss degree, for the first 10 years of the child's life. Thereafter, and up to age 18, the allowance is paid for second, third and fourth health-loss degrees.

366. Mothers having reared disabled children for at least 8 years before the child's majority and having been employed for at least 20 years are entitled to a retirement pension at the age of 50 (instead of 55, the normal retirement age for women).

367. Fathers having reared disabled children for at least 8 years before the child's majority and having been employed for at least 25 years are entitled to a retirement pension at the age of 55 (instead of 60, the normal retirement age for men), provided the child's mother has not availed herself of her analogous entitlement, renouncing on it in favour of the father or because she died.

368. An employed mother, father, tutor or guardian rearing a disabled child aged up to 18 is entitled to one day off per week and one per month. These days off are paid at the average daily wage rate.

369. Children with disabilities are entitled to:

- Free medication prescribed by a physician, from a list of drugs specified in the relevant procedure approved by the Government.
- Free acquisition and repair of dental prostheses (save for precious-metal, metal-acrylic, metal-composite, metal-ceramic and porcelain dentures, and protective or decorative titanium nitride coatings) at the State health care establishments of their place of residence; and other social rehabilitation equipment listed in the relevant procedure approved by the Government.
- If there are no medical contraindications, priority admission, free of charge, for health-resort treatment (if medically advisable) or recuperation.
- For persons accompanying them, up to age 18, in health-resort or recuperation facilities, vouchers for such treatment or recuperation, free of charge (without treatment), if the need for such accompaniment is attested by

the medical advisory board of a competent State health care body. This right also applies to persons accompanying patients with a category I disability.

- Free use, by themselves and a person accompanying them, of the regular urban transport system (to the exclusion of taxis) regardless of their place of residence, and, if they reside in a rural area, of regular public long-distance buses within the region in which they reside.
- Free use, by themselves and a person accompanying them up to age 18, of the regular suburban rail-, water- and road-transport system (to the exclusion of taxis) in order to travel to and from the State health care establishment providing them with medical assistance.

370. Income tax payers with disabled children are granted a tax exemption on income equal to four basic allowances per child aged up to 18 for every month of the fiscal period.

371. For single-tax payers with disabled children aged up to 18, the single-tax rate is reduced by 20 per cent as from the month following the month, in which the entitlement arose, through the last day of the month, in which the disabled child becomes 18 years old.

372. Under the Regulation regarding persons in need of better housing and assignment of social-housing living quarters, adopted through Presidential Decree No. 565 of 29 November 2005, families which rear disabled children, are registered as being in need of better housing, have been earning, over the 12 months preceding the registration (and on the day of assignment of housing), an average monthly total per capita income not exceeding the country's minimum per capita subsistence budget, and own declared property whose total value does not exceed the cost of a standard quality apartment on the basis of the maximum surface-per-person norm, are entitled to social-housing living quarters.

373. The main goals of the subprogramme "Children with disabilities, of the "Children of Belarus, 2006-2010" Presidential Programme are the adoption of a comprehensive approach to the problems faced by disabled children and the creation of conditions allowing them to fulfil their true potential. Accordingly, the initiative aims at raising the effectiveness of efforts made to prevent children's disabilities, meeting the prerequisites for an all-round rehabilitation of disabled children, promoting their social integration, providing them with rehabilitation equipment, upgrading the technical infrastructure of children's rehabilitation establishments, organizing scientific research into the disabilities of children, and building the capacities of staff working with disabled children.

374. The Government actively seeks to involve public associations in efforts to provide support to children with disabilities. Thus, the organization "Belarusian Association for Assistance to Disabled Children and Young Persons" participates in the project "Where I live", aimed at the social rehabilitation and the enhancement of the quality of the life of children and adolescents with limited capacities; and carries out the project "Forget not a single child", in which 1,660 children with special needs participate.

375. With Christian Children's Fund (CCF) assistance, the State correction- and development-training centres at Kobrin and Bykhov launched a project entitled "Improving the social skills, living conditions and psycho-social environment of families rearing children with special developmental needs". That initiative has resulted in the organization of parents' and children's self-help groups, volunteer initiatives and social theatre performances. In 2006-2007, approximately 300 parents, 200 volunteers and 315 children, including 66 children with special needs, participated in the project, which has included 13 events (such as training activities, experience exchange visits, and a camp for volunteers) for 129 specialists; has equipped a new training centre in Bykhov; and has procured special instruments for Kobrin secondary school No. 3.



*Paragraph 48 (f) of the concluding observations of the Committee*

376. Education and training for children with disabilities and children with special developmental needs is a key goal of the Government's social policy and a fundamental component of the national education system. During the reporting period, further efforts were made to transform the relevant specialized training into an open educational system conducive to the social development of the children concerned, and to raise the quality, renew the content and upgrade the technology for rearing and training them.

377. The specialized education system's diversity allows parents to exercise more fully their right to choose how their children's specialized education should be organized.

378. Regarding the education of children with special developmental needs, priority is given to creating, within educational establishments, an adaptive educational space which allowed, in the 2007-2008 school year, to integrate into general education more than 56 per cent of pupils in that category and, within ten years, to reduce the number of special residential institutions by 21. The number of inclusive education classes increased from 5,113 in the 2005-2006 school year to 5,375 in 2006-2007 and 5,806 in 2007-2008.

379. Several higher education institutions, namely the "Maxim Tank" State College for Teachers, the "I. P. Shamyakin" State College for Teachers in Mozyr, the "P. M. Masherov" State University in Vitebsk and the "A. A. Kuleshov" State University in Mogilev ensure the training of education defectologists (oligofreno-pedagogues, speech therapists, hearing-impairment and visual-impairment specialists, sign language instructors and special psychologists) for specialized education establishments and inclusive education classes in general education schools.

380. Education defectologists receive qualifications-upgrading training at least every five years at the national Postgraduate Training Academy, the "P. M. Masherov" State University in Vitebsk, the "A. A. Kuleshov" State University in Mogilev, and the Grodno Regional Qualifications Upgrading and Retraining Institute for Education Specialists.

381. Qualifications upgrading establishments and correction- and development-training centres provide the above education specialists with constant methodological support.

382. Correction- and development-training centres effectively ensure the education of children with serious and multiple developmental disorders in order to enable them to participate actively in social life. Such centres also work on disseminating a positive attitude towards children with special developmental needs, boosting such children's morale and self-confidence within the family, the community and society, and ensuring the provision of early comprehensive assistance.

383. Specialized education establishments and general education schools with inclusive education classes attended by children with special needs are equipped with ramps, handrails and elevators meeting accessibility and living-environment requirements for disabled and physically impaired persons.

## **A. Survival and development**

384. The protection of women's and children's health is a key Government obligation, whose fulfilment is a goal of, inter alia, the Health Act, the Marriage and Family Code, the "Children of Belarus, 2006-2010" Presidential Programme, the National Action Plan for the improvement of the situation of children and the protection of their rights, 2004-2010, the National Demographic Security Programme, 2007-2010, and the National Health Development Programme, 2006-2010.

385. Targeted action, based on the iodination of edible salt, has been taken over a number of years with a view to the elimination of iodine deficiency diseases among the population.

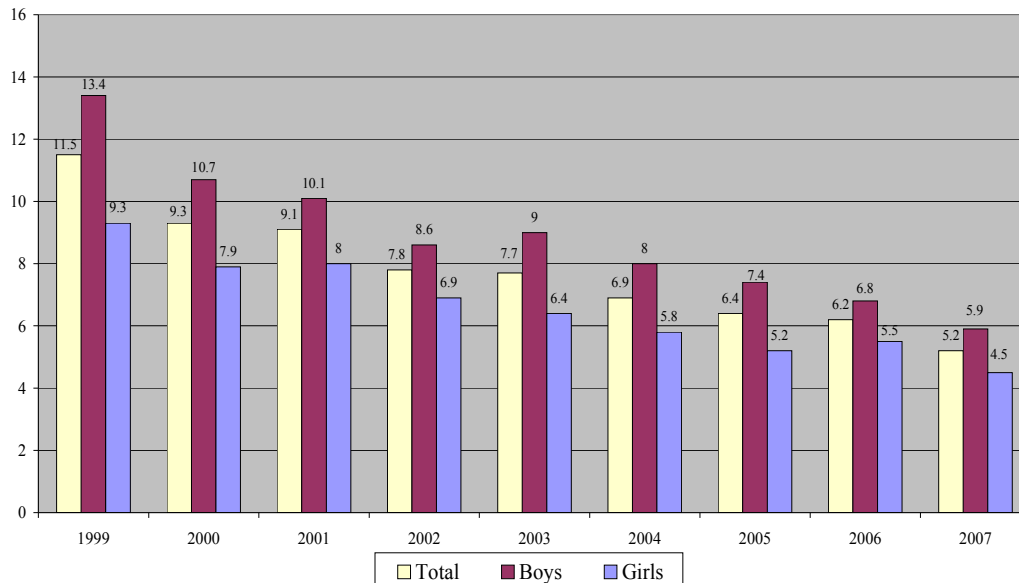
386. In 2007, the draft Act on an addition to the Act on the quality and safety of food raw materials and food products for human life and health” was introduced and passed its first reading in the House of Representatives of the National Assembly. The addition consists in including the use in food processing, and the commercial availability, of iodinated salt as food quality and safety requirements under article 5.

387. UNICEF has significantly contributed to Government efforts to improve legal regulation in the area of prevention of iodine deficiency diseases.

388. A survey on the deficit in trace elements, carried out in 2006 by the Belarusian Medical Academy of Postgraduate Education and the Sakharov International State Ecological University, confirmed the effectiveness of the measures taken. Thus, on the average, the median level of ioduria increased from 44.5 µg /l in 1997 to 179.2 µg /l in 2006. These figures suggest that iodine deficiency, omnipresent in the country in 1997, had disappeared 10 years later.

389. The reduction of infant and child mortality is a priority of the health system. Currently, Belarus is one of the countries where those mortality rates are low. The rise in child mortality observed in the period 1990-1995 had been due to an increase in the number of deaths of infants aged 1 year or less. The infant mortality rate, expressed in deaths per 1,000 live births, subsequently decreased from 11.5 in 1999 to 5.2 in 2007 (taking into account infants weighing 500-1,000 g) and is currently among the lowest in CIS countries. The following graph shows the development of the infant mortality rate:

**Development of the infant mortality rate**  
(deaths per 1,000 live births)



390. Starting in 1996 and through the reporting period, the reduction in infant mortality has been favoured by the reorganization of maternity units into versatile perinatal care centres; effective assistance-optimization measures taken by such centres in urban communities; the use of advanced neonatal care technology; and a reduction in child morbidity from controllable causes.

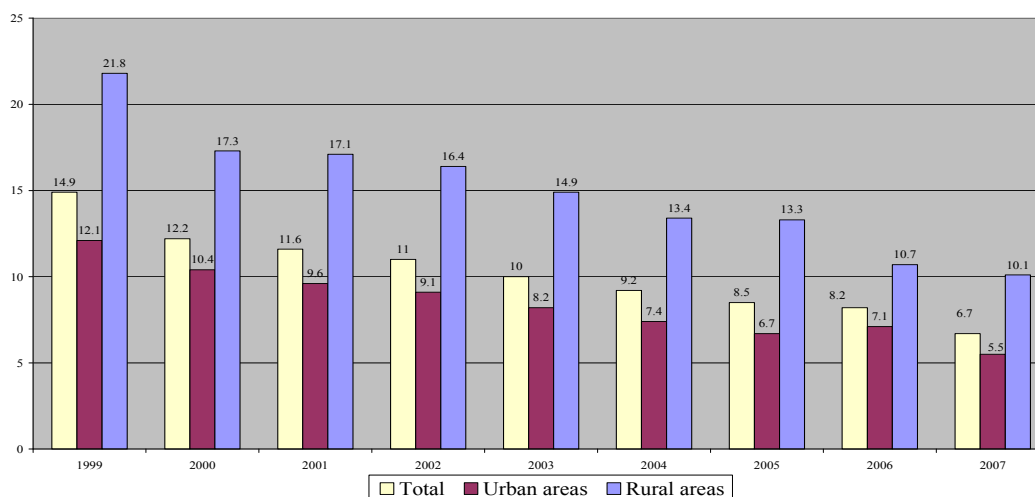
391. In the period 1999-2007, the percentage of infants aged 1 year or younger inoculated against diphtheria and tetanus ranged between 98.56 and 99.25 per cent, against whooping cough between 97.57 and 98.9 per cent, against poliomyelitis between 98.57 and 99.1 per cent, against measles between 82.7 and 99.02 per cent, and against tuberculosis between 98.76 and 99.27 per cent. These rates were generally in line with the minimum coverage level of 95 per cent recommended by WHO.

392. The mortality rate among children aged up to 5 is a telling indicator of the level of children's health and, indeed, by reflecting not only the effect of biological risk factors but also the children's social well-being, constitutes a key benchmark for human development. In Belarus, the mortality rate among children aged up to 5, expressed in deaths per 1,000 live births, decreased from 14.6 in 1999 to 6.7 in 2007. In rural areas, however, that rate is 45 per cent higher than in urban area. On the whole, the rate in question is comparable to respective rates in developed countries.

**Development of infant- and child-mortality rates among children up to 5 years of age (deaths per 1,000 live births)**

Years	1999	2000	2001	2002	2003	2004	2005	2006	2007
Infant mortality rate	11.5	9.3	9.1	7.8	7.7	6.9	6.4	6.2	5.2
Mortality rate among children aged up to 5	14.8	12.3	11.6	10.9	9.9	9.1	8.4	8.2	6.7

**Development of the mortality rate among children up to 5 years of age (deaths per 1,000 live births)**



Birth weight is a key indicator of the health status of children (see the following tables):

**Frequency of births of premature infants with a variant weight**  
(as a percentage, based on weight, of the total number of births)

<i>Years</i>	1999	2000	2001	2002	2003	2004	2005	2006	2007
Total number of newborns	4.9	4.9	4.8	4.6	4.7	4.6	4.6	4.4	4.3

**Frequency of children born prematurely with a variant weight at birth**  
(as a percentage of live births)

<i>Years</i>	<i>Birth weight</i>			
	500-999	1000-1499	1500-1999	2000-2499
1999	0.2	0.4	1.1	3.3
2000	0.2	0.4	1.1	3.3
2001	0.2	0.4	1.1	3.5
2002	0.2	0.4	1.1	3.4
2003	0.2	0.4	1.1	3.5
2004	0.2	0.4	1.1	3.6
2005	0.2	0.4	1.1	3.4
2006	0.3	0.4	1.1	3.2
2007	0.2	0.4	1.0	3.1

393. All staff members of health units offering medical assistance to pregnant women have received medical training, including in the area of pregnancy and childbirth. In Belarus, 99.9 per cent of births occur in an accredited maternity unit. As a result, between 1999 and 2007 the maternal mortality rate, expressed as the number of deaths per 100,000 live births, decreased almost by a factor of 3.5, namely from 20.0 cases to 5.8, the lowest level in CIS countries.

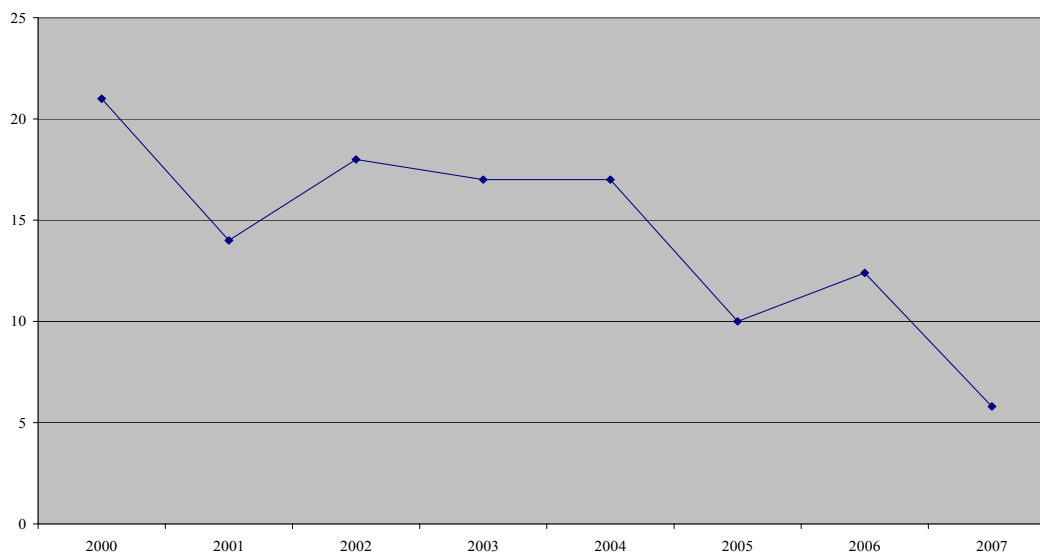
**Development of the maternal mortality rate**

	1999	2000	2001	2002	2003	2004	2005	2006	2007
Maternal mortality rate (deaths per thousand live births)	20.0	21.0	14.0	18.0	17.0	17.0	10.0	12.4	5.8

394. In recent years, the range of maternal mortality causes has remained relatively stable, consisting mainly of extragenital anomalies due to diseases preceding or developing during pregnancy (cardiovascular disease, diabetes mellitus, kidney disease and malignant neoplasm). Obstetric causes, namely haemorrhage and pregnancy toxaemia, are second in importance.

The following graph shows the development of the maternal mortality rate:

**Development of the maternal mortality rate**  
(deaths per thousand live births)



395. Breastfeeding contributes to the protection of the health of infants. As the following table shows, ever more mothers breastfed their children for ever longer periods during the reporting period.

**Percentage of breastfeeding mothers, and length of the breastfeeding period**

<i>Years</i>	<i>Percentage of breastfed children</i>		
	<i>Up to 3 months</i>	<i>Up to 6 months</i>	<i>Up to 1 year</i>
1999	67.3	36.0	15.8
2000	68.3	38.2	15.9
2001	-	-	-
2002	78.8	49.6	22.4
2003	79.9	51.6	25.3
2004	82.3	53.4	27.7
2005	81.9	54.3	29.1
2006	81.5	54.8	29.1
2007	81.6	55.9	30.8

## **B. Children with disabilities**

396. The country's system for early detection of various impairments affecting vital and social functions in children is being developed by enhancing the network of centres, departments and units for the rehabilitation of children, including infants. Early intervention centres and units, medical rehabilitation centres for children with psycho-neurological disorders, and correction- and development-training and rehabilitation centres have been set up and operate as part of measures to promote an interdisciplinary cooperation system providing social-psychological-pedagogical and medical-social support for children.

397. Regional and municipal State correction- and development-training and rehabilitation centres identify and record information on children with special needs at the regional or municipal level.

398. Databases of children in that category are created and general standards are developed for the observation and treatment of the children on an in-patient basis or in out-patient polyclinic units, which are constantly upgraded through the use of new procedures, medicines and treatment methods.

399. Comprehensive rehabilitation, including the use of medical, psychological and pedagogical methods of correction and social adaptation, is one of the effective models of assistance to children with special needs. At the same time, parents receive training in skills necessary for rearing such children and ensuring their development.

400. Nine residential establishments for disabled children with special needs operate under the Ministry of Labour and Social Protection - two for children with physical impairments and seven for children with psychophysical disorders. As of 31 December 2007, 1,726 boarders, including 1,108 children aged up to 18, received care at these establishments.

401. UNICEF experts have praised the Belarusian early intervention programme and recommended it as a model for similar initiatives in other CIS and Central and East European countries.

402. The programme in question is one of the country's mother- and child-protection priorities. Organizational and methodological work carried out under the programme in order to enhance the early intervention system has included the publication of procedural recommendations and 42 booklets for parents, the organization of more than 50 training activities for professionals and parents, and the procurement of manuals and material for the psychologists' and psychotherapists' units in the Municipal children's and adolescents' psycho-neurological dispensary and in children's health centres in Minsk. Within the dispensary in question, an information and methodology centre has been set up, in which specialists and parents receive training and further education on early childhood development issues. In January 2005, a national conference was organized on early-childhood socio-psychological support.

403. In the framework of internships abroad, organized as part of a UNICEF information and training package on early childhood development, correction- and development-training and rehabilitation centre experts received training on recent advances in that area. Subsequently, these experts trained other Belarusian specialists in the provision of comprehensive assistance to children with special needs and held seminars for parents.

404. In November 2006, under a project entitled "Promotion of early-childhood psycho-social support", the Ministry of Health and the Municipal children's and adolescents' psycho-neurological dispensary of Minsk organized an international inter-agency conference on "Contemporary early-childhood and preschool prevention, treatment and

comprehensive rehabilitation approaches to children with special developmental needs”. The conference provided childhood development specialists from Belarus, Norway, Russia, Sweden, Ukraine and the United Kingdom with an opportunity to exchange experience.

405. All children infected with HIV/AIDS receive the full range of assistance. The following table shows the development of the number of such children:

<i>Year</i>	<i>Number of children infected with HIV/AIDS</i>	<i>HIV/AIDS- infected children as a percentage of the total number of children reported as infected regardless of the cause of infection</i>
1999	60	14.59
2000	57	10.82
2001	66	11.42
2002	98	10.71
2003	56	7.85
2004	64	8.23
2005	67	8.92
2006	42	5.58
2007	44	4.4

406. Voluntary organizations actively participate in HIV/AIDS prevention. In 2007, a number of projects aimed at supporting HIV-positive children and their families were carried out in cooperation with the Christian Children’s Fund (CCF). The public association “‘Spirituality’ Gomel province centre for socio-psychological support”, in cooperation with the maternity department of the Gomel province clinical hospital, the Gomel municipal maternity establishment and the “Evgeny V. Klumov” Third Municipal Clinical Hospital in Minsk carried out a project for the promotion of habits of prenatal and perinatal safe conduct among women. The programme included a series of sessions for married couples, the organization of a hotline, the creation of a young families’ club, and the preparation of methodological documentation. “Spirituality” also sponsors a socio-psychological support unit for HIV-positive parents.

407. A project entitled “Belarusian children’s hospice”, carried out in cooperation with the Minsk Health Committee and Municipal clinical hospital for children’s infectious, is aimed at improving the quality of life of HIV-positive children and of their parents and upgrading the relevant skills of specialists. Under the project, families are ensured comprehensive palliative care at home, while awareness-raising activities are undertaken in order to promote tolerant attitudes towards HIV-positive persons.

408. Overcoming the impact of the Chernobyl disaster is still a vital issue for Belarus. Children who suffered the effects of that industrial accident or live in radioactively contaminated zones are part of the category of children in an extreme situation. The Government takes measures facilitating the recuperation and rehabilitation of such “Chernobyl children”. Thus, the following legislation was adopted in the period 2004-2007 alone: Presidential Decree No. 542 of 28 August 2006 on free health-resort treatment and recuperation (which entered into force on 1 January 2007); the Act of 14 June 2007 on State social benefits, rights and guarantees applicable to various citizen categories; and Council of Ministers decision No. 662 of 2 June 2004 on certain issues related to the organization of health-resort treatment and recuperation for children, as amended through decision No. 1577 of 24 November 2006, aimed at further improving the situation of children.

409. Generally speaking, the children's rehabilitation system created in earlier years, particularly health-resort treatment and recuperation, is preserved and continues to be further developed. The network of children's resort-treatment facilities consists of 9 children's sanatoria, 14 children's health-improvement and rehabilitation centres, and 11 hospital departments for children and for parents with children.

410. Under paragraph 3 of the Regulation on the organization of children's recuperation in health camps, established through the afore-mentioned Council of Ministers decision No. 662, the age limit for admission to such camps has been raised to 18 years.

411. Approximately 850,000 children, including 838,900 in 2006 alone, have had the benefit of health-resort treatment and recuperation financed under the national budget and with social security funds.

### **C. Social security and childcare services and facilities**

412. The Government's special interest in creating favourable conditions for everyday family activities and ensuring social support for families with children is reflected in the National Demographic Security Programme, 2007-2010, and the "Children of Belarus, 2006-2010" Presidential Programme.

413. The social protection system for families with children comprises the economic, social and employment safeguards and rights established by law, and the social institutions and bodies ensuring the realization of those rights and creating conditions which enable the families to fulfil their social role.

414. Under the country's legislation and regulatory instruments, a family is entitled to State support for the sustenance and rearing of its children until they reach the age of 18.

415. State assistance to families with children consists mainly of financial support (grants or allowances) related to the children's birth, sustenance and education; material assistance in money or in kind; work-related, tax, housing, medical and other advantages; and social services (in the form of socio-medical, psychological, socio-legal and other social support).

416. Since 2002, social benefits are defined as a percentage of the minimum per capita subsistence budget of the population and are readjusted for increases in that budget on a quarterly basis. Accordingly, in the period 2002-2006 benefits increased by a factor larger than 9. The amount of monthly benefits for rearing a child up to 3 years of age and of benefits for children aged 3-16 to families bringing up a child with disabilities or infected with HIV/AIDS and aged up to 18 years is independent of the total per capita income of the family.

417. The childcare benefit for children aged up to 3 is equal to 80 per cent of the minimum per capita subsistence budget of the population regardless of the size of family income. There are plans to raise the 80 per cent rate to 100 per cent in 2009.

418. The childcare benefit for children between the ages of 3 and 16 or 18 is equal to 30 per cent of the country's minimum per capita subsistence budget, and is granted if, in the preceding year, the family's average total per capita monthly income did not exceed 60 per cent of the minimum per capita subsistence budget at that year's September prices. The above benefit is scaled down by 50 per cent if the family's average total per capita monthly income in the preceding year exceeded 60 per cent, but not 80 per cent, of the minimum per capita subsistence budget at that year's September prices.

419. Since 1999, efforts have been made to improve the national legislation on the determination and payment of social benefits.



420. Normative legal instruments (amendments and additions to the State Benefits for Child-raising Families Act, and Government decisions No. 490 of 31 March 2008 and No. 708 of 20 May 2008) have been adopted, allowing to increase payments to various categories of beneficiaries, extend benefits to certain additional categories of families, and improve the rules for the provision of benefits to families with disabled or many children and to single-parent families.

421. Presidential Decree No. 268 of 8 June 2007 on strengthening Government support to families upon the birth of children, provided for significant financial support to families, in the form of a lump-sum benefit equal to 2-5 minimum per capita subsistence budgets, payable at the birth of the first, second and subsequent children, subject to a ceiling of 7 such budgets.

422. Under Presidential Decree No. 95 of 14 February 2006, which removed differentiations as to the size of childcare allowance for children up to age 3, unemployed women bringing up such children are entitled to the same childcare allowance as employed mothers, namely an amount equal to 65 per cent of the minimum subsistence budget.

423. Under Council of Ministers decision No. 1174 of 21 September 2004 on providing financial compensation to families upon the birth of twins, designed to strengthen State social protection for the families concerned, they receive for each twin two minimum subsistence budgets, instead of a set of essential items.

424. Under Council of Ministers decision No. 271 of 1 March 2007, as amended, families whose monthly per capita income in the two preceding quarters did not exceed 100 per cent of the country's minimum per capita subsistence budget are entitled to free nutrition for their children up to 2 years of age. The number of beneficiaries receiving such assistance has increased considerably as a result of raising the benchmark rate, which used to be less than 100 per cent.

425. With a view to mother and child protection, labour legislation has strengthened the safeguards related to the employment, dismissal and working conditions of pregnant women and women with children. Employed women are entitled to maternity leave equal to 70 calendar days (or 90 calendar days if they reside in radioactively contaminated zones) preceding and 56 calendar days following childbirth or 70 calendar days following childbirth in the event of perinatal complications or multiple birth), receiving a social security allowance during that period.

426. Regardless of seniority, employed mothers may, after maternity leave and if they so wish, take childcare leave until the child reaches the age of 3, receiving a monthly welfare benefit during that period. Such leave may be taken all at once or in fractions of any duration. Employed fathers or other relatives who actually rear the child or a designated guardian of the child are also entitled to such leave.

427. Other forms of financial assistance to families with children are, inter alia, tax advantages, preschool education expense subsidies, allowances for textbooks and school manuals, foodstuff discounts for school children, increased unemployment benefits, and advantages related to the purchase of medicines and to transport. Thus, all children are entitled, up to the age of 3, to free medication prescribed by a physician, and, up to the age of 7, to free use of urban and suburban transport (to the exclusion of taxis).

428. Optimizing the benefits system has required methodical reform, based on targeted social assistance. Thus, in terms of the country's minimum per capita subsistence budget, the need assessment criterion for extending a monthly or a lump-sum social benefit was raised to, respectively, 100 and 120 per cent of the maximum value of that budget in the two preceding quarters, to the exclusion of any assessment method based on a classification of beneficiaries.

429. The measures taken allowed increasing the percentage of low-income persons receiving the social benefits in question from 8.4 per cent in early 2007 to 25 per cent as at 31 December 2007.

430. There are 105,040 targeted social assistance recipients, accounting for 59.3 per cent of the total number of beneficiaries.

431. Families rearing disabled children aged up to 18 number only 3,600 persons, accounting for 2 per cent of targeted social assistance recipients.

432. Efforts to improve the social services system constitute a leading and dynamically developing component of the country's social welfare sector.

433. A network of ambulatory social support units, whose services are provided in every administrative area by LFSCs (156 in total) was set up and is being developed under Council of Ministers decision No. 724 of 30 May 2003 on measures introducing a system of State social support standards. Currently, 1,533,900 persons, demonstrably in difficult circumstances, are registered with LFSCs.

434. The LFSC structure is being developed on the basis of plans seeking to upgrade the offer of social services. In 2007, the number of LFSC operational subdivisions increased from 656 to 710.

435. The implementation of the Programme for the development and optimization of the network of social services establishments, 2007-2010, approved through Council of Ministers decision No. 1229 of 28 September 2007, is expected to contribute to the above process.

#### **D. Standard of living**

436. A child's standard of living depends on the financial situation of the family rearing the child. Accordingly, the protection of children's rights and interests must be addressed in conjunction with the protection of the family.

437. The Government follows a consistent policy aimed at raising the population's standard of living.

438. In recent years, the number of persons with an income lower than the minimum subsistence budget has steadily decreased. Between 2000 and 2006, it declined from 42 to 11 per cent of the population.

439. According to the findings of a sample household survey conducted in the first quarter of 2007, child-rearing families with a per-capita income lower than the minimum subsistence budget accounted for 14 per cent of the low-income population, a level lower than in 2002 by 20.7 per cent. Families with one, two, and three or more children accounted for, respectively, 9, 19.3 and 41.1 per cent of the group in question. The decline observed has been a result of the measures adopted.

### **VII. Education, leisure and cultural activities**

#### *Paragraph 50 (a) of the concluding observations of the Committee*

440. In Belarus there are no problems related to the availability of education to the members of national minorities or ethnic groups, including Roma children. All children in Belarus have a right and equal access to education.

441. During the 2006-2007 school year, of the total number of State general-education day schools under the Ministry of Education, 2,071 (54.9) provided instruction in

Belarusian, 1,509 (40 per cent) in Russian, 184 (4.8 per cent) in two or more languages, 2 in Polish and 1 in Lithuanian. As of 5 September 2006, of the total number of pupils or students attending general-education day schools, 211,600 (20.9 per cent) were taught in Belarusian, 799,000 (79 per cent) in Russian, 500 in Polish and 70 in Lithuanian.

442. In 145 educational establishments, 6,274 children study national minority languages (taught as a separate subject, as an elective or in groups), namely Lithuanian, Polish, Ukrainian and Yiddish.

*Paragraph 50 (b) of the concluding observations of the Committee*

443. Measures for improving the quality of education are described as part of the core information provided below.

## **A. Education, including vocational training and guidance**

444. During the reporting period, Belarus took significant steps towards developing the national education system.

445. According to the Human Development Report 2007/2008, in 2007 Belarus surpassed all CIS countries with regard to adult literacy (attaining 99.6 per cent). Belarus also has one of the world's highest youth literacy rates (99.8 per cent).

446. The traditionally high quality level of Belarusian schools has been preserved, and access to higher education has been broadened (there are 427 higher education students per 10,000 inhabitants).

447. The legal framework regulating relations in the area of education has been enhanced through the adoption of the Acts on Education, Vocational and technical training, and the Education of persons with special developmental needs (special education). Act No. 141-Z of 5 July 2006 on general secondary education is aimed at further enhancing the legal, organizational, economic and social basis for the functioning and development of the general secondary education system.

448. Ministry of Education decision No. 53 of 25 May 2006 provided for the National education system development programme, 2006-2010, whose total financing requirements, including the "Education" sector, amounts to BR 40,347.4 billion.

449. The above programme pursues the following goals:

- Improving the legal framework within which the education system functions
- Updating education and training contents, teaching, pedagogical methodology and material and technical infrastructure
- Creating an education quality assessment system
- Establishing mechanisms for involving the real economy sector in efforts to improve the quality of vocational training
- Integrating education, science and production
- Enhancing the education sector staff and the social protection of education workers
- Boosting the effectiveness of education management.

450. The national continuous education system consists of preschool education, general intermediate education (comprising three stages), out-of-school education, vocational and technical education, specialized secondary education and higher education

451. Preschool establishments constitute the first phase of the continuous education of the new generation. Their activity is governed by the Regulation of preschool education establishments, approved through Ministry of Education decision No. 66 of 9 November 2004. This regulation covers the activity of preschool establishments of all forms and types, and lays down the main provisions regarding preschool education, which aim at protecting the children's health, revealing as much as possible their leanings and interests, and creating a tangible environment conducive to social development.

452. A set of measures taken as part of a project entitled "Belarus preschool education system development programmes, 2009-2014" aims at raising the level and quality of the system in question.

453. The need to improve the quality of preschool education led to the development of preschool establishments or groups of a new type and with different profiles, reflecting the children's interests and parents' requirements. Databases of preschool children in practically all regions of the country allow planning the network of preschool establishments in a flexible manner.

454. In 2007, the country's 4,109 preschool establishments were attended by 365,298 children or 81.3 per cent of the group concerned. The number of preschool establishments, particularly nurseries, preschool development centres and preschool health-resort establishments, increased at the rates of, respectively, 7.1, 21.4 and 3.75 per cent. Short-duration (2- to 7-hour) service is provided by 289 preschool groups. In both the urban and the rural areas, there is a trend towards economically expedient forms of preschool education organization.

455. Considerable attention is paid to the organization of qualified pedagogical correction support for children with special developmental needs. In 2007, the preschool child population included 22,956 children with such needs and 2,086 disabled children. Pedagogical correction assistance is provided to preschool children in 47 special preschool establishments, 1,265 special groups of general preschool establishments, in 984 pedagogical correction support units, and in 274 inclusive education and training groups.

456. Preschool establishments provide various educational and health-improvement services. Parents pay only 60 per cent of the actual cost of a child's nutrition in a nursery. Parents' demand for paid educational services is growing. In 2007, 6,248 groups functioning on a paying basis were attended by 122,000 children. Children's creative aptitudes were fostered in, inter alia, figurative-arts, dance, music and singing, sport, swimming, and stuffed-toy groups. In that connection, the provision of educational services at the child's place of residence is a priority.

457. Preschool establishment specialists assist families with the rearing and education of their children, in line with the children's right to appropriate education. All preschool establishments are staffed with qualified pedagogues, totalling 50,568 at the end of 2007. The professional skills of preschool establishment workers are constantly upgraded.

458. The protection of the children's lives, the strengthening of their health, and the development of a positive attitude to healthy living are basic criteria and indicators of quality of the of preschool education system. The regulatory provisions and measures taken by the education authorities have helped to stabilize, and in a number of preschool establishments to improve, the quality of the health of children. Statistical data reveal a decreasing trend in the annual number of cases of illness. In 2007, 1,569 such cases were reported per 1,000 children attending preschool establishments, while the number of absences for health reasons averaged 9 days, a level 10 per cent lower than in 2006.

459. With UNICEF assistance and within a project entitled "Early childhood development (concerning children aged 6-7)", the National Education Institute designs and accredits new approaches to the development of responsible parenthood among various

population groups (in family childcare settings, parental training, parents' clubs and courses for parents). This activity includes pedagogical casework, the organization of adaptation groups aimed at providing parents with professional support and close cooperation with specialists in rearing their children and ensuring their development, familiarization with new rearing and education methods applicable to children up to the age of 6, and professional assistance to future parents and to families whose children do not attend preschool establishments.

460. In the period 1999-2007, the structure of general intermediary education, which is the next phase in the country's education system, consisted of:

(a) Two levels: general basic education (grades I-X) and general secondary education (grades I-XII)

(b) Three stages: stage I (grades I-IV), stage II (grades V-X) and stage III (grades XI-XII).

461. General basic education and general secondary education last, respectively, 10 and 12 years.

462. General basic education is compulsory for all children in the respective age groups.

463. In the 2007-2008 school year, general basic and general secondary education was provided at 3,822 State general education day schools, including 265 elementary, 708 basic-education and 2,568 secondary schools, 184 arts-oriented and 36 science-oriented secondary schools, 41 general education residential schools, and 20 health-resort residential schools.

464. In addition to the above State schools, 10 private general education day schools were in operation, including 1 elementary, 4 secondary and 5 arts-oriented secondary schools.

465. Improvements are made to the system for developing the aptitudes and talents of the new generation, supporting gifted children, and organizing their education and training.

466. In the 2007-2008 school year, 129,800 children, accounting for 8.7 per cent of the total number of pupils, attended 1,601 schools for intensive studies in various areas, including 91 schools focusing on foreign languages; and 2,416 and 662 schools offering, respectively, specialized and art-oriented classes.

467. In the 2007-2008 school year, diversified education of various types was provided to 48.3 per cent (compared to 46.5 per cent in 2006) of pupils or students attending grades I-XI (or XII), 43.7 per cent of those attending grades I-X, and 83.9 per cent of those attending grades X (or XI) - XI (or XII).

468. Considerable significance is attributed to the organization of intellectual contests of various types for pupils and students with a view to heightening their interest in the subjects studied, developing their creative aptitudes and assisting them on the path of building their own personality and professional capacities. The National Academic Olympiad, largest and most popular intellectual contest, has been further developed and, in 2007, more than 668,000 students participated in it.

469. In 2007, all 28 Belarusian participants in international Academic Olympics in mathematics, physics, chemistry, biology, computer science, astronomy and astrophysics won awards, namely 3 gold, 11 silver and 14 bronze medals. Of the 10 members of the team representing Belarus at the International Mendeleev Olympiad, 8 won awards, namely 1 gold, 3 silver and 4 bronze medals. Belarusian general education students successfully participated in Russian language and literature, mathematics, physics, chemistry and biology Olympiads held in CIS and Baltic countries (receiving 15 honorary certificates), and in the research essay contest "Community of peoples - community of literatures" between Belarusian and Russian students (receiving 29 honorary certificates).

470. Special education has improved as a result of education system changes in the period 1999-2007. The 2004 Act on the education of persons with special developmental needs (special education) meets international standards and has contributed to building mechanisms for coordination between general and specialized education. In particular, under article 4 of the Act, Government policy on special education must aim at the creation of legal, economic, social and organizational conditions facilitating the realization of the rights of persons with special developmental needs; and at the provision of socio-psychological and comprehensive early pedagogical correction support to families rearing children with such needs.

471. Legislation confirming the right of children with special developmental needs to attend special or general education establishments led to implementing the inclusive education of children with limited capacities, not in parallel, but together with healthy children of the same age, as a matter of priority. Inclusive and special education classes or groups have been created and the children concerned are entitled to free psychological, medical and pedagogical attention, pedagogical correction support, textbooks and school manuals. In all of its various forms, inclusive education implies creating an educational space conducive to adaptation, meeting the children's requirements and fulfilling their special developmental needs. The number of inclusive education classes and groups is steadily increasing.

472. One of the positive aspects of inclusive education is the low number of pupils or students allowed per class (20), including five or six children with similar disorders. Every two years, the progress achieved by children with special developmental needs is assessed by psychological, medical and pedagogical commission specialists. Children dealing with their problems successfully (80 per cent of the group concerned) pursue the regular curriculum. Inclusive education classes are serviced simultaneously by two pedagogues, namely the teacher for the given grade and a defectologist. In modern schools attended by pupils or students with locomotor disorders, a barrier-free environment is created.

473. More than 56 per cent of children with developmental disorders live in a family and attend general education schools. Correction- and development-training and rehabilitation centres have been set up for children with complex and atypical disorders.

474. School leavers with special developmental needs receive social support during the early stages of independent life. Under the Act on the education of persons with special developmental needs (special education), the minors in question are entitled to such support for a period of two years after completion of their studies.

475. Considerable attention is paid to vocational and technical education. The Government Programme for the development of vocational and technical education, 2006-2010, was adopted through Council of Ministers decision No. 1064 of 19 August 2006 and launched in the same year. The scope and structure of specialists' training are readjusted as a function of the requirements of the national economy. New specialties are introduced and those not in demand are discontinued.

476. In implementation of the above programme, the technical infrastructure of vocational and technical education establishments were upgraded and the content and methods of the relevant instruction updated.

477. In the 2006-2007 school year, 4,800 orphans and children left without parental care attended the above establishments, under full State care.

478. The access of persons with special developmental needs to vocational and technical education has been enhanced. In the 2006-2007 school year, such persons received training in 27 non-professional occupations within 144 specialized groups, 92 inclusive (integrated) instruction groups, and 8 professional and social rehabilitation centres.

479. In the 2007-2008 school year, the special secondary education network comprised 195 public and 10 private establishments attended by, respectively, 138,700 and 15,800 children.

480. The network of educational institutions is evenly distributed over the regions, thereby making education accessible to the various population groups. Every year, 14-16 per cent of general basic education school leavers and an equal percentage of general secondary education school leavers enter into specialized secondary education establishments. Rural students account for approximately 30 per cent of the total number of secondary education school leavers. In recent years, the number of orphans and disabled children entering specialized secondary education establishments almost doubled.

481. Specialists are admitted and trained by educational institutions for specific organizations, in a targeted manner.

482. The next phase in the country's continuous education system is higher education. In the 2007-2008 academic year, the higher education system comprised 43 State higher education institutions, attended by 354,988 students (compared to 338,935 students in 2006) and including 31 universities, 7 academies, 2 institutes and 3 colleges; and 10 private higher educational institutions attended by 58,670 students.

483. A positive feature particular to the Belarusian education system in comparison to that of other former USSR republics is the maintenance and development of out-of-school education and training establishments. Initiatives undertaken by various associations related to such establishments enable children and adolescents to participate in creative and other activities and contribute to a reasonable organization of free time and the prevention of delinquency.

484. One significant outcome of the Belarusian out-of-school education and training programme, 2005-2007, implemented during the reporting period, has been the expansion of out-of-school education institutions in the rural areas.

485. As of the end of 2006, the country's 356 out-of-school education and training establishments were frequented by more than 376,000 children and adolescents, namely one child out of every four. Groups and centres offering training in automobile model making, radio electronics, computer technology and graphics, digital photography and television, web design, programming, sport and tourism, and art and commercial art were particularly popular among children and adolescents.

486. The "Young Talent of Belarus, 2006-2010" Government Programme was launched by Presidential Decree with a view to protecting and enhancing the country's intellectual and creative potential. A comprehensive system has been set up in order to identify, support and develop the creative talent of young persons at all educational levels.

487. In its 12 years of existence, the Special Presidential Fund for social support to gifted students and pupils has provided assistance to 15,984 pupils, students and instructors having personally promoted the work of talented young persons.

## **B. Leisure, recreation and cultural activities**

488. With regard to the rearing and education of children and young persons, the Government attributes particular significance to the development of a moral, aesthetic, ecological and social culture, the assimilation of values and habits conducive to a healthy way of life, the strengthening of family relations, and the promotion of socialization and identity- and personality-development.

489. To that end, systematic work is undertaken regarding the children's and adolescents' artistic and aesthetic development. Schools where they can study music, wind- and

percussion-instruments, art, folk and other crafts, dance, and drama have been set up and operate. The out-of-school establishments in question are actively engaged in large-scale cultural and educational action, and their pupils participate in international and national concerts, festivals, contests and shows.

490. Arts and crafts schools for children are particularly popular and are attended by a steadily growing number of youngsters. Between 2005 and 2007, that number increased by 1,820, attaining 96,522 children. In 2007, 36,782 children (compared to 26,428 in 2005) were admitted to grade I, including 8,057 rural children (compared to 5,807 in 2005).

491. Children's and young persons' free time is effectively organized through the activity of children's clubs, inter alia amateur art groups and associations, skills and expertise courses, and various thematic interest associations and clubs.

492. Children and young persons are keenly interested in participating in all cultural events, festivals and contests held by cultural establishments.

493. Work with children and young persons takes the following organizational forms, among others: stage show feasts, concerts, talk shows, open air events, playful and entertaining contests, inter-generation evenings, children's exhibits, discussions with well-known culture and art figures, children's creativity festivals, competitions among young variety-show artists or writers, and beauty contests.

494. Creative work by children and young persons is shown at such traditional Belarusian festivals as, inter alia, the "Golden Bee" International Children's Creations Festival (in Mogilev province), the "Earth under White Wings" International Young Talents Festival (in Mozyr, Gomel province), and the "Beraginya" Fold Art Festival (in the Oktyabrsky urban settlement, Gomel province). Moreover, Belarusian young amateurs' associations successfully present their skills at international festivals abroad.

495. Part of cultural awareness-raising among children and adolescents occurs in the country's 3,986 public libraries in the form of such events as, inter alia, encounters with domestic and foreign writers, quiz-type games, book, newspaper and magazine presentations, costume balls, literary, musical and information sessions and discussions, contests, folklore days, photo exhibits, electronic presentations, health tutorials, round tables, and information weeks. Libraries sponsor numerous cultural and charity events on the occasion of the Family Day, Child Protection Day, Mother's day, Women's Day, the International Day of Persons with Disabilities, Christmas and New Year's Day.

496. Special attention is paid to gifted young persons. Assistance is provided to that group by the Special Presidential Fund for social support to talented young persons, which grants stipends and rewards for outstanding artistic achievements, provides financial support, contributes to the organization of cultural events, and allocates funds for the acquisition of musical instruments, stage costumes and other material and equipment used for training and creation purposes by public cultural and educational establishments and by voluntary organizations. For instance, in 2007 the Fund extended encouragement allocations to 355 persons and 12 artistic associations and awarded distinctions to 41 talented young persons and 12 associations in all regions of the country. The Fund supports international and national contests, open air events, exhibits, concerts and other events.

## VIII. Special protection measures

*Paragraph 52 (a) of the concluding observations of the Committee*

497. An effective national mechanism has been developed in Belarus for combating trafficking in human beings.



498. Thanks to measures taken, human trafficking is not a widespread phenomenon in the country. The scale of trafficking in children, child prostitution and child pornography is insignificant. Of the 378 human trafficking victims identified in 2007, 22 (5.8 per cent) were underage, in fact 17- to 18-year olds, namely adolescents in a position to assess their own conduct. Against that backdrop, no specific programmes were launched in the country against trafficking in children, a problem addressed as part of programmes and legislation adopted against human trafficking in general.

499. The core of such programmes and legislation consists of a comprehensive set of coordinated organizational, legal, preventive, social and medical measures aimed at reducing the extent of human trafficking as much as possible and extending social reintegration assistance to the victims.

500. Government authorities involved at the national level in the fight against human trafficking include, inter alia, the Ministries of Internal Affairs, Health, Education, Labour and Social Protection, and Foreign Affairs and the Office of the Prosecutor-General.

501. On a continuous and systematic basis, information on crimes related to human trafficking, including trafficking in children, is analyzed, and appropriate measures are taken for preventing such crimes and prosecuting those responsible.

502. The Ministry of Internal Affairs engages in the collection, synthesis and analysis of information on human trafficking crimes, some of whose victims are children, and monitors the implementation of all measures adopted against human trafficking.

503. The Ministry of Internal Affairs submits biannual reports to the Inter-departmental Commission against Crime, Corruption and Drug Addiction of the National Security Council, which in turn informs the President of the Republic, who personally oversees efforts to stop human human trafficking.

504. In combating human trafficking, Belarus actively cooperates with international organizations, particularly the United Nations Office on Drugs and Crime (UNODC), UNICEF, IOM, the Organization for Security and Cooperation in Europe (OSCE), the Central European Initiative (CEI) and specialized international NGOs; and engages in regional and bilateral cooperation.

505. In 2006, Belarus successfully initiated the adoption of General Assembly resolution 61/180 of 20 December 2006 entitled “Improving the coordination of efforts against trafficking in persons”, which recognized that contemporary forms of slavery violated human rights and that trafficking in persons impaired the enjoyment of human rights, continued to pose a serious challenge to humanity and required a concerted international response. The creation of an inter-agency coordination group on trafficking in persons has been a significant outcome of the adoption of that resolution.

506. On the initiative of Belarus, an international conference on “Trafficking in women and girls: Meeting the challenge together” was held at the United Nations Headquarters in New York on 5 March 2007 in order to draw international attention to the problems of violence and human trafficking.

507. The Philippines, UNODC and the NGO “Vital Voices” were co-organizers of that conference, which generated considerable interest within the international community and was attended by more than 400 persons from over 90 countries, 20 inter-governmental agencies and more than 100 NGOs.

*Paragraph 52 (b) of the concluding observations of the Committee*

508. Pursuant to Presidential Decree No. 352 of 8 August 2005 on preventing the effects of trafficking in persons”, the social adaptation and rehabilitation units of LFSCs offer social protection and rehabilitation of human trafficking victims.

509. Such social protection and rehabilitation is free of charge and includes accommodations for a period of up to 30 days in a crisis unit, which may be set up in an LFSC; legal and psychological assistance; and help in finding steady employment.

510. Information on crisis lodging facilities and units created is provided in the reply to paragraph 40 (b) of the concluding observations of the Committee (see paragraph 200 above).

511. The following table shows the development of the number of human trafficking victims having sought assistance in LFSCs (including minors aged 15 or older).\*

<i>Regions</i>	<i>Years</i>		
	<i>2005</i>	<i>2006</i>	<i>2007</i>
Republic of Belarus	16	4	2
Brest province	0	0	0
Vitebsk province	1	0	1
Gomel province	2	0	0
Grodno province	0	0	0
City of Minsk	0	4	0
Minsk province	13	0	0
Mogilev province	0	0	1

\* Data collected since 2005 through State statistical reporting form 1-SOC, "Activity report on residential social service establishments", according to Ministry of Statistics and Analysis decision No. 189 of 25 November 2005.

512. The Ministry of Labour and Social Protection is responsible for the organization of rehabilitation and social reintegration of children over 15, who are human trafficking victims.

513. The Ministry of Education treats the rehabilitation and social reintegration process for human trafficking victims aged 3 to 15; and is responsible for information-raising activities designed to prevent the "contemporary slave trade".

514. In order to prevent the sexual exploitation of minors, the Ministry of Education monitors the pupils or students joining the system for studying abroad, child adoption and the activity of model agencies.

515. The Ministry of Health is responsible for the rehabilitation of human trafficking victims up to 3 years of age. The number of cases of trafficking in children in that age group in Belarus is not available.

516. Special attention is paid to public awareness raising and prevention campaigns against the sexual exploitation of children. The Ministry of Information and the media play a key role in that area.

517. The measures adopted with respect to drug abuse and addiction among adolescents are discussed as part of the core information provided in section VIII.

*Paragraph 52 (c) of the concluding observations of the Committee*

518. The Government Programme for comprehensive action against human trafficking and the spread of prostitution, 2002-2007, implemented during the reporting period,

provided for the organization of social, medical, legal and organizational activities in that area, and the conduct of related joint projects by Belarusian and foreign partners within the national territory.

519. Under the Government Programme against human trafficking, illegal migration and related offences, 2008-2010, adopted in December 2007, more than 15 ministries and Government bodies participate in addressing issues in the area in question.

520. The National Action Plan for the improvement of the situation of children and the protection of their rights, 2004-2010, is currently implemented.

521. The Ministry of Internal Affairs coordinates Government action against trafficking in human beings.

*Paragraphs 54 (a) and (i) of the concluding observations of the Committee*

522. During the reporting period, efforts were made to build the juvenile justice system. Thus, a draft blueprint for juvenile justice was drawn up in 2003. It provides for the creation of a comprehensive system of specialized justice organs for minors, namely juvenile courts with all-round jurisdiction to hear criminal, civil and administrative cases involving a minor. This outline has been discussed with the ministries and departments concerned, including at a round table, in which a Council of Europe expert participated.

523. In 2004, the blueprint was approved by the Collegium of the Ministry of Education.

524. The development of a juvenile justice system with special organs and procedures designed solely for minors is set forth in the legal and judicial reform blueprint, according to which specialized boards may be set up in the higher general courts and subsequently converted, as appropriate, into specialized law courts, including for cases involving minors.

525. Under article 28 of the Judicial System and Judges' Status Code of 2006, specialized courts for cases involving minors may be set up within the system of general courts.

526. Under article 430 of the Criminal Procedure Code, "cases concerning offences committed by minors may be heard by special courts for cases involving minors or by judges who have received special training".

527. Thus, national legislation provides a normative basis for establishing juvenile justice, and the first steps in that direction have been made.

528. Basic national documents in the area of the protection of children, particularly the National Action Plan for the improvement of the situation of children and the protection of their rights, 2004-2010, contain provisions regarding the creation of specialized courts for cases involving minors and the formulation of an appropriate normative legal instrument to that purpose.

529. Within the general courts system, criminal cases involving minors are heard by the more experienced judges. This principle is also observed with regard to adoption cases, according to Minister of Justice order No. 211 of 22 October 1999 on the organization of judicial action in hearing adoption cases under special proceedings.

530. At the Institute of retraining and qualifications upgrading for judges and the staff of public-procurator offices, courts and other justice bodies, trainees acquire up-to-date legal expertise, including on cases involving minors. The relevant lectures and seminars are taught by the most experienced staff of the courts and public procurator offices and by senior members of the faculties of the law department of the Belarusian State University, the Administration Academy attached to the President of the Republic and the Ministry of Internal Affairs Academy.

531. In 2005, a study into the administration of juvenile justice in Belarus was conducted with the assistance of UNICEF. Based on the findings, conclusions were drawn up and recommendations were formulated regarding the organization of the work of the bodies and establishments participating in the resolution of problems related to minors, the adoption of crime prevention measures and the development of individual and group programmes for the rehabilitation of convicted minors.

*Paragraph 54 (b) of the concluding observations of the Committee*

532. Work on aligning juvenile justice legislation and practices with the relevant international standards continues.

533. In 1999, the new Criminal Procedure Code was enriched with chapter 45, specifically addressing “Proceedings for criminal cases involving offences committed by persons up to 18 years of age” and confirming the principle of increased legal protection for minors, as required by the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules).

534. Among other provisions ensuring increased legal protection of the rights of minors, the Beijing rules call for confidentiality. Accordingly, cases concerning offences committed by persons under 16 may be heard in private. Minors are thereby protected from publicity which may adversely affect their future life, according to paragraph 8.1. of the Beijing Rules, which is worded as follows: “The juvenile’s right to privacy shall be respected at all stages in order to avoid harm being caused to her or him by undue publicity or by the process of labelling”.

535. Under article 431 of the new Criminal Procedure Code, the criminal case against minors having participated in the commission of an offence together with an adult may be heard in separate proceedings. This provision contributes to compliance with the principle of confidentiality.

536. According to the law, minors are afforded increased legal protection regardless of their status (for instance, as a suspect, indicted person, convicted offender, witness or victim) and the gravity of the offence. The protective framework in question is explicitly provided for by the law, which establishes privileges for the entire age group of minors, whose interests are doubly defended by the simultaneous participation of both the minor’s counsel and the minor’s lawful representative in the proceedings. Under article 429 (3) (2) of the Criminal Procedure Code, the authority of the lawful representative of a minor who

is a suspect or indicted in the framework of an investigation or judicial proceedings ceases when the minor reaches the age of 18.

537. The new Criminal Procedure Code has granted suspects and indicted persons, including minors, additional rights designed to make the protection of their legitimate interests more effective. Thus, under articles 41 and 43 of the Code, such persons, if arrested and detained, may receive free legal counsel before the first interrogation and meet with their counsel in private and confidentially, without any restriction as to the number or duration of the meetings.

538. In accordance with paragraph 16.1. of the Beijing Rules, which requires a particular type of evidence in cases involving minors, article 89 of the Criminal Procedure Code, in parallel with the establishment of the circumstances of the commission of the offence and the specific acts carried out by a minor who is a suspect or indicted (such as occurrence of the offence, existence of liability, factors affecting the degree and nature of liability, and nature and extent of the harm caused), requires obtaining additional information about the minor's personality. Moreover, under article 909 of the Code, in cases involving minors, criminal investigation units must address the causes and conditions which contributed to the commission of the offence.

*Paragraphs 54 (c), (d) and (e) of the concluding observations of the Committee*

539. According to court statistics, the number of convicted minors decreased from 6,357 in 2003 to 5,113 in 2007.

540. Of the total number of minors convicted in 2007, approximately 26 per cent had committed an offence at age 14-15; 8 per cent were girls; 30 per cent had been raised in a single-parent family and 5 per cent in a family with both parents; 17 per cent did not attend school or work; 55 per cent had acted in a group; and 23 per cent had acted together with an adult.

541. There is a steady tendency for the country's courts to impose on underage offenders penalties other than deprivation of liberty. On average, of the total number of convicted minors, 12 per cent are granted conditional non-enforcement of the sentence and 30 per cent receive a suspended sentence, while measures of an educational character are taken in 19 per cent of the cases.

542. The courts consider deprivation of liberty to be an extreme measure, mainly taken in criminal cases involving murder, serious bodily injuries, robbery, or rape.

543. Accordingly, in the case of approximately 60 per cent of persons having committed an offence when under 18, the courts prefer the imposition of restrictive, preventive and educational measures.

544. Pre-trial detention is applied to minors only in extreme cases. Minors placed in a pre-trial detention unit are held separately from adult detainees.

*Paragraph 54 (f) of the concluding observations of the Committee*

545. The "Children of Belarus, 2006-2010" Presidential Programme includes a new subprogramme entitled "Children and the law - Nurturing their personality", which provides for enhancing the effectiveness of patriotic training, preventing child neglect and juvenile delinquency, rehabilitating young offenders, and strengthening the role of the family in the rearing of children.

546. As a result of the measures taken, child and adolescent crime was reduced by 9.6 per cent between 2005 and 2006 and by 19.6 per cent between 2006 and 2007, declining in the last five years from 13 to 7.6 per cent of the country's overall crime rate.

*Paragraph 54 (j) of the concluding observations of the Committee*

547. Belarusian law guarantees the right of minors deprived of their liberty to access to complaint procedures on any aspect of detention. These procedures are laid down in detail in the Correctional Code.

548. Thus, under article 10 of the Correctional Code, convicted offenders (including minors) may file proposals, statements or complaints with the administration of the organ or establishment enforcing the sentence or other measures taken in view of criminal liability, the court, the public procurator's office, other Government authorities, or public associations engaged in the protection of human rights and freedoms.

549. Under article 13 of the Correctional Code, the proposals, statements or complaints of convicted offenders may be submitted orally or in writing and are reviewed by the administration of the organ or establishment enforcing the sentence or other measures taken in view of criminal liability.

550. A minor's right to file a complaint is also stipulated in the Act of 16 June 2003 on procedures and conditions for placement in custodial settings, under article 10 of which detainees, including minors, may file petitions, proposals, statements or complaints, *inter alia* to a court of law, regarding the legality and validity of their detention and any violations of their rights and legitimate interests.

551. Petitions, proposals, statements and complaints addressed to the body in charge of criminal proceedings, to local government or self-administration bodies or to other Government authorities are not subject to censorship and are forwarded as appropriate within 24 hours from their submission.

552. Replies to petitions, proposals, statements or complaints filed by detainees are delivered against receipt and added to their individual files.

553. Detainees may not be prosecuted for filing petitions, proposals, statements or complaints.

*Paragraph 54 (h) of the concluding observations of the Committee*

554. The system for the rehabilitation of child offenders includes the network of specialized agencies of the education system, namely the country's social education establishments (social education centres and social shelters for children).

555. Work with children appearing on the registers of internal affairs bodies is carried out by juvenile affairs inspectors, specialists of juvenile affairs commissions, social education units of educational establishments, and health bodies. Inter-agency work with the children and families concerned is conducted within the framework of a joint assistance plan.

556. Further details are provided as part of core information in section VIII.

## **A. Children in situations of emergency**

### **1. Refugee children**

557. Of the 199 children (compared to 214 in 2006) living, as at 1 January 2007, in foreign families with refugee status, 22 were up to 4 years old, 113 were aged 5-12 and 64 were aged 13-17.

558. Of the refugee children who entered Belarus in 2007, 149 were from Afghanistan, 30 from Georgia, 8 from Tajikistan, 7 from Azerbaijan, 3 from Palestine and 1 from Ethiopia.

559. Under Belarusian law, persons acknowledged as refugees and their children enjoy practically the same social and economic rights as Belarusian citizens, including the right to education and health care.

560. The draft Act on granting refugee status and additional or temporary protection to foreign citizens and stateless persons”, which passed its first reading in the House of Representatives of the National Assembly in 2007, contains a number of articles on the identification of foreigners, including minors, having applied for refugee status in Belarus and lacking, or using forged or falsified, identification documents; specifies the concept of “member of a foreign family”; and lays down procedures for the reunification of foreign families.

561. The main thrusts of Government policy on the integration of refugees, including children, are implemented by State authorities with assistance from the local unit of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the participation of NGOs.

562. Activities aimed at facilitating the dissemination of a positive attitude towards cultural diversity and of tolerance for the members of different nationalities and cultures are carried out annually in educational establishments on the occasion of the World Refugee Day. In cooperation with the local UNHCR office, the Ministry of Education conducts yearly thematic contests, such as a children’s drawing, verse and story competition on the subjects of “How wonderful it is to be at home again” in 2004, “Accept me, Belarus!” (with approximately 1,000 submissions by children) in 2006, and “In the friendly family of Belarusian peoples” in 2007. The best works have been exhibited in the National Historical and Cultural Museum.

563. In 2006, the joint project “Social integration and adaptation of refugee children in Belarus, of the “Eureka” children’s and young persons’ creativity centre in the Frunzensky district in Minsk and UNHCR continued to be implemented. Project beneficiaries are 200 refugee children from Afghanistan and Abkhazia, Georgia. Pre-schoolers attend preparatory courses on the Russian language, mathematics, speech development, and knowledge of the environment. Pupils facing difficulties in general education because of curriculum differences may study the Russian language and take an “alignment” course; and they remain under pedagogical monitoring even after entry into a general education school. Moreover, the project facilitates the study of the children’s native language and culture and their country’s geography. As a rule, these subjects are taught by volunteers.

564. Vocational orientation and training assist refugee children to find their place in the professional world, identifying trades which will be in demand in Belarus and correspond to their aptitudes.

565. In order to draw the Belarusian society’s attention to the problem of refugees and in cooperation with the local UNHCR office, an annual contest is held among the media on the coverage of refugee-related issues and the promotion of tolerance. Books and pamphlets published during the reporting period for education specialists with regard to tolerance towards refugees have included such titles as “Refugees and we” and “Young persons and multicultural education in secondary education schools”.

## **2. Children in armed conflict, including physical and psychological recovery and social reintegration**

566. Belarus is characterized by a stable internal political situation and absence of military, international or religious conflicts. Accordingly, no children are involved in armed conflicts.

## **B. Children in conflict with the law**

### **1. The administration of juvenile justice**

567. A series of Acts have been adopted regarding the protection of the rights of children in conflict with the law. Thus, the Criminal Code, the Criminal Procedure Code and the Correctional Code entered into force in 2001, and Act No. 200-Z on the bases of the child-neglect and juvenile-delinquency prevention system” took effect in 2003.

568. In the new Criminal Code, issues related to the criminal liability of juvenile offenders are addressed in a separate section and the range of measures taken in dealing with them has been enlarged. Under article 4 (8) of the Criminal Code, an underage offender is a person who on the day of the commission of the offence had not yet reached the age of 18.

569. Under article 27 (1) of the Criminal Code, criminal liability may be incurred by a person who, at the time of commission of the offence, had attained 16 years of age, save for a number of 21 cases specified in the Code and involving acts incurring liability for persons aged at least 14. These exceptions include coercive acts of a sexual nature (under article 167 of the Code), and abduction aimed at, particularly with respect to a person known to be a minor, sexual or other exploitation or the extraction of organs or tissues for transplants (under article 182 of the Code).

570. Cases involving offences by minors are treated in strict compliance with legal norms and strict safeguards for the protection of the rights and legitimate interests of the persons accused, the appropriateness of the penalty, and the prevention of new offences. The proceedings are governed by rules laid down in the Criminal Procedure Code, in line with the special provisions of chapter 45, “Proceedings for criminal cases involving offences committed by persons up to 18 years of age”. In particular, when a minor is heard as part of judicial proceedings, a teacher or psychologist must be present in accordance with the relevant regulation established through Council of Ministers decision No. 1533 of 24 October 2001. The minor’s parents or other lawful representatives, if available, must also participate in the proceedings.

571. Cases involving offences committed by persons aged up to 18 are heard by a bench consisting of a judge and two people’s assessors. In order to ensure strict observance of the norms of the Criminal Procedure Code, an impartial and objective hearing, and consideration of the particular character traits of the accused, the bench in such cases is presided over by a specially trained judge.

572. Under article 89 (2) of the Criminal Procedure Code, the age (day, month and year of birth), living conditions, education, and degree of intellectual, decision-making and psychological development of a minor accused in a criminal case, and the existence of any adult instigators or other accomplices, must be established. In order to prevent errors and elucidate debatable questions, the plenum of the Supreme Court adopted decision No. 3 of 28 June 2002 on judicial practice in cases involving offences by minors.

573. Where he or she is a victim, a minor may, if necessary, benefit from security measures laid down in chapter 8 of the Criminal Procedure Code.

574. In order to enhance special protection measures for minors in conflict with the law, in June 2007 the House of Representatives of the National Assembly adopted, on first reading, adopted the Act on additions and amendments to certain Acts regarding the improvement of the child-neglect and juvenile-delinquency prevention system, and of civil justice”.



## **2. Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings**

575. Belarus endeavours to limit the application of criminal penalties involving deprivation of liberty to minors to a minimum (cf. paragraphs 515-518). Currently, juvenile delinquents deprived of their liberty are held in two juvenile correctional facilities (VKs) (VK-1 in Vitebsk and VK-2 in Babruysk).

576. Upon a juvenile delinquents' arrival at the correctional facility, relevant information is established regarding the minors' social environment, relatives' addresses and earlier living conditions. Under the law, the correctional process in the facilities has an educational and pedagogical character. The facilities are endowed with general-education and vocational- and technical-training schools, operating in full conformity with the Ministry of Education curricula and methods applicable to ordinary schools. The Ministry monitors the instruction process. Facility-school leavers obtain certificates of the national type, similar to those issued by the usual educational establishments.

577. Instruction in juvenile correctional facility schools is provided from the first to the twelfth grades for all pupils not having a general basic or general secondary education.

578. Vocational and technical schools in juvenile correctional facilities provide training in the following trades: joiner and machine-tool operator, lathe operator, wood- and bark-carver, maintenance mechanic, mason-plasterer, house-painter, and seamstress.

579. Instruction and pedagogical work in juvenile correctional facilities are carried out by general education teachers, training officers and psychologists and, in accordance with relevant legal norms, are aimed at inculcating the pupils with positive values, life plans, and skills for solving everyday problems. Normative and procedural provisions safeguard the quality of the education and training offered by laying down rules and methods for study, for a preliminary assessment of the pupils' personality, and for appropriate individual and collective measures. This approach facilitates the pupils' adaptation to the correctional facility, offers them a viable basis for organizing their life in the future, and provides them with habits and skills necessary for their successful social reintegration after release.

580. In addition to general education curricula, the sentence enforcement unit of the Ministry of Internal Affairs has developed educational and pedagogical courses for the juvenile correctional facilities in five areas, namely law, combating addiction to alcohol and drugs, psychology and morals of family relations, culture of appropriate and healthy living, and psychology of self-awareness. School teachers and psychologists carry out educational activities with juvenile offenders, who take exams upon completion of the courses. Success at such exams constitutes an important indicator of effective preparation for a law-abiding way of life in freedom and is taken into consideration in reviewing early release requests.

581. With a view to the intellectual and cultural development of the pupils, groups are organized for such creative activities as, for instance, choral and solo singing, literature, art, stuffed-toy modelling, and physical education. Concerts, intellectual games, humour and resourcefulness contests, artistic creation competitions, and debates with higher education students on socially important topics are actively organized.

582. In order to support the pupils' physical development, sports areas are created, summer and winter Olympiads are held, and volleyball, basketball, table tennis, football and others games are organized.

583. In 2002, a reflection and composition contest was held in order to encourage pupils to understand the factors behind delinquency and to develop realistic ideas about life after release. The best contest essays on the topic "Past, present and future" were published in 2003 in a collection entitled "A break with fate". Best 2006 contest essays on the topics "I

now know the value of happiness and will find my way” and “Listen to me: Value free life, make no mistake” were published in 2007 in “A break with fate - II”.

584. Considerable significance is attached to work with the parents of convicted juvenile delinquents, a complex exercise inasmuch these parents are often alcoholics unable to create a morally healthy situation in the family, build normal relations with their children, and bring them up in dignity. They set an example which in various ways prevents adolescents from developing positive morals and adopting a resolute stance against crime. Juvenile delinquency is the result. Constructive influence on the parents is sought through individual interviews and the organization of events known as police-units’ days, to which the pupils’ lawful representatives are invited and which have a positive educational effect on both sides.

### **3. Physical and psychological recovery and social reintegration**

585. The activity of internal affairs organs for the prevention of child neglect and juvenile delinquency and the protection of the minors’ rights and legitimate interests is constantly controlled by the Ministry of Internal Affairs and the Office of the Prosecutor-General. Cooperation among educational establishments, public associations and internal affairs organs is organized with a view to the physical and psychological recovery and social reintegration of adolescents in conflict with the law. These and other competent units and establishments regularly hold common legal awareness days for the public, legal information courses, press conferences, legal knowledge Olympiads, and film viewing sessions on legal issues, with the participation of juvenile affairs inspectorate staff where appropriate.

586. The domestic affairs divisions have created the “Friend” and “Adolescent” clubs as a means for working with “problem” youngsters. In early 2007, 152 such clubs operated in the country. Furthermore, “Young friends of the police” clubs, 1,200 in number, have been organized in educational institutions on the basis of an agreement with Government authorities. Club members regularly attend film viewings, go on outings, become acquainted with police work, and participate in friendly football matches between teams of watch-list adolescents and juvenile affairs inspectors.

587. The organization of prevention days and legal-information week- or ten-day-long events in educational establishments has become a tradition. In 2006, single information-days were held on the following topics: “Strengthening public policy and discipline”, “Promoting discipline, the rule of law and healthy living: a key Government task” and “Quality of life for the people: a national development strategy”.

588. In all secondary education establishments, a spot is set up for the provision of information on legal issues, and of details regarding the competent juvenile affairs inspectors and the place and time of reception of students and their parents.

589. Law study programmes are organized in higher and secondary education establishments as part of the promotion of intellectual, moral, physical and cultural development, and of vocational guidance and training. Thus, Special Schools No. 2, No. 61 and No. 11 in Gomel and No. 2 in Zhlobin offer a two-year law study programme, some of whose classes are taught by instructors of the Ministry of Internal Affairs Academy. That initiative has a positive outcome inasmuch as it encourages the involvement of adolescents in juvenile delinquency prevention.

590. The effectiveness of combating juvenile delinquency is directly related to normalizing the situation in dysfunctional families. Crime statistics show that 25 per cent of convicted juvenile delinquents were brought up in such households.

591. Juvenile delinquency prevention activities are carried out at the national, regional and local levels. Thus, the internal affairs administration of the Brest province executive committee signed a cooperation agreement with the local “A. S. Pushkin” State University with a view to the introduction of new approaches to the elimination of juvenile delinquency. Senior students attending social psychology department courses conduct educational work with adolescents on the watch list of juvenile affairs inspectorates.

592. The activity of public youth associations promoting law enforcement is upgraded and the involvement of such associations in protecting the rule of law and preventing juvenile delinquency is encouraged. Voluntary youth brigades are established in all higher-education and many specialized secondary education institutions.

593. The members of the Armed Forces actively participate in the prevention of juvenile delinquency and the patriotic education of minors. In 2006, 127 open days were held at 22 internal security troop units for students attending senior classes. Many military patriotic-training and sport camps receive children from large, dysfunctional or low-income families. Of the 101 military patriotic-training camps which operated in the summer of 2006 (compared to 54 such camps in 2005), 48 belonged to Ministry of Internal Affairs units and subdivisions (compared to 14 in 2005), 39 to the Ministry of Defence, 15 to the State Committee of Border Troops, and 3 to the Ministry for Emergency Situations.

594. Cooperation between educational establishments, internal affairs bodies and other Government units regarding children and adolescents has been intensified. A country-wide inter-agency workshop on “Cooperation between internal-affairs and education bodies in preventing child neglect and juvenile delinquency: current state and prospects”, organized in the City of Minsk in 2006 on the initiative of the Ministry of Internal Affairs, contributed to boosting relevant prevention efforts among pupils and students.

## **C. Children in situations of exploitation, including physical and psychological recovery and social reintegration**

### **1. Use of drugs and psychotropic substances**

595. All minors consuming alcohol or narcotic, toxic or other stupeficient substances are on the watch list of juvenile affairs inspectorates and of the Ministry of Health addiction units.

596. Of the persons on watch lists, 94.2 per cent are registered for alcohol abuse, 4.9 per cent for use of toxic substances and 0.9 per cent for narcotic drugs consumption. In 2007, in-patient treatment was extended to 341 adolescents, currently under observation by the drug addiction units.

597. Minors using psychoactive substances are subject to periodic health examination.

598. Medical and psychological assistance has for several years been available to minors and their parents at the Gomel province drug- and alcohol-addiction treatment centre in the City of Gomel.

599. At least once per quarter, alcohol or drug abuse therapists visit the educational establishments to examine the adolescents registered on drug abuser watch lists or identified by the socio-psychological units as alcohol consumers. Adolescents belonging to various risk groups appear in lists maintained by the educational institutions and are assigned a social pedagogue, while their psychological and pedagogical characteristics and personal work schedule are recorded in an individual card.

600. Information on such identified underage abusers and on the measures taken for their future observation and treatment is communicated to the juvenile affairs inspectorate and

cross-checked on a monthly basis. Alcohol or drug abuse therapists draw up lists of minors under observation, save for persons attended on an anonymous basis, and juvenile affairs inspectorates inform the dispensaries involved of any administrative offences committed by the adolescents concerned.

601. Addiction and psychiatric services provide advice and treatment to all persons asking for such assistance, including minors and their parents. The patients in question receive diagnostic, therapeutic and rehabilitation services.

602. Anonymous consultation facilities are organized in all provincial centres and regions through health organizations. Addicts, including minors, may be treated in the country's eight rehabilitation centres.

603. Prevention of the use of psychoactive substances by adolescents is hampered by current legislation, according to which minors up to age 14 may be subjected to investigation only at the parents' request or with the consent of both lawful representatives of a minor.

## **2. Sexual exploitation and sexual abuse**

604. Under Belarusian law, criminal liability is incurred for involving a minor in antisocial activities. Specific provisions of the Criminal Code offer protection against sexual exploitation by criminalizing lewd conduct with a person known to be under 16 (under article 169 (1) of the Code) or imposing sexual acts on a person known to be a minor (under article 170 (2) of the Code)

605. Under article 173 (1) of the Criminal Code, liability is incurred by a person having attained the age of 18 for knowingly involving a minor in prostitution or in acts connected with the production of pornographic material or items. Article 173 (2) of the Code provides for a harsher punishment if such offences are committed with violence or threat of violence or by a parent, a teacher or another person entrusted with rearing the minor.

606. Under article 171 of the Criminal Code, liability is incurred for exploitation of the occupation of prostitution or facilitation of the occupation of prostitution, where such acts are knowingly committed in connection with a minor.

## **3. Sale of, trafficking in and abduction of children**

607. The purchase and sale of human beings, other related transactions, and the recruitment, transport, delivery, concealment or reception of a human being for the purpose of exploitation (human trafficking) are punishable under article 181 of the Criminal Code. Article 181 (2) of the Code provides for a harsher punishment if such offences are knowingly committed in connection with a minor.

608. Under paragraph 2 of Criminal Code article 343 on the "Dissemination of pornographic material or items", criminal liability is incurred by a person having attained the age of 18 for producing or storing in order to disseminate or advertise, for disseminating or for advertising pornographic material, printed publications, pictures or other objects of a pornographic character or containing the image of a minor, or for showing to a minor cinematographic or video films with a pornographic content.

## **IX. Optional Protocols to the Convention on the Rights of the Child**

609. Belarus is party to the Optional Protocols to the Convention on the Rights of the Child, namely on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict, to which the country acceded on, respectively, 18 January 2002 and 25 February 2006.

610. An initial report by Belarus on the implementation of each of the above protocols is currently in preparation.

## **X. Conclusion**

611. During the reporting period, Belarus further fulfilled, in a results-oriented manner, its international obligations in the area of the situation of children. The protection of the rights and legitimate interests of children is a priority of the social policy of the Government.

612. Comprehensive measures undertaken in recent years have led to tangible progress regarding the implementation of the Convention on the Rights of the Child.

613. The Government of Belarus will continue to work towards further implementing the Convention, the Millennium Development Goals (MDGs), and the national plans and programmes for improving the situation of the country's children and facilitating their all-round development.

## Annexes

### Annex I

Legislation adopted in Belarus in the period 1999-2007 includes the following normative legal instruments:

- Marriage and Family Code of 9 July 1999.
- Labour Code of 26 July 1999, Act No. 296-Z.
- Act of 9 July 1999 on amendments and additions to the Pension Guarantee Act.
- Social Services Act of 22 May 2000.
- Act of 11 July 2000 on the ratification of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- Act of 14 July 2000 on amendments and additions to the Act on the social protection of persons with disabilities.
- Act of 25 October 2000 on amendments and additions to the Rights of the Child Act.
- Act of 3 December 2001 on accession to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
- Act of 3 May 2003 on the ratification of the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organized Crime.
- Act of 30 October 2003 on the ratification of the Optional Protocol to the Convention on the Elimination of Discrimination against Women.
- Act of 4 November 2003 on the ratification of ILO Convention No. 183 concerning the revision of the Maternity Protection Convention (Revised), 1952.
- Act of 19 July 2005 on amendments and additions to certain Acts regarding compensation for the costs of maintenance of children under State care.
- Act of 12 December 2005 on accession to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.
- Act of 21 December 2005 on guaranteeing the social protection of under-age or other young orphans or other under-age or young persons deprived of parental care, first piece of legislation providing for the comprehensive regulation of social relations in the area of enactment and implementation of safeguards regarding the social protection of the group in question.
- Act of 16 May 2006 on additions and amendments to certain Acts on the exercise of handicraft activities by individuals, entitling individuals engaged in handicraft activities specified by the law to benefits without being officially registered as entrepreneurs.

- Act of 16 May 2006 on additions and amendments to certain Codes regarding compensation for the costs of maintenance of children under State care.
- Act of 20 July 2007 on amendments and additions to the Labour Code.
- Act of 28 December 2007 on additions and amendments to the Act on Allowances to Families with Children.
- Presidential Decree No. 18 of 24 November 2006 on supplementary measures for affording State protection to children in dysfunctional families.
- Presidential Decree No. 185 of 14 April 2000 on granting advantageous loans for building, reconstructing or acquiring a residence.
- Presidential Decree No. 281 of 24 May 2001 on the “Children of Belarus, 2001-2005” Presidential Programme.
- Presidential Decree No. 124 on amendments and additions to Presidential Decree No. 185.
- Presidential Decree No. 117 of 5 March 2005 on the proclamation of 2006 as Year of the Mother.
- Presidential Decree No. 285 of 18 June 2005 on certain measures regulating entrepreneurial activity.
- Presidential Decree No. 318 on the “Children of Belarus, 2006-2010” Presidential Programme, of 15 May 2006.
- Presidential Decree No. 580 of 22 September 2006 on the payment of pensions to orphans and children left without parental care placed with foster and adoptive families.
- Presidential Decree No. 675 of 16 November 2006 on the National Commission on the Rights of the Child.
- Presidential Decree No. 726 of 18 December 2006 on the calculation of social benefits.
- Presidential Decree No. 68 of 1 February 2007 on the proclamation of 2006 as Year of the Child.
- Presidential Decree No. 135 of 26 March 2007 on the adoption of the National Demographic Security Programme, 2007-2010.
- Presidential Decree No. 162 of 3 April 2007 on certain issues related to personal income tax advantages and deductions.
- Presidential Decree No. 268 of 8 June 2007 on strengthening Government support to families upon birth of a child.
- Presidential Decree No. 378 of 9 August 2007 on certain issues related to safeguarding the rights of orphans and children left without parental care.
- Presidential Decree No. 414 of 7 September 2007 on amendments and additions to certain Presidential Decrees regarding residential construction.
- Presidential Decree No. 439 of 20 September 2007 on additions and amendments to Presidential Decree No. 565.
- Presidential Decree No. 585 of 22 November 2007 on Government financial support for young and large families.
- Presidential Decree No. 638 of 14 December 2007 on certain Government support measures.

- Council of Ministers decision No. 170 of 2 February 1999 on issues related to the national rehabilitation centre for disabled children built in Minsk.
- Council of Ministers decision No. 1680 of 28 October 1999 on the adoption of the Regulation of the large-family certification procedure.
- Ministry of Social Protection decision No. 10 of 4 February 2000 on the adoption of the Regulation blueprint for a regional crisis centre for assistance to women.
- Ministry of Social Protection decision No. 11 of 2 August 2000 on the adoption of the Regulation of the Ministry of Social Protection national rehabilitation centre for disabled children.
- Council of Ministers decision No. 670 of 8 May 2001 on the National Action Plan for gender equality, 2001- 2005.
- Council of Ministers decision No. 858 of 8 June 2001 on the adoption of the List of free public social services provided by Ministry of Labour and Social Protection units in accordance with their competence and of the Regulation on procedures and conditions for such provision.
- Ministry of Social Protection decision No. 8 of 4 July 2001 on the adoption of the Regulation on residential establishments for disabled children with special developmental needs”.
- Ministry of Labour and Social Protection decision No. 84 of 24 May 2002 on the adoption of the Regulation on procedures and conditions for the organization and financing for the temporary employment of pupils and students in their free time and during summer vacation.
- Ministry of Labour and Social Protection decision No. 141 of 1 November 2002 on the adoption of rules regarding time limits for the provision of social services by Ministry of Labour and Social Protection units.
- Council of Ministers decision No. 1661 of 18 December 2003 on the National Action Plan for the improvement of the situation of children and the protection of their rights, 2004-2010.
- Council of Ministers decision No. 831 of 8 July 2004 on certain Government support measures for large families in building, reconstructing or acquiring a residence.
- Council of Ministers decision No. 1174 of 21 September 2004 on providing financial compensation to families upon the birth of twins.
- Council of Ministers decision No. 1181 of 22 September 2004 on the permanent steering committee for the preparation and conduct of the annual Mother’s Day and of the Year of the Mother in 2006.
- Council of Ministers decision No. 1553 of 6 December 2004 on the adoption of the Regulation on procedures for granting Government financial assistance to large families in paying off subsidized loans used to build, reconstruct or acquire a residence.
- Ministry of Labour and Social Protection decision No. 158 of 17 December 2004 on the adoption of procedures for the payment of financial compensation to families upon the birth of twins.
- Ministry of Labour and Social Protection decision No. 62 of 30 May 2005 on the adoption of rules for the provision of clothing, footwear and related



supplies to the various social service organizations of the Ministry of Labour and Social Protection.

- Council of Ministers decision No. 1624 of 6 December 2006 on the adoption of the Regulation of the commission for granting benefits to families with children, and temporary disability benefits.
- Council of Ministers decision No. 271 of 1 March 2007 on ensuring free nutrition for children up to 2 years of age.
- Quarterly Ministry of Labour and Social Protection decisions on the amount of benefits to families with children” as a function of the applicable the per capita minimum subsistence budget.

Belarus is a party to the following international treaties related to the protection of the rights of the child:

- (a) Within the framework of the United Nations:
  - International Convention for the Suppression of the Traffic in Women and Children of 30 September 1921
  - Convention on the Rights of the Child of 20 November 1989
  - Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict of 25 May 2000
  - Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography of 25 May 2000
  - Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organized Crime of 15 November 2000.
- (b) Within the framework of ILO:
  - Convention No. 77 concerning Medical Examination for Fitness for Employment in Industry of Children and Young Persons of 19 September 1946
  - Convention No. 79 concerning the Restriction of Night Work of Children and Young Persons in Non-Industrial Occupations of 9 October 1946
  - Convention No. 90 concerning the Night Work of Young Persons Employed in Industry of 10 July 1948
  - Convention No. 138 concerning Minimum Age for Admission to Employment 26 June 1973
  - Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour of 17 June 1999
- (c) Within the framework of the Hague Conference on Private International Law:
  - Convention on the Civil Aspects of International Child Abduction of 25 October 1980
  - Convention on Protection of Children and Cooperation in respect of Intercountry Adoption of 29 May 1993
- (d) Within the framework of CIS:
  - Agreement on Cooperation among States Members of the Commonwealth of Independent States regarding the Return of Minors to the States of their Permanent Residence of 7 October 2002

- Agreement on Cooperation among Ministries of Foreign Affairs regarding the Return of Minors to the States of their Permanent Residence of 24 September 1993

The measures taken by the Government of Belarus for the implementation of ILO conventions, including those related to the protection of children (No. 77 and No. 182) are referred to in the Report of the Committee of Experts on the Application of Conventions and Recommendations published by ILO in early 2007.

The following bilateral agreements are under consideration in draft form:

- Protocol between the Ministry of Defence of Belarus and the Ministry of Defence of the Russian Federation on the vacation of children of members of the Belarusian Armed Forces in children's health camps of the Russian Ministry of Defence
- Agreement between the Government of Belarus and the Government of Ireland on conditions related to the improvement of the health of Belarusian and Irish minors on the basis non-reimbursable assistance
- Intergovernmental agreement on conditions related to the improvement of the health of Belarusian minors in Spain on the basis non-reimbursable assistance
- Intergovernmental agreement on conditions related to the improvement of the health of Belarusian minors in the Netherlands on the basis non-reimbursable assistance.

## Annex II

## Information on general-education day establishments of the Ministry of Education (including residential schools) as of the beginning of the 2007-2008 school year

	Number of general education establishments	Including:											
		Elementary schools		Basic education schools		Secondary schools		Arts-oriented secondary schools		Science-oriented secondary schools		Comprehensive secondary educational training (arts-oriented) schools - Colleges	
		Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
<b>Urban and rural areas</b>													
City of Minsk	237	10	4.2	4	1.7	185	78.1	34	14.3	2	0.8	2	0.8
Brest province	646	61	9.4	128	19.8	426	65.9	24	3.7	7	1.1	-	-
Vitebsk province	644	72	11.2	158	24.5	392	60.9	17	2.6	5	0.8	-	-
Gomel province	637	37	5.8	127	19.9	442	69.4	27	4.2	4	0.6	-	-
Grodno province	450	17	3.8	109	24.2	288	64.0	32	7.1	4	0.9	-	-
Minsk province	680	37	5.4	100	14.7	504	74.1	32	4.7	6	0.9	1	0.1
Mogilev province	469	31	6.6	81	17.3	331	70.6	18	3.8	6	1.3	2	0.4
National schools.	4	-	-	1	25.0	-	-	-	-	2	50.0	1	25.0
<b>Total</b>	<b>3 767</b>	<b>265</b>	<b>7.0</b>	<b>708</b>	<b>18.8</b>	<b>2 568</b>	<b>68.2</b>	<b>184</b>	<b>4.9</b>	<b>36</b>	<b>1.0</b>	<b>6</b>	<b>0.2</b>
<i>For reference:</i>													
2006-07 school year	3 893	312	8.0	762	19.6	2 612	67.1	165	4.2	36	0.9	6	0.2
2005-06 school year	4 006	346	8.6	836	20.9	2 631	65.7	153	3.8	34	0.8	6	0.1
2004-05 school year	4 104	394	9.6	880	21.4	2 665	64.9	138	3.4	31	0.8	6	0.1
2003-04 school year	4 209	447	10.6	918	21.8	2 697	64.1	115	2.7	26	0.6	6	0.1
2002-03 school year	4 335	520	12.0	956	22.1	2 730	63.0	101	2.3	23	0.5	5	0.1
2001-02 school year	4 506	629	14.0	986	21.9	2 770	61.5	92	2.0	24	0.5	5	0.1
<b>Urban areas</b>													
City of Minsk	235	10	4.3	2	0.9	185	78.7	34	14.5	2	0.9	2	0.9
Brest province	166	10	6.0	3	1.8	122	73.5	24	14.5	7	4.2	-	-

	<i>Including:</i>												
	<i>Number of general education establishments</i>	<i>Elementary schools</i>		<i>Basic education schools</i>		<i>Secondary schools</i>		<i>Arts-oriented secondary schools</i>		<i>Science-oriented secondary schools</i>		<i>Comprehensive secondary educational training (arts-oriented) schools - Colleges</i>	
		<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Vitebsk province	176	1	0.6	5	2.8	152	86.4	15	8.5	3	1.7	-	-
Gomel province	200	8	4.0	8	4.0	155	77.5	25	12.5	4	2.0	-	-
Grodno province	144	4	2.8	4	2.8	106	73.6	26	18.1	4	2.8	-	-
Minsk province	171	3	1.8	5	2.9	127	74.3	30	17.5	5	2.9	1	0.6
Mogilev province	150	2	1.3	10	6.7	112	74.7	18	12.0	6	4.0	2	1.3
National schools.	4	-	-	1	25.0	-	-	-	-	2	50.0	1	25.0
<b>Total</b>	<b>1 246</b>	<b>38</b>	<b>3.0</b>	<b>38</b>	<b>3.0</b>	<b>959</b>	<b>77.0</b>	<b>172</b>	<b>13.8</b>	<b>33</b>	<b>2.6</b>	<b>6</b>	<b>0.5</b>
<i>For reference:</i>													
<i>2006-07 school year</i>	1 250	40	3.2	38	3.0	975	78.0	158	12.6	33	2.6	6	0.5
<i>2005-06 school year</i>	1 248	39	3.1	43	3.4	980	78.5	149	11.9	31	2.5	6	0.5
<i>2004-05 school year</i>	1 244	38	3.1	44	3.5	992	79.7	135	10.9	29	2.3	6	0.5
<i>2003-04 school year</i>	1 244	37	3.0	47	3.8	1 017	81.8	112	9.0	25	2.0	6	0.5
<b>Rural areas</b>													
City of Minsk	2	-	-	2	100.0	-	-	-	-	-	-	-	-
Brest province	480	51	10.6	125	26.0	304	63.3	-	-	-	-	-	-
Vitebsk province	468	71	15.2	153	32.7	240	51.3	2	0.4	2	0.4	-	-
Gomel province	437	29	6.6	119	27.2	287	65.7	2	0.5	-	-	-	-
Grodno province	306	13	4.2	105	34.3	182	59.5	6	2.0	-	-	-	-
Minsk province	509	34	6.7	95	18.7	377	74.1	2	0.4	1	0.2	-	-
Mogilev province	319	29	9.1	71	22.3	219	68.7	-	-	-	-	-	-
<b>Total</b>	<b>2 521</b>	<b>227</b>	<b>9.0</b>	<b>670</b>	<b>26.6</b>	<b>1 609</b>	<b>63.8</b>	<b>12</b>	<b>0.5</b>	<b>3</b>	<b>0.1</b>	<b>0</b>	<b>0.0</b>

<i>Number of general education establishments</i>	<i>Including:</i>												
	<i>Elementary schools</i>		<i>Basic education schools</i>		<i>Secondary schools</i>		<i>Arts-oriented secondary schools</i>		<i>Science-oriented secondary schools</i>		<i>Comprehensive secondary educational training (arts-oriented) schools - Colleges</i>		
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	
<i>For reference:</i>													
<i>2006-07 school year</i>	2 643	272	10.3	724	27.4	1 637	61.9	7	0.3	3	0.1	0	0.0
<i>2005-06 school year</i>	2 758	307	11.1	793	28.8	1 651	59.9	4	0.1	3	0.1	0	0.0
<i>2004-05 school year</i>	2 860	356	12.4	836	29.2	1 663	58.1	3	0.1	2	0.1	0	0.0
<i>2003-04 school year</i>	2 965	410	13.8	871	29.4	1 680	56.7	3	0.1	1	0.0	0	0.0