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Implementation of the International Covenant on Economic, Social and Cultural Rights

**Combined fourth, fifth and sixth periodic reports submitted
by States parties under articles 16 and 17 of the Covenant**

Belarus*

[19 November 2010]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited.

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I. Introduction

1. In accordance with articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, the Republic of Belarus hereby submits its combined fourth to sixth periodic reports on the implementation of the Covenant for the period 1996–2009.
2. Since the document covers an extended period of time, it focuses on presenting a picture of the current situation with regard to compliance with the Covenant by Belarus.
3. It was prepared by the Ministry of Internal Affairs on the basis of material provided by the Ministries of Labour and Social Protection, Justice, Health, Education, Culture, Internal Affairs, Information, Housing and Public Services and Agriculture and Food and the State Committees for Science and Technology and for Standardization.
4. The document contains fundamental information on the State's achievements in safeguarding economic, social and cultural rights and providing other guarantees to Belarusians.
5. Belarus, in compliance with its obligations to United Nations treaty bodies, has submitted periodic reports to the Committee on the Rights of the Child (2008) and the Committee on the Elimination of Discrimination against Women (2009). Information regarding the application of the rights of the child and the safeguarding of gender equality is therefore not duplicated in the report to the Committee on Economic, Social and Cultural Rights.
6. The efforts of Belarus to defend and promote the economic, social and cultural rights of Belarusians were noted during the universal periodic review of Belarus conducted in May 2010 by the Human Rights Council (A/HRC/WG.6/8/BLR/2, A/HRC/WG.6/8/BLR/3).

II. Background information

7. The history of Belarus is punctuated by violence from without, destructive wars and the incorporation of its territory into various States. During the Second World War, no less than 30 per cent of the population lost their lives and the country's infrastructure was all but obliterated.
8. The contamination of almost a quarter of its territory by radioactive fallout from the accident at the Chernobyl nuclear power station in 1986 has had a lasting adverse impact on the country's economy and on the health of its population.
9. The collapse of the Soviet Union and the country's shift to a market economy worsened the economic and social situation of Belarusians. To this day, the Government has had to take these factors into account when crafting public policy on the defence and promotion of economic, social and cultural rights.
10. In spite of these long-term impediments, socioeconomic development in Belarus is constantly focused on resolving social issues in order to steadily improve the quality of life and standards of living, reduce poverty and create the preconditions for growth in general prosperity.
11. The rapid increase in individual income after the year 2000 permitted a drastic reduction in the poverty level from 46.7 per cent of the country's population in 1999 to 5.4 per cent in 2009.
12. The Belarusian development model includes the following social safeguards:

- Equality of men and women in education and employment;
- The right of young people to spiritual, moral and physical development;
- The right to work as the worthiest means of self-affirmation in the economic, moral and social spheres of life;
- Fair remuneration for the economic results of labour, at rates that ensure citizens and their families independence and sufficient sustenance;
- The right to health, including treatment free of charge in public health-care institutions;
- The right to social security in old age, illness and for other reasons.

13. Increased employment is a key to ensuring the country's effective social development. The unemployment rate in Belarus, currently standing at less than 1 per cent, is one of the lowest in Europe. The State provides additional safeguards in the area of employment, in particular to needy and vulnerable groups such as parents with large families; single-parent families; first-time job-seekers up to the age of 21; persons with disabilities; and former prison inmates. Additional safeguards include measures such as setting aside jobs for certain categories of the unemployed and job training programmes.

14. Over the past decade, there has been a downward trend in unemployment among women and young people in Belarus. State social support is a critical component of socioeconomic policy in Belarus. Since 2007, the country has come to actively apply the principle of targeting needs in the provision of State aid. This approach, which has been consolidated in the legislation, makes it possible to apply a clear and transparent mechanism for the provision of targeted State aid to those who really need it.

15. Effectively targeted social protection means concentrating limited resources on meeting the needs of the socially vulnerable sectors of the community. This entails a move away from general social programmes to targeted ones that address the needs of specific population sectors and groups and also of particular regions. At the same time, tailor-made programmes are being developed to provide persons with disabilities and single pensioners with various social services and home care, and to offer targeted material assistance to large and single-parent families with low incomes.

16. The Government's top priority with regard to social protection is family and child welfare, in particular to enable families to fulfil their economic, reproductive, educational, cultural and psychological functions and to protect the right of children to full physical, intellectual, moral and social development.

17. The Government makes use of tax breaks for the provision of material assistance to families with children.

18. Particular attention is paid to people living in rural areas, who are more vulnerable than others to hardships such as poor social infrastructure, transport services and utilities. One pending task is the introduction of a set of social standards throughout the country, taking due account of specific regional needs. The introduction of these standards is intended to steadily improve social protection.

19. Pensions are a social policy priority for the Government. Because of adverse demographic trends (above all, an ageing population), pensioners now make up 27 per cent of the population. Expenditure on pensions amounts to 8 per cent of the country's GDP. The pension bill grew by more than 9 per cent in 2009 over 2008. From 2003 to 2008, the percentage of pensioners whose pensions were below the subsistence level shrank from 29.9 per cent to 6 per cent of the total number of pensioners.

20. Belarus is working to expand its participation in international treaties on pensions (social security): such agreements (treaties) have been concluded in the framework of the Commonwealth of Independent States (CIS), as well as with Lithuania and Latvia.

21. One fundamental aim of social policy in Belarus is to improve the health-care system and promote healthy lifestyles. The health-care system in Belarus remains primarily in State hands, with the private sector providing around 5 per cent of medical services.

22. There has been a steady increase in the cost of public health care: from 2001 to 2006, expenditure in that area almost tripled (from US\$ 537.5 million to US\$ 1,579.5 million); per capita costs have been multiplied by 176 per cent. According to the *Transition report 2005* of the European Bank for Reconstruction and Development, Belarus had one of the highest levels of health-care expenditure compared with other CIS countries: 4.9 per cent of GDP.

23. Education and literacy are fundamental to a progressive society. In Belarus, average annual expenditure on education for the period 2006–2010 amounted to 6 per cent of GDP. General secondary and vocational and technical education is provided free of charge, as are, on a competitive basis, specialized secondary and higher education, which are accessible to everyone. Special efforts are made to ensure that urban and rural youth benefit from equal educational opportunities.

24. In Belarus, the necessary conditions have been created for the full and unimpeded cultural and creative development of the individual and access to cultural values and for the fostering of aesthetic values, the development of people's talents and the conservation of the historical and cultural heritage.

III. Compliance with the general provisions of the Covenant

Article 2

International technical assistance with a view to achieving the realization of the rights enshrined in the Covenant

25. Belarus works actively with international organizations to implement country programmes and international aid projects intended to safeguard the economic, social and other rights of Belarusians.

26. Under a Government initiative, any country programmes run by international organizations accredited in Belarus must include a component on the protection and promotion of human rights which, among other things, envisages cooperation with such organizations on issues of economic, social and cultural rights.

27. Thus, a series of joint projects has been conducted in conjunction with the United Nations Development Programme (UNDP), contributing to the roll-out of public policy measures to reduce poverty among Belarusians: "Community-level Dialogue and Partnerships to Reduce the Impact of Enterprise Restructuring on Poverty and Unemployment in Belarus" (2002–2003) and "Assisting in Elaborating the Basic Foundation for a National Poverty Reduction Strategy in the Republic of Belarus" (2003–2006).

28. In June 2009, work began on the UNDP project entitled "Development of a regional social policy model for poverty reduction in Belarus (2009–2011)". This project aims to improve the standards and quality of living across all the regions of Belarus through social sector programmes. As part of the project's implementation, a comprehensive assessment is to be carried out of the social situation in the regions and a comprehensive regional social

policy model developed to reduce regional disparities in the standards of living and quality of life.

Safeguarding the economic rights of non-citizens of Belarus

29. In 2001, Belarus acceded to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees; it protects asylum seekers and refugees in accordance with the Convention and national legislation.

30. The legal situation of aliens in Belarus is regulated by the Act on the Granting of Refugee Status and Subsidiary and Temporary Protection to Foreign Nationals and Stateless Persons, of 3 July 2009, under which aliens may be granted refugee status and subsidiary and temporary protection, and non-refoulement to their State of citizenship or former habitual residence is guaranteed in accordance with the international obligations of Belarus.

31. Under the Act on the Legal Status of Foreign Nationals and Stateless Persons, of 4 January 2010, foreigners and stateless persons in the territory of Belarus have the same rights, freedoms and obligations as citizens of Belarus, unless otherwise stipulated by the Constitution, the Act itself, other national legislation or the international treaties to which Belarus is a party.

32. Foreign nationals who have been granted refugee status in Belarus are entitled to all the social and economic rights, including the right to education, health care and employment, enjoyed by foreign nationals who are permanently resident in the country. They are covered by employment legislation and, in particular, they receive assistance with vocational training and job placement. They are also entitled to family reunification, financial assistance, residence in specially equipped facilities, advantages for the registration of their place of residence and judicial protection on the same basis as citizens of Belarus.

33. Foreign nationals who, under the country's international obligations, cannot be subject to expulsion, have the right to temporary residence authorization and accordingly enjoy all the same rights as to foreign nationals authorized to reside in Belarus.

34. Minors who are foreign nationals and who have applied for or been granted refugee status or subsidiary protection have the same right to preschool and general secondary education and health care as minors who are citizens of Belarus.

35. In the view of the Office of the United Nations High Commissioner for Refugees (UNHCR), of all the CIS countries, the one that has the most progressive legislation is Belarus.

36. From 1997 to 2010, the competent State authorities handled applications for refugee status or subsidiary protection from more than 3,500 foreign nationals from 48 States. In the first half of 2010, 90 foreign nationals applied for refugee status or subsidiary protection in Belarus.

37. Belarus is doing its part to help reduce the number of stateless persons, and in the past 10 years, their number has fallen from 21,600 to 7,600.

Article 3

Ensuring gender equality in relation to enjoyment of the rights recognized in the Covenant

38. Belarus has already achieved the Millennium Development Goals with regard to ensuring equality between men and women. Full information on gender equality in relation

to enjoyment of the rights recognized in the Covenant can be found in the seventh periodic report of Belarus on the implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/BLR/7) of 2009.

Articles 4 and 5

Public awareness and training of law enforcement agents on domestic violence

39. In Belarus, it has become standard practice to bring the law to bear when offences are committed in the family and domestic sphere. Less than 2 per cent of all punishable criminal acts committed in the country can be considered domestic violence, although all constitute assaults on the life or physical well-being of persons. For that reason, they represent a fundamental social danger: hence the need to continually improve prevention efforts.

40. The State is working to improve efforts to prevent violence, including against women and children. Belarus was the first State of the former Soviet Union to adopt legislation on crime prevention: The Crime Prevention (Principles) Act, which came into force in February 2009. It offers a conceptual framework for preventing specific types of offences, including drunkenness and family violence. Its implementation makes it possible, to a certain degree, to meet the challenges confronting society with regard to strengthening the rule of law, protecting people's rights and interests and heightening the impact of crime prevention efforts.

41. The main priority in implementing the Act lies in the following approaches: a health-care specialist is responsible for improving cooperation among officials dealing with the prevention and elimination of drunkenness and alcoholism; a labour and social welfare specialist is tasked with addressing the issue of unemployment among the active population and boosting efforts to raise the level of social welfare for the poor and, above all, for children in problem families and older persons; a culture specialist has the task of fostering individual creativity; a sports and tourism specialist is charged with developing sports events and physical fitness activities and encouraging people to participate in them.

42. Since 1 July 2008, the Ministry of Internal Affairs has operated a telephone hotline for callers to report (anonymously if they choose) on problem families, persons abusing alcohol and engaging in antisocial behaviour or juveniles in situations of social risk, thereby making it possible to take timely countermeasures. Similar hotlines have been set up by the regional and Minsk municipal internal affairs departments.

43. Law enforcement bodies, in conjunction with those in the fields of education, culture and sports and tourism and other stakeholders, regularly organize information days, competitions and sports events in order to promote and highlight healthy lifestyles and prevent crime.

44. Voluntary associations, including women's organizations, play an increasingly prominent role in efforts to prevent and combat violence. The most active associations include the Belarusian Women's Union; the Belarusian Young Women's Christian Association; the Women's Independent Democratic Association; the Belarusian Working Women's Association; and Stop Violence against Children. Each of them, in conjunction with Government bodies and international organizations, carries out a series of specific projects designed to address the issue of violence against women and children, including domestic violence.

45. Since 2002, "Radislav", another voluntary association, has been operating a crisis centre offering a broad range of services to women and children victims of violence. In

2007, the same association helped the regional social services centre in the Pervomaisky district of Minsk to start up a service providing assistance to victims of violence.

Article 6

Measures to promote the employment of women, young people and persons with disabilities

46. In accordance with the Employment Act, the State provides supplementary guarantees of employment for people in special need of social protection and unable to compete on equal terms in the labour market (art. 11).

47. Measures for the recruitment of socially vulnerable persons are contained in a separate section of the annual employment promotion programmes developed by the State and regions.

48. Steps taken in recent years, including the implementation of those annual programmes, have substantially altered labour market trends. As the total number of the jobless has fallen, so has the unemployment rate, which on 1 January 2010 stood at 0.9 per cent of the active population. At the same time, the number of employed persons has grown. From 2002 to 2009, the number of women and young people seeking employment decreased by 41 per cent and 33 per cent, respectively.

49. More than 20 per cent of all job-seekers are in special need of social protection and are unable to compete on equal terms in the labour market: they benefit from additional State safeguards in the area of employment.

50. The Government employment promotion programme for 2009 contained a series of measures to promote employment of people in special need of social protection and unable to compete on equal terms in the labour market, including young people below the age of 21, persons with disabilities, women, former prison inmates and the long-term unemployed.

51. By the end of 2009, 20,900 unemployed people unable to compete on equal terms in the labour market had been placed in permanent jobs; 12,400 of them were covered by fixed quotas, including 800 people aged under 18 and 2,400 persons with disabilities. Implementation of the Government programme led to a fall in the proportion of women among the unemployed from 60.7 per cent on 1 January 2009 to 57 per cent on 1 January 2010.

52. Particular efforts are made to promote employment among people who live in rural areas and small towns.

53. In 2009, the main Government programme indicators with regard to promoting rural employment were fulfilled – funding from all sources led to the creation of 19,600 jobs in rural areas.

54. There has been a particular focus on stabilizing the labour market situation in small towns, in which 30,500 jobs were created in 2009.

- On average, the number of the unemployed in small towns decreased by 500 (5.6 per cent). The number of job vacancies also declined from 8,200 to 6,100 jobs, or 25.1 per cent. At the same time, labour market density in small towns has risen from 1 unemployed person per job vacancy on 1 January 2009 (nationwide, the figure was 0.7 per vacancy) to 1.2 per vacancy on 1 January 2010 (nationwide, the figure was also 1.2).

Job placement for the unemployed

55. A priority under the Government's employment promotion programme is to provide work for people in special need of social protection, including women, the long-term unemployed and other groups.

56. Using budgetary loans from the Social Security Fund, the Ministry of Labour and Social Protection created 3,100 jobs in 2009. Such job creation loans are granted to employers on condition that they use them to employ, as a matter of priority, young people, women and the long-term unemployed.

57. In 2009, under the Youth Work Experience regulations on temporary employment for young people, jobs were found by the labour, employment and social protection agencies for some 1,500 people, more than half of them women, including 61 mothers who had long been out of the workforce owing to their involvement in child care. This allowed them to acquire professional competence, skills and practical work experience in industry, thereby increasing their competitive edge in the labour market.

58. There is a primary focus on vocational training for:

- Unemployed mothers who have long been out of the workforce owing to their involvement in child care, in fields for which there is a high demand on the labour market and which provide the option of being self-employed and working at home;
- Young people under the age of 21, in occupations for which there is a demand on the labour market (up to 50 per cent of those registered).

59. The long-term unemployed are primarily sent to receive vocational training and retraining to improve their competitiveness on the labour market in response to specific requests from employers, who guarantee subsequent job placement.

60. In 2009, a total of 25,000 unemployed people (11,400 of them women and 16,800, young people aged from 16 to 29) were sent for vocational training, retraining and skills upgrading.

61. The breakdown of the population group placed in jobs by the labour, employment and social protection agencies in 2009 indicated that, of 130,000 unemployed, 17,800 were long-term unemployed, 3,100 were persons discharged from compulsory military service, 1,800 were former prison inmates and 3,300 were graduates of higher, specialized secondary and vocational and technical educational institutions.

Legal safeguards against unfair dismissal

62. In Belarus, labour relations between employees and employers are governed by the Labour Code.

63. Article 35 of the Labour Code stipulates that an employment contract may be terminated only on the grounds set forth in the Code.

64. Under article 42, employers may cancel indefinite employment contracts and fixed-term contracts prior to their expiration dates only in the specific situations stipulated by the Code.

65. Termination of an employment contract by the employer occurs after the relevant trade union has been notified. Even when the unions consent has been received, termination of the contract by the employer may take place only if such a procedure is provided for in the collective agreement.

66. Unlike other grounds for ending contracts, cancellation by the employer entails a particular procedure (with significant safeguards for employees) and conditions for dismissal.

67. They include the obligation to ensure that the employee is transferred to another job, to inform the relevant trade union (article 46 of the Labour Code) and to give prior notice of impending dismissal. Dismissal during annual holiday or temporary incapacity for work is prohibited except in the event of closure of an organization or cessation of an individual business activity (art. 43). Further measures are set forth in article 45.

68. In a broad range of cases, the law stipulates that termination of an employment contract by the employer because of the organization's closure must be accompanied by certain safeguards for the former employee, including:

- Higher severance pay (article 48 of the Labour Code);
- The right of persons made redundant to early retirement, limited to two years prior to the statutory age (article 11 of the Employment Act of 15 June 2006).

69. An employee's partial incapacity for work or the allocation of disability or old-age pensions do not in themselves constitute grounds for termination of employment contracts in the event the position occupied or work being carried out is found to be unsuitable for health reasons (article 42, paragraph 2, of the Labour Code), so long as the employee carries out his or her workplace duties reliably and the work in question is not contraindicated.

70. Termination of an employment contract by the employer on the grounds that the employee is prevented from working for health reasons is permissible only upon presentation of a medical certificate confirming the employee's incapacity to work on health grounds.

71. An employment contract may be terminated under article 42, paragraph 6, of the Labour Code due to absence from work because of temporary incapacitation of more than four consecutive months only where necessary in order to meet production requirements.

72. The temporary incapacitation must be uninterrupted for more than four months. Dismissal under article 42, paragraph 6, is then possible only during the period of incapacitation, not after the employee's recovery, even if he or she was ill for more than four months.

73. Employees who contract tuberculosis retain the right to return to their post for up to 12 months, and in the event of incapacity resulting from a workplace accident or occupational illness, the post (occupation) is retained until recovery of health or certification of disability, regardless of how long the incapacity persisted. This is the case, irrespective of who is at fault (employee or employer) for the workplace accident or occupational illness.

74. An employer who terminates an employment contract under article 42, paragraph 6, of the Labour Code is obliged to ensure the transfer of the employee to another position (art. 43, para. 1) and to notify the trade union within two weeks (art. 46).

75. Employees dismissed under article 42, paragraph 6, retain the right to receive temporary incapacity allowances until recovery of health or certification of disability.

Vocational training programmes for the unemployed and members of vulnerable groups

76. A priority of employment policy in Belarus is to lift the quality of the workforce through vocational training, retraining and skills enhancement for the unemployed.

Vocational training for the unemployed is an integral part of the system of continuous education and is intended to raise the level of workplace skills, establish a rational approach to employment, reconcile individual interests with the needs of society and further the implementation of a public employment policy aimed at reducing social tensions and providing optimal employment opportunities.

77. The State Employment Service is responsible for developing vocational training for the unemployed and improving the quality and effectiveness of that training. With that aim in mind, the appropriate legal foundations have been laid and are being perfected. At their core lie the Education Act of 29 October 1991, together with its subsequent amendments and supplements; the Employment Act of 15 June 2006; the Vocational and Technical Education Act of 29 June 2003; the regulations governing vocational training, retraining and skills enhancement for the unemployed adopted in Decision No. 1334 by the Council of Ministers on 12 October 2006; the regulations governing continuous vocational training adopted in Decision No. 599 by the Council of Ministers on 15 May 2007; and other legislation on employment and vocational training.

78. In accordance with the Employment Act, the State provides unemployed people registered with the labour, employment and social protection agencies free vocational guidance, psychological support and vocational training, retraining and skills enhancement, taking into account the needs of society and in accordance with their existing talents, abilities, skills and psychological traits.

79. Unemployed persons are sent to receive vocational training if:

- They cannot be found suitable work owing to their lack of necessary qualifications (specialization);
- A change of profession (specialization or occupation) is indicated because their skills cannot be matched to any job;
- They have become unable to or should not continue to do the work involved in their former profession (specialization).

80. From 1997 to 2009, 370,900 unemployed persons were provided with vocational training with a view to boosting their competitiveness.

Table No. 1

Statistics on vocational training for the unemployed (1997–2009)

<i>Year</i>	<i>1997</i>	<i>1998</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>	<i>2008</i>	<i>2009</i>
Number of persons (in thousands)	26.8	27.1	28.8	27.5	27.6	28.8	29.0	28.2	27.7	26.5	23.8	22.9	25.0

81. The focus is on providing vocational training for the following categories of unemployed persons: youth, the long-term unemployed, persons with disabilities, single parents, parents with large families and mothers.

Table No. 2

Disaggregated statistics on vocational training for the unemployed

<i>Persons given vocational training (in thousands)</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Total	27.7	26.5	23.8	22.9	25.5

Including:

<i>Persons given vocational training (in thousands)</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Persons dismissed as a result of the closure of an organization or staff reductions	1.1	0.7	0.5	0.3	0.3
Graduates of educational institutions	7.4	7.1	5.3	3.9	4.4
Persons with disabilities	0.4	0.4	0.4	0.5	0.5
Former prisoners			0.2	0.2	0.3
Long-term unemployed	3.7	3.6	3.2	3.3	3.6
Of the total number:					
Women	16.0	14.7	13.2	13.3	11.4
People aged 16 to 29	20.1	19.1	16.7	15.2	16.8
People aged 16 to 18	4.2	3.6	2.7	2.0	2.7
Persons living in rural areas	5.7	6.1	5.4	5.0	5.4

82. Vocational training is mainly oriented towards occupations in demand in the labour market. Every year, 80 to 85 per cent of all those sent to receive vocational training acquire a trade.

83. With a view to providing practical assistance to the unemployed in the choice of activity or profession, taking into account their personal abilities and inclinations, as well as the needs of the labour market, they are offered professional career advice from specialists, free of charge. People can learn about labour market conditions and regional personnel requirements, including specific details and requirements with regard to any given profession. On the basis of a psychological and physical evaluation, specialist career advisers help people to identify priority areas of activity in the light of their professional aptitude and to choose a suitable profession for which to train.

84. The suitability for certain tasks of unemployed people sent to receive vocational training for medical reasons is determined in health institutions in the person's place of residence.

85. The unemployed person signs a contract on the vocational training to be dispensed, in which the rights and obligations of all parties and liability for failure to observe its terms are stipulated.

86. An unemployed person may, if amenable, be sent to receive vocational training in line with a request by a particular employer who will guarantee to employ the person upon completion of the full training course. In such cases, a three-way agreement is concluded between the labour, employment and social protection agencies, the unemployed person and the employer.

Table No. 3

Vocational training at employers' request

<i>Persons given vocational training</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Total	27.7	26.5	23.8	22.9	25.0
At employers' request	7.0	7.3	6.4	7.4	9.0
Percentage of total in vocational training	27.8	27.5	26.7	32.1	36.1

87. Vocational training for the unemployed takes place during the day in educational institutions and organizations and may take the form of group or individual tuition. The

training may not be prolonged for more than 12 months. Unemployed people may sign up for training at any time during the year.

88. During the vocational training period, unemployed persons have the right, outside teaching hours, to combine training with employment either in unskilled work or in temporary work related to their vocational training (specialization), provided they notify the labour, employment and social protection agencies.

89. During the vocational training period, the unemployed benefit from a series of social safeguards. They are assured payment of a grant, the amount of which is set forth in the Employment Act. Those sent for training outside their permanent place of residence (to another district or province) are reimbursed for transport and accommodation expenses.

90. In addition, during the period in which they are engaged in vocational training, retraining or skills enhancement on instructions from the labour, employment and social protection agencies, unemployed persons are entitled to receive material assistance.

91. Vocational training provided under the auspices of the labour, employment and social protection agencies includes work experience which is noted in the unemployed person's employment record.

92. Under the Employment Act, employers are responsible for improving their employees' qualifications. In cases where dismissed workers received no vocational training at their workplace in the five years prior to dismissal, the organization that dismissed them must fund the training to be provided by the State Employment Service. The provision of such funds is regulated by the instructions on the procedure and conditions for reimbursing the State Employment Service for training expenses, adopted in Decision No. 15 by the Ministry of Labour and Social Protection on 27 February 1996.

Article 7

Minimum wage guarantees and indexation

93. The main aim of public policy in Belarus is to facilitate stable growth in the standard of living, primarily by increasing wages as the main source of income.

94. The current system for remunerating employees in Belarus ensures that their work is paid appropriately according to difficulty, quantity, quality, working conditions, level of qualifications and position (profession).

95. The legal framework for labour relations governing the employment of men and women is the Constitution, which guarantees women the same opportunities as men in education and vocational training, work and career development and in social, political, cultural and other areas of activity (art. 32). Moreover, article 42 of the Constitution stipulates that women and men, both adults and minors, have the right to equal compensation for work of equal value.

96. The average monthly wage in dollar-equivalent terms practically quadrupled from 1996 to 2009, from US\$ 89.1 to US\$ 350.2.

97. From January to June 2010, the average monthly wage rose by 15.2 per cent, to 1,104,100 Belarusian roubles, in comparison with the same period in 2009. It increased by 8.1 per cent in real terms.

98. The minimum wage is defined in labour legislation as the State's minimum social standard for remuneration under normal circumstances, where the established monthly or hourly work norms are fulfilled.

99. The mechanism by which the minimum wage is set, raised and applied is defined by the Act on Setting and Raising the Minimum Wage of 17 July 2002.

100. Under this Act, the minimum wage (per month or hour) is set on 1 January of each year by the Council of Ministers based on the employment rate and labour productivity; worker requirements for material goods and services; the availability of funding from national and local budgets and employers; and the levels of average wages, pensions, grants, benefits, compensation and other social welfare payments. Throughout the year, the minimum wage is indexed in line with the procedure set out in legislation on the indexation of income after inflation.

101. Pursuant to Decree No. 1700 on the Setting of the Minimum Wage adopted by the Council of Ministers on 26 December 2009, as of 1 January 2010, the monthly minimum wage was set at 258,600 Belarusian roubles (the hourly minimum wage is 1,530 Belarusian roubles).

102. The monthly and hourly minimum wage levels set in the legislation are binding for employers as the lowest threshold for the payment of all categories of workers, irrespective of their position (profession).

Regulated and unregulated working conditions and paid and unpaid leave

103. Under the Labour Code, work time is deemed to be the time during which a worker, in accordance with employment or collective agreements and internal workplace regulations, is required to be at a place of work and carry out his or her work duties.

104. Work time also refers to time spent by a worker in excess of the established duration (overtime, work during State or other holidays or days off) in response to an employer's proposal or instruction or with the employer's consent.

105. Work time is regulated by establishing norms on the duration of work for a calendar week (working week) and for a day (working day, work shift).

106. The duration of work time is deemed normal if it equals all or part of the standard duration. The maximal duration of work time cannot exceed 40 hours per week.

107. For workers employed in jobs entailing harmful and/or hazardous working conditions, work time is reduced to no more than 35 hours per week; however, the total duration, when the time spent in transit to posts underground and back to the surface is included, cannot exceed 37 hours and 45 minutes per week.

108. Work time is reduced for:

- Workers from 14 to 16 years of age: to less than 23 hours per week; workers from 16 to 18 years of age: to less than 35 hours per week;
- Students in general educational institutions and vocational and technical schools who work outside their hours of study during the academic year: to less than half the maximum duration of work time stipulated in the relevant section of the Labour Code for persons of the corresponding age;
- Persons with group I or II disabilities: to less than 35 hours per week;
- Persons working in areas contaminated by radioactive pollution in an evacuation (exclusion) zone, including those working temporarily or on assignment to these zones: to less than 35 hours per week.

109. It is prohibited for the following to perform night work, even if it falls into part of the working day or shift:

- (a) Pregnant women;

(b) Workers under 18 years of age.

110. Provided that such work is not prohibited under their individual rehabilitation programmes, persons with disabilities may be hired for night work, as may women with children under 3 years of age, as long as they give their written consent.

111. Overtime refers to work performed by workers in response to an employer's proposal or instruction or with the employer's consent over a period exceeding that established for their work in the internal workplace regulations or the shift schedule.

112. Overtime work is permitted only with the worker's consent, except in cases set out in the Labour Code and a collective contract or agreement.

113. Women with children from 3 to 14 years of age (under 18 years of age for children with disabilities) and persons with disabilities may be hired for overtime work, as long as they give their consent, and the latter, only if they are not prohibited from doing such work by their individual rehabilitation programme.

114. All workers are entitled to rest days each week (weekly continuous rest break). Work may be performed on a rest day by agreement between the parties in exchange for a different rest day or higher pay.

115. Work is not performed on State and other holidays which are selected and declared by the President of Belarus to be non-working days. Work on State and other holidays is paid at a higher rate.

116. Under the Labour Code, workers are entitled to ordinary leave from work and leave of absence for personal reasons.

117. Leave is taken to mean release from work under an employment contract for a specific period of time for rest and other personal purposes, while retaining the same job and salary.

118. Workers may be granted the following kinds of leave:

(a) Ordinary leave from work:

- Statutory leave;
- Supplementary leave;

(b) Leave of absence for personal reasons in relation to:

- Pregnancy or childbirth;
- Childcare;
- Education;
- The Chernobyl disaster;
- Compelling reasons of a personal or family nature.

Statutory leave must be at least 24 calendar days in duration.

119. Lists of the organizations, positions and categories of workers entitled to statutory leave of more than 24 calendar days, the conditions for granting such leave and its specific duration are set by the Government in agreement with the President.

120. All employers are obliged to respect the duration of statutory leave, and such leave must normally be provided to a worker in each year of employment (annually).

121. Denial of leave from work to workers less than 18 years of age and workers entitled to additional leave on account of harmful and/or hazardous working conditions is prohibited.

122. A worker retains his or her average wage during ordinary leave. An employer is required to pay the average salary for the period of leave no later than two days before the leave begins.

123. A worker who is dismissed for reasons beyond his or her control and who has not used all or part of his or her leave must be provided with monetary compensation.

124. In cases specified in the legislation, collective agreement or employment contract, when an employer grants leave (or, if the leave is taken in parts, the largest portion thereof), he or she is required to make a lump sum health-related payment in the amount specified in the legislation, collective agreement or employment contract.

125. Leave of absence for personal reasons is granted to workers so as to ensure favourable conditions for maternity, childcare, education, meeting ordinary family needs and other social purposes.

126. An employee's right to such leave does not depend on the duration, location or type of work or on the designation or legal status of the organization.

127. During leave of absence for personal reasons, a worker retains his or her job and, in accordance with the Labour Code or a collective agreement, receives the same remuneration.

128. Leave of absence for personal reasons is granted in addition to ordinary leave and during the calendar year in which the worker is entitled to it.

129. An employer is required to grant unpaid leave of up to 14 calendar days, at the worker's request, for the following categories of worker:

- Women with two or more children younger than 14 years of age or children with disabilities aged 18 years or under;
- Veterans of the Second World War and of military operations in other States;
- Persons tending to a family member who is medically certified as ill;
- Persons with disabilities working in factories, workshops and workplaces designed to facilitate disabled access;
- Other workers, under circumstances provided for in the legislation or a collective agreement.

130. For the purpose of meeting domestic needs, working on a dissertation, writing textbooks or other legitimate reasons besides those listed in article 189 of the Labour Code, a worker may be granted, upon submission of a written application, up to 30 calendar days of unpaid leave during a calendar year, unless otherwise stipulated in a collective agreement.

Equal pay for men and women with equivalent qualifications

131. Information on guarantees for the pay of men and women with equivalent qualifications is contained in the seventh periodic report of Belarus on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (2009).

Safe and favourable working conditions in the workplace

132. In Belarus, considerable efforts have been made to renovate and streamline the State system for managing occupational safety. A legal framework has been created for regulating this aspect of social and labour relations. Belarus has ratified the International Labour Organization (ILO) Occupational Safety and Health Convention (No. 155), the Safety and Health in Construction Convention (No. 167) and the Labour Inspection Convention (No. 81).

133. Legislation on occupational safety derives from the Constitution and consists of the Labour Code, Civil Code, the Occupational Safety Act, the Act on the Industrial Safety of Hazardous Production Sites, the Technical Norms and Standards Act, the Fire Safety Act, the Public Health and Disease Control Act, the Health-Care Act, the Criminal Code and the Code of Administrative Offences.

134. Occupational safety and related topics are covered by individual decrees and orders of the President of Belarus.

135. The legal framework for occupational safety is also enshrined in governmental decrees, intersectoral and sectoral regulations, construction standards and regulations, health and safety standards and public and private enterprise regulations. Overall, 2,000 legal and regulatory acts relating to occupational safety are in force in Belarus.

136. Legislation on occupational safety regulates management-labour relations in a given sector and encourages workers to exercise their constitutional rights to healthy and safe working conditions.

137. The basic tenets of the occupational safety regulations are:

- Protecting the life and health of workers in the performance of their duties;
- Facilitating the realization of the right to occupational safety;
- Creating obligations with respect to occupational safety among all contractual partners;
- Improving labour relations and the handling of occupational safety.

138. An occupational health and safety management systems specification (OHSAS 18001: 2009) is being introduced in organizations to minimize work-related risks and prevent accidents in the workplace. It was drawn up on the basis of an earlier text (OHSAS 18001: 2007).

139. In order to meet those specifications, article 41 of the Constitution and the provisions of the Occupational Safety Act are applied in respect of all hiring authorities and employees.

140. Occupational safety obligations are defined, not only for employers but also for legal entities and individuals that hire citizens on the basis of civil law contracts and other modalities established by law. This is why, in the Occupational Safety Act, the terms “worker” and “hiring authorities” are used.

141. Under the Act, workers have the right to: working conditions which meet occupational safety standards; the personal protective gear necessitated by their work; the compulsory insurance against accidents at work and occupational illnesses required by the law; reliable information from an employer, the relevant governmental agencies and voluntary associations on working conditions and occupational safety, the actual risk of health hazards, measures to protect against the potentially harmful and/or hazardous effects of the workplace environment and the corresponding compensation; free teaching (instruction) in work safety methods and techniques; refusal of work which entails an

immediate threat to the life and health of the worker and/or others, pending removal of the threat, suspension and prohibition of work by specially empowered State supervisory and monitoring bodies if the worker lacks the personal protective gear that could automatically ensure work safety.

142. The hiring authority (employer) is responsible for ensuring the health and safety of working conditions.

143. Compulsory insurance against accidents at work and occupational illnesses was introduced with the aim of providing more effective social coverage for victims of accidents at work and occupational illnesses and encouraging employers to create a safe and healthy working environment.

144. Initiatives are being undertaken in retraining and skills enhancement for managers and specialists in the field of occupational safety. A system was created to test awareness of these issues at all levels of management; each year, over 30,000 managers and specialists at various levels of management undergo such testing.

145. Retraining is offered for people who have completed higher technical education courses, culminating in certification as “occupational safety specialist”.

146. Occupational safety initiatives are based on programmes which define the aim and main areas of activity in a given sector, generally for a period of five years. From 2006 to 2010, national, sectoral and local targeted programmes were implemented to improve working conditions and occupational safety. The programmes’ main aims were to enhance working conditions for workers and lower the number of work-related injuries and occupational illnesses in Belarus.

147. Legislation had been adopted to penalize non-compliance with occupational safety requirements as a disciplinary, administrative and criminal offence.

148. A system of State supervision, monitoring and public inspection of compliance with labour legislation and occupational safety laws has been instituted. A coordinating council was established under the Ministry of Labour and Social Protection for the activities of the relevant State and public bodies in such matters. There are similar councils in the provincial and Minsk municipal executive committees.

149. Statistical data shows that following these initiatives, the number of work-related accidents in 2009 decreased by 78 per cent compared to 1996, and fatalities by 41 per cent.

Article 8

Forming and joining trade unions

150. The principal Belarusian laws regulating trade union relations are the Trade Unions Act of 22 April 1992, amended on 14 January 2000, and Presidential Decree No. 2 of 26 January 1999 on a number of issues relating to the regulation of the activity of political parties, trade unions and other voluntary associations.

151. The Trade Unions Act defines the legal status of trade unions, trade union associations and their institutional bodies. Presidential Decree No. 2 of 26 January 1999 sets forth the conditions for the establishment of trade unions and the procedures for their registration by the State.

152. Under article 14 of the Labour Code, discrimination, that is, the restriction of employment rights or the acquisition of any advantages on grounds of gender, race, ethnic origin, language, religious or political convictions, participation or non-participation in trade unions or other voluntary associations, property or professional status or physical or

mental disabilities that do not impede the performance of employment functions, is prohibited.

153. A similar provision is contained in article 4 of the Trade Unions Act. Membership or non-membership of trade unions does not entail the restriction of any labour, social, economic, political or personal rights and freedoms guaranteed by the law. The subordination of recruitment, promotion or dismissal to membership in, affiliation with resignation from any given trade union is prohibited.

154. The trade union movement has developed in Belarus on the strength of the propitious environment created for it. As at 1 January 2010, Belarus had 35 registered trade unions (33 national, 1 local and 1 organizational) and 2 registered trade union associations: the Belarusian Congress of Democratic Trade Unions, a trade union association, and the Federation of Trade Unions of Belarus.

155. There are 22,864 registered trade union institutional bodies in Belarus; 487 were registered in the first six months of 2009 alone. By comparison, as at 1 January 2007, Belarus had a total of 22,021 such bodies.

Collective bargaining mechanism

156. Belarusian legislation promotes the collective agreement process. Under article 357 of the Labour Code, if a trade union requests the initiation of collective bargaining, the employer is required to start the negotiations within seven days.

157. All trade unions have the right to conduct collective bargaining and conclude collective agreements, regardless of the size of their membership.

158. Collective and other agreements provide workers with additional social and employment guarantees and cannot make the workers' situation less advantageous than as prescribed by law.

159. In Belarus, general agreements between the Government, national employers' associations and trade unions are signed on a regular basis. On 19 December 2008, for example, a general agreement between the Government, national employers' associations and trade unions was concluded for the period 2009 to 2010.

160. Collective bargaining occurs at the sectoral and local levels as well as within organizations.

161. The quantitative results achieved in Belarus attest to a fairly strong level of social dialogue. As at 1 January 2010, Belarus had 1 general agreement, 46 sectoral tariff agreements, 490 local agreements and 18,181 collective agreements in force (registered by the labour, employment and social protection agencies).

Right to strike

162. The right to strike is guaranteed under article 41 of the Constitution and is regulated by articles 389 to 399 of the Labour Code.

163. The decision to call a strike is taken by secret ballot at a meeting or conference of workers.

164. The workers' representative body is required to inform an employer in writing of a decision to call a strike no later than two weeks before it starts.

165. During a strike, the parties to a collective labour dispute are required to adopt measures necessary to ensure respect for law, the protection of State and private property, the maintenance of public order and the provision of essential services.

166. Participation or refusal to participate in a strike may not be made mandatory.

167. Restrictions may be placed by law on the exercise of the right to strike to the degree necessary for the sake of national security, public order, public health and the rights and freedoms of others.

Article 9

Social security system

168. Under the Constitution (art. 47), citizens of Belarus are guaranteed the right to social security in old age, in the event of illness, disability, loss of working ability, loss of a breadwinner and in other cases specified by law. The State displays particular concern for war and labour veterans and persons with disabilities whose health has been damaged in the defence of national and public interests.

169. Under the Principles of State Social Insurance Act, No. 3563-XII of 31 January 1995, State social insurance corresponds to a system of pensions, benefits and other payments to citizens of Belarus using State extrabudgetary social insurance funds in the cases specified by the Act.

170. The basic principles underlying State social insurance are as follows:

- Employers and employees are required to take part in building up State extrabudgetary social insurance funds;
- Funds are channelled from persons able to work to those unable to work and from working to non-working persons;
- Pensions, benefits and other payments are guaranteed in accordance with the law;
- All citizens have equal rights to State social insurance, irrespective of social status, race, ethnic background, gender, language, type of occupation or place of residence;
- The conditions for awarding and size of pensions, benefits and other State social insurance payments are differentiated;
- Legal entities and private individuals paying into the State social insurance scheme are involved in managing the funds.

171. The scheme is financed by contributions to the State extrabudgetary social insurance fund, income from capitalization and distribution and other earnings.

172. Funds for the scheme are paid into the in State extrabudgetary social insurance fund established pursuant to decrees of the President and the laws of Belarus.

173. State social insurance funds are tax exempt and may not be seized or used for purposes other than those provided for under the legislation on State social insurance.

174. The size (scale) of the insurance contributions is established by decrees of the President and/or the laws of Belarus.

175. The size (scale) of insurance contributions depends on the financial situation of the funds and may be differentiated according to working conditions and categories of worker.

176. Mandatory State social insurance covers:

- Citizens working under employment contracts and agreements under civil law to render services, perform work or create intellectual property for legal entities, individual entrepreneurs or civil-law notaries or based on membership of or participation in a commercial legal entity of any type;

- Individual entrepreneurs apart from foreign nationals and stateless persons working in Belarus, including as individual entrepreneurs; individual entrepreneurs carrying out business activities while having entered into employment or associated relationships based on membership of or participation in a commercial legal entity of any type; day students in institutions providing vocational, specialized secondary and higher education; pensioners; persons entitled to allowances to care for a child up to 3 years of age; and civil-law notaries;
- Persons sentenced to deprivation of liberty who are assigned paid work;
- Unemployed persons with disabilities who have not yet reached the retirement age set in article 11 of the Pensions Act (60 years for men with at least 25 years of service and 55 years for women with at least 20 years) and who receive a monthly insurance payment under the legislation on mandatory insurance against accidents in the workplace and work-related illness (hereinafter referred to as a monthly insurance payment);
- Persons who receive temporary disability benefits for injury to health in connection with an accident in the workplace or work-related illness in accordance with the legislation on mandatory insurance against industrial accidents and occupational disease (hereinafter referred to as insured events).

177. The right to social insurance benefits is based on the payment of State social insurance contributions for specific insured events.

178. The conditions governing the payment of insurance benefits may include a minimum required contribution period before the State social insurance covers a given insured event.

179. Citizens are entitled to the payment of State social insurance benefits for the following events or occurrences:

- Disease and temporary incapacity for work;
- Pregnancy and childbirth;
- Care of a child up to 3 years of age;
- Disability;
- Reaching retirement age;
- Loss of a breadwinner;
- Loss of employment;
- Death of the insured party or a member of his or her family.

180. Insured citizens are provided with the following under the State social insurance scheme:

- Pensions based on age and for disability, loss of breadwinner, length of service and specific occupational groups;
- Pregnancy and childbirth allowances;
- Allowances for the care of a child up to 3 years of age;
- Benefits for illness and temporary incapacity for work and subsidies for health-resort treatment and recuperation;
- Unemployment benefits;
- Burial allowances.

181. The legislation governing State social insurance coverage for insured events or occurrences specifies the conditions, amounts and procedures for setting and paying out benefits.

182. When insured events or occurrences such as disability, the attainment of retirement age or loss of employment take place simultaneously, only one type of pension or benefit is paid out.

183. The Pensions Act and other legislation ensures the constitutionally guaranteed right to a pension.

184. All persons unable to work who are permanently resident in Belarus have the right to a pension, regardless of nationality, past work and other considerations.

185. The law provides for the payment of pensions upon reaching retirement age and in connection with disability, loss of a breadwinner (including to orphaned children), length of service and special services to the State. The right to a pension is based on compulsory insurance payments (for at least five years for retirement pensions). The right to a pension is guaranteed regardless of the period of contributory payments, the purpose being to ensure pension benefits for persons with disabilities and families having lost the breadwinner.

186. In accordance with the Employment Act, the State guarantees to the unemployed the payment of unemployment benefits, stipends during the training that they may be offered by labour, employment and social protection agencies and the provision of material assistance to them and their dependents (art. 10). Unemployment benefits are determined by the labour, employment and social protection agencies. The amount of the benefit ranges from 0.7 to twice the base unit (35,000 roubles as at 1 January 2010).

187. Unemployment benefits may not be paid for more than 26 calendar weeks during each 12-month period following the date of registration for such benefits with the labour, employment and social protection agencies.

188. Unemployed persons performing paid public work or temporary work of which the labour, employment and social protection agencies have been notified in advance may continue to receive unemployment benefits.

189. Allowances are increased by 10 per cent for unemployed persons with dependent children up to the age of 14 or a dependent child with disabilities up to the age of 18, and by 20 per cent if there are three or more children (or two or more children with disabilities) of the corresponding age.

190. As at 1 January 2009, 173,000 persons received unemployment benefits (46.5 per cent of the total number of persons registered as unemployed).

191. As at 1 January 2010, 199,000 persons received unemployment benefits (49.4 per cent of the total number of persons registered as unemployed). The average amount of unemployment benefits in December 2009 was 45,000 roubles.

192. Families with children have the right to the following types of State assistance:

- Guaranteed payments in cash for the birth and care of children (system of State benefits to families with children);
- Free meals in accordance with age-specific physiological standards for children less than 2 years of age in lower-income families;
- Targeted social assistance in cases of financial insecurity or other difficult circumstances;
- Employment, tax, housing, health and other entitlements for parents and children;

- Pension entitlements;
- Social services for families.

193. The system of social benefits, guarantees and entitlements for families with children in Belarus is one of the most effective among CIS countries. The regulatory and legal framework is steadily being improved in order to enhance the social protection of families with children.

194. Since 1 January 2010, the size of allowances for the care of children under 3 years of age has increased from 80 to 100 per cent of the minimum subsistence level. The level of State benefits to families with children was reviewed in conjunction with the quadrupling of the minimum subsistence level in 2009. Compared with 2008, average monthly benefits for children increased by 14.5 per cent, amounting to 1,938,000 roubles for children under 3 and 727,000 thousand roubles for children over 3 years of age.

195. The State benefits system covered some 449,000 children in 2009, or more than 25 per cent of the total number of children.

196. One of the larger social programmes to support lower-income families with children has been providing targeted public assistance since 1 January 2001. Such assistance has been provided since 1 January 2010 in the form of monthly social benefits to families whose average monthly per capita household income does not exceed 100 per cent of the average per capita minimum subsistence level; a one-time payment to families in difficult circumstances whose average per capita household income does not exceed 150 per cent of the average per capita minimum subsistence level; and social benefits to cover technical support for the social rehabilitation of children who do not have disabilities but require such support and children with category III disability, without regard for the level of household income.

197. In 2009, 525,000 families with children below the age of majority received targeted social assistance amounting to more than 34 billion roubles. The main recipients of targeted social assistance are large and single-parent families, who make up 60.4 per cent of all beneficiaries.

Review of social (pension) benefit amounts

198. The State minimum social standards for pensions are equivalent to the minimum amounts for retirement pensions, disability benefits and pensions for the loss of a breadwinner.

199. Since 1 January 2000, minimum pensions have been tied to the average per capita minimum subsistence level (calculated on the basis of the prices of the last month of each quarter) and differentiated on the basis of pensions granted.

200. A readjustment (indexation) mechanism for employment pensions has been established by law to raise the level of pension benefits.

201. The minimum employment pension is indexed to changes in the average per capita minimum subsistence level (usually four times per year). Employment pensions are also readjusted per quarter in connection with the growth of average wages and salaries, if these have increased in value by more than 15 per cent since the previous readjustment of pensions. In addition, there should be no less than one readjustment on this basis in the course of a year.

202. If funding is available, there may be a special readjustment of pensions by decision of the President.

203. In general, pension increases are usually comparable to increases in the income of the active population. Average retirement pensions have equalled at least 40 per cent of average wages and salaries throughout the past decade. In 2005, the average minimum retirement pensions were brought up to the minimum subsistence level: in 1996, average pensions reached 49.6 per cent of that level, in 2000, 72.7 per cent and in 2009, 109.5 per cent.

204. The measures taken by the State have reduced the proportion of persons receiving pensions equal to or lower than the minimum subsistence level from 94.9 per cent in December 1996 to 6.7 per cent in December 2009.

Social assistance to families and members of vulnerable groups

205. Persons unable to work who do not receive employment pensions are granted social pensions. Since 1 July 2008, the size of social pensions has been brought into correlation with the average per capita minimum subsistence level and may not fall beneath 50 per cent of that level. Social benefits are recalculated when there are changes in the average per capita minimum subsistence level. Social benefits are financed from tax revenue.

206. Under Presidential Decree No. 458 of 14 September 2009 on targeted social assistance, which entered into force on 1 January 2010, the most deprived families and citizens are granted State subsistence allowances in the form of monthly and/or one-time payments of social benefits and allowances to cover the cost of technical support aids for rehabilitation.

207. Monthly social benefits are granted to families and citizens on condition that their average per capita income is legitimately below the highest value of the per capita minimum subsistence level approved by the Government of Belarus for the two most recent quarters (assessed needs criterion).

208. The amount of the monthly social benefit per recipient is equal to the difference between the assessed needs criterion and per capita household or personal income.

209. Monthly social benefits are granted for a period of one to six months within a month of filing an application, taking into account the steps taken by the above-mentioned households or individuals to improve their financial circumstances. Such benefits may be accorded repeatedly, although the total payment period, starting with the month in which an application was filed, must not exceed six months within a 12-month period.

210. The one-time allowance may be granted to families or citizens in unforeseen straitened circumstances if their per capita income does not exceed 150 per cent of the assessed needs criterion.

211. The one-time allowance may be up to 500 per cent of the assessed needs criterion depending on the severity of the household's or individual's circumstances.

212. The circumstances entitling persons to targeted social assistance are set by a commission on the basis of an inspection report on living conditions drafted on the instructions of a board consisting of no less than three specialists from the labour, employment and social protection agencies and the local social service centre, with the participation of representatives of the local authorities and voluntary associations.

213. This social benefit is granted no more than once in a calendar year.

214. Allowances to cover the costs of rehabilitation aids are accorded for children up to the age of 18 years who are not certified as persons with disabilities but still require such aids on medical grounds and to persons with category III disabilities, except persons with disabilities caused as a result of unlawful acts, intoxication from alcohol, drugs or toxic

substances or self-inflicted harm; the allowances fully cover the costs of the aids regardless of per capita household or personal income.

215. These allowances are granted to pay for crucial rehabilitation aids with due consideration given to their durability.

216. A standing commission established by a district or municipal executive committee decides whether to grant such targeted social assistance. The labour, employment and social protection agencies provide support for the work of the commission.

217. Decisions on the allocation and amount of the allowances are made by the commission as follows:

- Within five working days from the time that an application is received, if all the documents required are provided by the applicant;
- Within five working days after receiving the last of the documents mentioned above if they are requested by the labour, employment and social protection agencies.

218. The applicant is informed within three working days of the commission's decision on whether to grant or deny targeted social assistance (indicating the reasons for any denial and outlining appeal procedures).

219. The commission's decision to grant or deny the allowance may be appealed to a higher-ranking labour, employment or social protection agency. Any disagreements with the decision of this body are dealt with by the courts.

220. The Ministry of Labour and Social Protection ensures that targeted social assistance is duly provided and monitored.

Additional social security programmes

221. The guarantees furnished under the compulsory pension and insurance schemes may be supplemented by the optional pension insurance offered by insurance companies.

Pension rights of men and women

222. One form that the social protection of citizens in the Republic of Belarus takes is the provision of pensions. The labour, employment and social protection agencies have registered 2.5 million pensioners, 1.7 million (67.7 per cent) of whom are women.

223. The normal retirement age is 60 years for men and 55 for women. A person must first have made pension contributions for at least five years to qualify for a retirement-age pension.

224. A person may retire early in the cases provided for by law. The determining factor is the status or nature of a given occupation rather than the public or private nature of the business in which a worker is employed.

225. Women are generally entitled to a full retirement pension upon reaching age 55, if their length of service is at least 20 years. The period of work that counts towards a pension includes the period of work during which contributions are paid, leave to care for a child under 3 years of age for a combined total of up to 9 years, leave to care for a child with disabilities up to 18 years of age and some other kinds of activities. The amount of pensions increases (by up to 75 per cent of the earned income used to calculate pensions) with every full year that women work over the 20 years required to qualify for a pension.

226. The minimum age and requisite length of service have been lowered for mothers who have given birth to and raised five or more children, mothers of children with

disabilities (or persons born with disabilities) and mothers of military personnel who have died in the line of duty, in view of their special social situations.

Social insurance for individual entrepreneurs

227. Individual entrepreneurs working in the informal economy have been subject to compulsory State social insurance since 1 August 2002. Certain categories of people, such as those working in the arts or doing craftwork, are entitled to participate in the State social insurance scheme.

Exercise of the economic and social rights of migrant workers, refugees and members of their families

228. The economic and social rights and interests of persons who are not nationals of Belarus are protected in accordance with current domestic law.

229. Under article 11 of the Constitution, foreign nationals and stateless persons in Belarus enjoy the same rights and freedoms and fulfil the same obligations as citizens, unless otherwise provided in the Constitution, laws and international agreements.

230. A new Act on the granting of subsidiary and temporary protection to foreign nationals and stateless persons in Belarus, which came into force on 3 July 2009, provides that foreign nationals and stateless persons may be granted not only refugee status but also subsidiary or temporary protection. In addition, the Act specifies the categories of foreign nationals who cannot be subject to expulsion under the international agreements to which Belarus is a party and regulates their legal status.

231. Foreign nationals who have been granted refugee status in Belarus enjoy all the social and economic rights, including the right to education and medical care, that citizens enjoy unless otherwise specified by domestic legislative acts and international agreements entered into by Belarus. Moreover, they have the same right to family reunification, financial assistance and residence in specially equipped facilities and the same privileges in registering their place of residence and in securing judicial protection as do citizens of Belarus.

232. The State employment agencies make arrangements for the vocational training and job placement of foreign nationals with refugee status and job placement for foreign nationals applying for refugee status or subsidiary protection and foreign nationals who enjoy subsidiary protection at their place of residence or temporary residence.

233. Foreign minors applying for refugee status or subsidiary protection and foreign minors who have been granted refugee status or subsidiary protection have the same right to study in preschool and general secondary school institutions and to medical care as minors who are citizens of Belarus.

234. Foreign nationals who are applying for refugee status or subsidiary protection or who have been granted refugee status are guaranteed financial assistance according to the procedures and in the amounts set by the Council of Ministers. In addition, foreign nationals who are applying for refugee status or subsidiary protection or who have been granted subsidiary protection are guaranteed the enjoyment of the other rights accorded under the legislative acts and international agreements entered into by Belarus for foreign nationals temporarily residing in Belarus; foreign nationals who have been granted refugee status enjoy the same rights as those accorded by the latter acts and agreements to foreign nationals permanently residing in the country.

235. The social and economic rights of foreign nationals in the territory of Belarus are also regulated by the Act on the Legal Status of Foreign Nationals and Stateless Persons of 4 January 2010, which guarantees foreigners in the territory of Belarus the same rights,

freedoms and obligations as citizens unless otherwise specified by the Constitution, the Act itself and other legislative acts and international agreements to which Belarus is a party.

236. Foreigners in Belarus have the right to freely market their skills, choose their profession or occupation and use their capacities and assets to run a business or engage in other economic activities in accordance with domestic law.

237. One of the priorities set under the State Migration Programme for 2006–2010 is providing assistance for the integration and adaptation of migrant workers. For these purposes, measures to promote the integration of recognized refugees in Belarusian society are being developed in collaboration with and with the support of various international organizations (the International Organization for Migration (IOM), UNHCR, the European Commission and UNDP).

Article 10

Guarantees of the right of men and women to enter into marriage with their full and free consent and to found a family

238. Information on the right of men and women to enter into marriage with their full and free consent and to found a family is contained in the seventh periodic report of the Republic of Belarus on the implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/BLR/7) (2009).

Legal provisions to guarantee equal opportunities for all families, social support of the family and safe motherhood

239. Creating an enabling environment for family life and social support for families with children is a special concern of the State.

240. The system of social protection for families with children includes a set of legally recognized economic, social and employment guarantees and rights and the social institutions for their implementation and for enabling families to perform their social functions.

241. In order to ensure the proper care and upbringing of children by families, the State provides the necessary material support in the form of Government benefits, the right to take advantage of childcare facilities and allowances to pay for meals in preschools, in accordance with the laws of Belarus (Rights of the Child Act, art. 21).

242. The period during which the family receives State support for bringing up and caring for children has been extended to the time the child reaches 18 years of age (Rights of the Child Act, art. 1).

243. Special attention is given to social support for families and children under the national demographic security programme for 2007–2010 and presidential programmes entitled “Children of Belarus” for 2001–2005 and for 2006–2010.

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

245. Social benefits are defined as a percentage of the population’s minimum subsistence level per capita and are readjusted for increases on a quarterly basis. Monthly allowances for childcare up to age 3, as well as benefits to families raising a child with disabilities or a child living with HIV or AIDS up to the age of 18, are granted regardless of the total income per family member.

246. The allowance for children aged 3 to 16 (or 18) years amounts to 30 per cent of the minimum subsistence income, calculated on an average per capita basis, and is granted, provided that the average total monthly income per family member for the preceding year does not exceed 60 per cent of the minimum subsistence income in the prices of September of the previous year. The allowance is allocated and paid, in the amount of 50 per cent of the established sum, provided that the average total monthly income per family member for the preceding year does not exceed 80 per cent of the minimum subsistence income in the prices of September of the previous year.

247. Belarus has been working to improve the national legislation governing the allocation and payment of benefits.

248. Various normative legal acts (Presidential Decree No. 726 of 18 December 2006 on the calculation of social benefits and the Act of 28 December 2007 on amending the Act on State assistance to families raising children) have been adopted to increase the size of payments to certain categories of recipients, allocate some benefits to families that did not previously have such rights and improve the procedure for the allocation of benefits to families raising children with disabilities and large and single-parent families.

249. State financial support for families was significantly increased with the adoption of Presidential Decree No. 268 of 8 June 2007 on strengthening State support to families on the birth of children, which increased the one-time grant for a first-born child from two to five times the average minimum subsistence wage per capita and up to seven times for second- and later-born children.

250. Under the law, benefits go up for: children born out of wedlock, if information about the father of the child has been recorded in the birth register at the mother's request; children adopted by single persons; children raised by a single parent, a tutor or a guardian, if one parent fails to pay child support and in other cases specified by domestic law where the recovery of maintenance payments is impossible; children with disabilities up to the age of 18 years raised at home; children of a parent serving in the armed forces for a fixed period or as an officer cadet; children of persons of draft age who are called up for service in war or for some special reason; and the children of reservists while they are on active duty or are being trained.

251. In February 2006, Presidential Decree No. 95 of 14 February 2006, on strengthening support for families with children less than 3 years of age, eliminated the differences in the size of benefits for the care of a child less than 3 years of age for various categories of recipients. As a result, non-working women now have the same right as working women to an allowance amounting to a full minimum subsistence wage. Council of Ministers Decision No. 985, of 27 July 2009, on a one-time grant to families on the simultaneous birth of two or more children to cover essential items for babies, seeks to strengthen the State's social protection to families on the birth of twins.

252. Under Council of Ministers Decision No. 271 of 1 March 2007, as subsequently amended, on the free provision of food to children during the first two years of life, families whose average monthly household income per capita does not exceed 100 per cent of the average minimum subsistence wage per capita over the past two quarters are entitled to the free provision of food for children during the first two years of their lives. By expanding the eligibility criteria and abolishing the principle of categories of recipients for the provision of free meals to children less than 3 years of age, Belarus has significantly increased the number of recipients of this type of State social assistance.

253. In order to protect mothers and children, the safeguards in the labour laws related to the hiring, dismissal and working conditions of pregnant women and women with children, have been strengthened. Working women are entitled to maternity leave of 70 calendar days before delivery (90 calendar days if they are in a radioactively polluted area) and 56

calendar days after delivery (70 calendar days if there are perinatal complications or multiple births) and to payment of State social security benefits during this period.

254. Regardless of length of service, working 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 increments of any duration. Employed fathers, other relatives who are actually caring for the child or a designated guardian of the child are also entitled to such leave.

255. Other forms of financial assistance to families with children include tax concessions and discounts on medication and public transport, increased unemployment benefits and others. Thus, all children are entitled, up to the age of 3 years, to free medication prescribed by a physician, and, up to the age of 7, to free use of urban and suburban transport other than taxis.

256. Presidential Decree No. 458 of 14 September 2009, on targeted social assistance, which entered into force on 1 January 2010, covers social support for families. Under the Decree, the eligibility criteria for one-time social benefits has been raised to 150 per cent of the average minimum subsistence wage per capita and the period for payment of monthly social benefits has been increased to six months; in addition, State social benefits such as targeted social assistance and housing subsidies have been integrated and a new form of assistance, social benefits to pay for rehabilitation aids, has been introduced.

257. In 2009, 52,500 families with children below the age of majority received targeted social assistance amounting to more than 34 billion roubles. The main recipients of the assistance were large and single-parent families, who made up 60.4 per cent of all beneficiaries.

Protection of children and adolescents against various forms of violence and exploitation

258. In 2008, Belarus submitted its combined third and fourth periodic reports on the implementation of the Convention on the Rights of the Child (CRC/C/BLR/3-4), in which it provided extensive information on the protection of children's rights.

259. Furthermore, no cases of labour exploitation or unlawful employment of minors in Belarus have come to light.

260. The bodies supervising the implementation of the International Labour Organization conventions on forced and child labour in Belarus have had no comments to make.

Arrangements for the protection of the economic, social and cultural rights of older persons

261. One of the priorities of social policy in Belarus is the social protection of older persons and persons with disabilities.

262. Under the Constitution (art. 47), citizens of Belarus are guaranteed the right to social security in old age, in the event of illness, disability, loss of working ability, loss of a breadwinner and in other cases specified by law. The State displays particular concern for persons with disabilities whose health has been damaged in the defence of national and public interests.

263. A number of laws designed to prevent disability and provide social protection and rehabilitation for persons with disabilities have been adopted, including the Social Protection of Persons with Disabilities Act of 11 November 1991 and the Disability Prevention and Rehabilitation of Persons with Disabilities Act of 23 July 2008.

264. At the end of 2009, 506,300 persons with disabilities were registered with the labour, employment and social protection agencies in Belarus, including 25,900 children under 18 years of age. The number of persons with disabilities decreased by 2,900, or 0.6 per cent, from 2008 to 2009.

265. The State provides significant financial support to this category of citizen in the form of pensions, benefits and entitlements. The effective physical, psychological, institutional and other assistance provided to them also plays an important role.

266. The Interdepartmental Council on Disabilities, which includes leaders of central government bodies, associations of persons with disabilities and other non-governmental organizations, has been set up to coordinate policies involving disability issues and devise harmonized measures in fulfilment of the Social Protection of Persons with Disabilities Act.

267. The State has been carrying out programmes to improve the situation of persons with disabilities: one, to prevent disability and rehabilitate persons with disabilities (2006–2010) and another, to provide accessible means of earning a living for physically impaired persons (2007–2010).

268. A set of measures has been carried out under these programmes to prevent and detect disabilities, establish the procedures and conditions for the medical, vocational, occupational and social rehabilitation of persons with disabilities and cooperate at the international level on disability prevention and the rehabilitation of persons with disabilities.

269. A comprehensive nationwide social support programme for older persons, veterans and victims of war, 2006–2010, and a comprehensive programme to improve social assistance for single senior citizens in the Republic of Belarus, ending in 2010, were put in place to improve the lives of older persons.

270. The activities under these programmes are aimed at addressing, for veterans, persons with disabilities and older persons, issues relating to social and legal protection, improvement of health, provision of work suited to their capabilities, targeted social support and social service infrastructure. Similar regional programmes modelled on the national programme were developed and adopted.

271. Various measures have been carried out for disadvantaged older persons and persons with disabilities in order to provide them with effective social assistance and social services, a range of allowances and benefits, improved housing conditions, medical care, treatment at health resorts, social rehabilitation aids and additional types of services.

272. There are 154 regional social service centres that provide persons who are unable to work with a wide range of social services.

273. The services most in demand are those provided by social assistance agencies in the home; more than 82,000 older and incapacitated persons, 70 per cent of them living in rural areas, benefit from such assistance. For persons who cannot live independently, the centres have set up 50 branches, with 1,800 places, for home-stay for senior citizens and persons with disabilities.

274. The centres are continually seeking to introduce new types of social services, such as visits by caregivers, the provision of transportation and other occasional domestic services, including in exchange for payment. These services help to fulfil the principles of social justice and targeting of assistance and to bring in additional budgetary resources to strengthen the logistical capacities of the centres.

275. Resources provided by local executive authorities and enterprises have made it possible to open 7 small boarding facilities designed to house up to 50 senior citizens and persons with disabilities.

276. More than 16,000 persons are accommodated in 70 residential homes for older persons and persons with disabilities and the National Residential Home for War and Labour Veterans. The residents enjoy domestic services, the requisite medical care and cultural events and entertainment.

277. Under the auspices of the Ministry of Labour and Social Protection, curative and palliative treatment for veterans of war and labour and persons with disabilities is provided by 4 health resorts with 724 places; over 10,000 persons take advantage of these facilities every year. Maintenance of the health resorts is funded out of the national budget.

278. In the residential homes, persons with disabilities may take part in activities, art and music therapy and hobby clubs to facilitate their occupational and medical rehabilitation, to help them adjust to residential home living and enable them to do useful work. Museum, theatre and other cultural outings are also organized for the residents.

Arrangements for the protection of women and children from domestic violence

279. Detailed information on the measures to protect women and children from domestic violence is contained in the periodic reports on the implementation of the Convention on the Elimination of Discrimination against Women (2009) and the Committee on the Rights of the Child (2008).

Legislation and arrangements for combating trafficking in persons

280. In Belarus, the problem of trafficking in human beings is being dealt with in a comprehensive and thorough manner. Thanks to the measures that have been adopted, this problem is not widespread in Belarus.

281. The country has a well-developed regulatory framework aimed at combating trafficking in human beings, including women and children.

282. During the reporting period, Belarus signed and ratified the United Nations Convention against Transnational Organized Crime together with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air. In addition, Belarus acceded to the Optional Protocol to the Convention on the Rights of the Child concerning trafficking in children, child prostitution and child pornography.

283. Presidential Decree No. 3, on some measures to combat trafficking in human beings (hereinafter referred to as Decree No. 3), which harmonized norms and established the key provisions governing the most important elements in the areas of employment and study abroad, intercountry adoption and the activities of marriage and modelling agencies, was adopted on 9 March 2005 in order to bring national legislation into line with international standards.

284. Presidential Decree No. 352 of 8 August 2005 on the prevention of the consequences of trafficking in human beings was adopted in order to establish a legal and institutional framework ensuring adequate protection of victims of human trafficking; it defines the concept of "victim of human trafficking" and specifies the measures to be taken to ensure the safety, social protection and rehabilitation of victims and to allow them to stay temporarily in Belarus (for foreign nationals and stateless persons).

285. The Act of 4 May 2005 amending certain codes of the Republic of Belarus so as to increase penalties for trafficking in human beings and related offences incorporated a number of the provisions of Decree No. 3 into the Criminal Code and the Code of Administrative Offences.

286. Following the adoption on 10 November 2008 of the Act amending certain laws on combating illegal migration and slave labour, child pornography and prostitution, the Criminal Code now contains specific provisions under which the use of slave labour and the production and distribution of pornographic materials depicting minors are regarded as punishable offences.

287. The International Labour Migration Act, which was drafted and passed in the House of Representatives of the National Assembly, lays down the basic principles for labour migration abroad: such migration must be voluntary and never unlawful, the labour market in Belarus must be protected and the recruitment of labour emigrants or immigrants under working conditions that are degrading or harmful to health is prohibited.

288. The competent government bodies are currently drafting a law to combat trafficking in persons which should streamline all the existing domestic legislation on contemporary forms of slavery and bring it into line with international best practices.

289. In Belarus there are two main forms of trafficking, one of which involves sexual exploitation, the other, forced labour.

290. Belarus is mainly a country of origin and a transit country as far as human trafficking is concerned. There have also been cases involving Belarusian citizens being taken to more than 30 countries. Following the adoption of effective measures, the number of destination countries has decreased by half.

291. From 2002 to 2009, the internal affairs authorities uncovered 3,989 cases of human trafficking, including 3,431 victims of sexual exploitation and 558 of forced labour.

292. The law enforcement agencies shut down 20 criminal organizations, 19 of which were international, and 75 organized criminal groups. For having committed the relevant offences, 1,487 persons were convicted and 554 were sentenced to deprivation of liberty.

293. Since 2002, Belarus has been carrying out comprehensive programmes to combat trafficking in human beings which seek essentially to implement a coordinated set of measures of an institutional, legal, preventive, social and medical nature so as to minimize the scope of human trafficking and provide reintegration assistance to victims.

294. Particular attention has been paid to public awareness and prevention campaigns aimed at preventing trafficking in human beings, including women and girls.

295. A system has been developed to carry out programmes aimed at supporting and protecting victims of human trafficking and persons who are witnesses in the investigation of these crimes.

296. The rehabilitation and social reintegration of victims of human trafficking, including women and children who are the victims of sexual exploitation, is paid for by the State and includes the following types of assistance:

- The provision of temporary residences, including room and board;
- Legal assistance, including legal advice;
- Medical care provided by State health-care agencies (including in inpatient hospitals);
- Psychological assistance in the form of preventive, diagnostic and other corrective treatment and psychological and pedagogical counselling.

297. In order to minimize the negative social consequences and to facilitate the rehabilitation of victims of human trafficking, 154 regional social services centres have been set up as part of the national social protection system and contain 144 social

adaptation and rehabilitation units that provide assistance to victims of human trafficking, including by means of telephone hotlines.

298. Social protection and rehabilitation services for trafficking victims are provided free of charge and include, among other forms of assistance, the provision of temporary accommodation in “crisis units” (similar to shelters) set up at the regional social services centres. There are currently 30 such units located in each of the provinces and in Minsk.

299. Belarusian NGOs are actively involved in the rehabilitation of victims of human trafficking. The Young Women’s Christian Association of Belarus has been running a programme called “La Strada” for the prevention of human trafficking in Central and Eastern Europe since 2001. Since 2002, a municipal voluntary organization for the prevention of child abuse, Stop Violence against Children, has been running a programme called “Halt the cycle of evil”, aimed at combating child prostitution, child pornography and trafficking in children for sexual exploitation. Since 2002, the Radislav voluntary association has been running the Crisis Centre for Women and Children, which offers a wide range of services. In 2007, the association helped the regional social services centre in the Pervomaisky district of Minsk to start up a service to provide assistance to victims of violence.

300. Belarus is actively cooperating in the fight against human trafficking with various international organizations, such as the United Nations Development Programme (UNDP), the United Nations Office on Drugs and Crime, the United Nations Children’s Fund (UNICEF), the International Organization for Migration (IOM), the Organization for Security and Cooperation in Europe (OSCE), the Central European Initiative (CEI) and various international NGOs in the field. Those organizations have cooperated with Belarus in the implementation of international technical assistance projects and programmes aimed at supporting action against human trafficking.

301. On the basis of the practical experience acquired and progressive legislation developed, the International Centre for Training on Migration and Action against Human Trafficking, attached to the Academy of the Ministry of Internal Affairs, has been functioning since July 2007 as a core educational institutional for combating human trafficking in the member countries of the Commonwealth of Independent States.

302. Belarus is actively working at the international level on the problem of combating trafficking in human beings.

303. At the Summit of Heads of State and Government held in September 2005 in New York, President Alyaksandr Lukashenka of Belarus launched an initiative to intensify efforts to combat trafficking in human beings, targeting in particular the market for slave labour.

304. A number of meaningful steps have been taken in the United Nations to carry out the President’s initiative in this field, including the development and adoption of a set of resolutions put forward by the delegation of Belarus before the main bodies of the United Nations, including the General Assembly (in 2006 and 2008) and the Economic and Social Council (in 2008); the holding of thematic discussions in the General Assembly in 2008 and 2009 to better coordinate efforts to combat trafficking; and the organization of international conferences on the issue in Belarus and at United Nations Headquarters.

305. In 2009, at the Government’s invitation, the Special Rapporteur on trafficking in persons, especially in women and children of the Human Rights Council of the United Nations visited Belarus. At the end of the visit, the Special Rapporteur commended the Government on its efforts to combat trafficking in persons at the national and international level.

306. The United Nations Global Plan of Action to Combat Trafficking in Persons, which puts into practice the initiative of Belarus, was adopted by consensus at the sixty-fourth session of the General Assembly in 2010.

307. The Plan is the first in the history of the United Nations to address efforts to stamp out human trafficking, primarily by building partnerships and protecting victims of trafficking. The Plan provides for the establishment of a voluntary trust fund for these victims.

308. Belarus has spearheaded and played a coordinating role in the establishment of the Group of Friends united against human trafficking, which includes representatives from 20 States.

Article 11

Right to steady improvements in the standard of living

309. The problem of financial insecurity was an urgent challenge for Belarus in the 1990s in the wake of the collapse of the Soviet Union. One out of every three inhabitants of Belarus lived below the poverty line at that time. The high level of poverty was caused by the decline in purchasing power, as the rise in consumer prices outstripped the cash income of the population.

310. Since 2000, the tide has been turning. The process of stabilization, accompanied by a growth in gross domestic product and the maintenance and creation of jobs, has led to an increase in personal incomes. The sharp growth personal incomes in impoverished population groups has been an important factor in reducing financial insecurity. All of this has helped to steadily reduce poverty. From 2001 to 2009, the poverty level fell by 81 per cent. In 2009, the share of the population living below the per capita minimum living standard was 5.4 per cent, compared to 41.9 per cent in 2000.

311. The decrease in financial insecurity among the population occurred with a relatively low level of personal income disparities. The comparison factor between income accruing to the top and bottom 10 per cent income earners in the population during the reporting period increased only slightly, from a factor of 5.3 in 1996 to a factor of 5.6 in 2009. Disparities in per capita disposable income by province (excluding Minsk) stood at 1.14 in 2009.

312. Despite the financial and economic difficulties encountered in 2009, the Government continued to take measures to tackle poverty. The priority accorded to raising personal income, successfully focusing social support on the most vulnerable segments of the population and steadily increasing the minimum State social safeguards has resulted in a consistent and comprehensive economic policy.

Table 4

Statistical data on the enjoyment of the right to an adequate standard of living

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Percentage of the total population or population group earning less than the minimum living standard (poverty threshold)	12.7	11.1	7.7	6.1	5.4
Men	13.3	11.5	7.9	6.4	5.9
Women	12.2	10.7	7.5	5.8	5.1
0–15 years	21.4	18.7	13.6	11.9	10.5

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
16–24 years	14.2	12.0	8.6	6.8	6.0
25–54 years	12.1	10.6	7.3	5.7	5.1
55–59 years	5.3	5.6	2.5	2.9	1.9
Over 60	7.1	6.2	4.3	0.8 ¹	0.9 ¹
Urban and suburban population	10.9	9.1	5.6	4.4	4.0
Rural population	16.7	15.5	12.4	9.7	9.5
Regional population					
Brest province	16.0	13.6	10.5	9.6	8.1
Viciebsk province	15.4	13.1	6.7	8.1	7.2
Homiel province	15.3	14.5	12.7	6.7	6.6
Hrodna province	10.5	8.8	6.5	4.3	4.3
Minsk	5.2	3.7	2.1	0.8	1.1
Minsk province	11.4	10.3	6.8	6.6	5.8
Mahilioŭ province	16.4	14.6	9.9	6.6	6.3

313. Belarus was among the first CIS countries to adopt an official system for measuring financial insecurity (poverty). The system is based on guidelines for absolute poverty specifying minimum subsistence levels for various social and demographic groups. The “minimum living standard” is defined in the legislation, consisting of a basket of essential material benefits and services needed to sustain and protect the health of persons.

314. The Minimum Living Standard Act of 6 January 1999 currently sets the criteria for designating financially insecure groups. Under the Act, financially insecure persons (households) are persons (or households) in which the per capita income falls appreciably below the minimum subsistence level. The minimum subsistence level is equal to the assessed value of minimum subsistence, plus mandatory payments and contributions.

315. The main sources of information are household survey samples, the results of which are published by the National Statistics Committee on a quarterly basis. Available resources, meaning personal disposable income including, the value of food produced on personal plots (not including production costs) and the value of entitlements and payments made in kind, is the indicator used to measure financial insecurity (poverty).

316. Poverty reduction has been a focus of the social policy under the national strategy for social and economic development through 2020 and the 2006–2010 programme for social and economic development, under which the proportion of persons in financial insecurity, i.e. persons with incomes under the minimum subsistence level, is included among the most important indicators of the country’s economic security.

317. The monitoring of these indicators entails timely detection of deviations of the indicator values from threshold values and analysis of any critical disparities that may arise.

318. A national social and economic development programme for 2011–2015 has been designed to build a modern economy, increase returns on sales, step up productivity, boost exports of goods and services and promote the growth of real personal income.

¹ The minimum living standard for pensioners was used for these calculations.

Right to adequate food

319. The strategy of Belarus in this area is intended to achieve food security – a prime factor in maintaining sovereignty and independence, economic stability and social stability.

320. Guaranteeing the right to food is a way of enhancing the quality of life; this objective is consistently included in the country's social and economic development programmes.

321. Belarus has already achieved the Millennium Development Goals relating to the eradication of extreme poverty and hunger.

322. As concerns availability of food, Belarus is in the group of countries with the lowest level of undernourished persons worldwide (less than 2.5 per cent) and leads in per capita food production and consumption among the CIS countries.

323. The framework for national food security, adopted in 2004, is the basic regulatory and policy instrument outlining parameters for the development of the domestic agricultural sector. Food security is likewise ensured through the implementation of a set of measures under the State Programme for Rural Revival and Development for 2005–2010. These policy documents seek to revive the social and economic sectors, provide the necessary conditions for the sustainable development of rural areas, increase personal incomes, attract people to rural life, improve the demographic situation and achieve efficient production of staples and produce.

324. The State Programme for Rural Revival and Development for 2005–2010 specifies the amount of overall investment in production and social services in rural areas, with public funds accounting for around 36 per cent of the total. Several nationwide and targeted programmes to promote agricultural development are being carried out under this programme.

325. Land in Belarus is the property of the State and is allocated for farming activity by local executive committees. The bulk of the land is given over to large-scale production.

326. Nevertheless, there is no trend towards loss of land by family farms; on the contrary, now that the number of such farms is decreasing, there has been an increase in land use. As of 1 January 2010, there were 2,045 individual farms and 108,800 hectares of land were being used for agricultural purposes.

327. The overall share of agricultural output attributable to rural communities dropped from 48 per cent in 1995 to 30 per cent in 2009. The main reason was the increase in the output of large-scale farming operations and individual farms, the rise in personal income and the development of services in rural areas. Consumption of home-grown products fell in connection with adequate food production.

328. The State monitors and support purchasing power parity: it exercises price controls and takes measures to regulate the population's purchasing power.

329. There have been significant changes since 2008 in the allocation of budgetary resources: they are now channelled towards projects to increase agricultural productivity, promote import substitution and exports of agricultural products, lower prices, upgrade or refurbish grain machinery, granaries, stock-raising, poultry and other agro-industrial facilities, provide farmers with modern equipment and modernize agriculture and relevant support services.

330. Total investment in rural social welfare amounts to more than half (54.8 per cent) of public expenditure, with other sources (corporate funds, investors) accounting for 45.2 per cent.

331. The latest version of Act No. 44-Z of 19 July 2005, on agricultural (farm) holdings, specifying the forms of State support for individual farms, provides the legal framework for such support.

332. This type of support for sustainable agriculture in Belarus guarantees food security and helps to ensure that the essential food items available to the people of Belarus are of good quality.

333. Meaningful efforts are being made to promote healthy eating habits among adults and children in the context of food processing and the use of semi-finished products, modified foods and chemical additives to conserve and prolong the shelf life of products in Belarus.

334. Weeks celebrating the culture of food, national cuisine days and nutrition breaks are held for school-aged children in Belarus in order to promote healthy lifestyles and the eating habits that contribute to them. Belarusian schools offer new kinds of snacks, such as milk products and local juices, instead of the potato crisps and carbonated drinks that are for sale. School canteens are equipped with modern technological equipment for cooking balanced and healthy meals.

335. A food product competition entitled “Product of the Year” was held in Belarus in 1998, the first professional and independent project to explore consumer preferences and the marketing of food products. The competition’s mission is to promote healthy lifestyles through good food, increase consumer awareness and encourage food producers to work on all aspects of quality in food.

336. From 1998 to 2002, consumers were polled through the mass media on their preferences and the results were tallied for 26 categories. Since 2003, studies have been conducted by the leading social research centres in Belarus, including the Centre for Sociological and Political Studies of Belarusian State University, the Novak Social Research Centre, the Institute of Sociology of the National Academy of Sciences and the International Agency for Marketing Studies. A new seal for the Product of the Year competition, adopted in 2006, is awarded to the best food products.

337. Statistics indicate that some 90 per cent of the inhabitants of Belarus show a preference for domestic products.

338. Consumer Day is celebrated every year on 15 March. The events held in conjunction with Consumer Day in Belarus are also designed to form a culture of nutrition and develop a consumer culture.

The right to water

339. In order to guarantee the supply of good quality drinking water and create favourable and safe living conditions for the general public, the State enacted a clean water programme for water supply and sewage, 2006–2010, and a nationwide programme for the effective use of water resources, 2008–2012. They defined the parameters for the extension of potable water supply and sewage systems (access to sanitation services), improvement of the drinking water provided to consumers and treatment of sewage.

340. The provision of good quality drinking water to the general public is regulated by Drinking Water Act No. 271-3 of 24 June 1999, Public Health and Disease Control Act No. 2583-XI of 23 November 1993 (as amended by Act No. 397-3 of 23 May 2000 and Act No. 217-3 of 29 June 2003) and other legislation and departmental regulations.

341. The volume of water that can be used annually within Belarus’s total available water resources without any impact on the environment is 5–6 km³. Currently, national annual water consumption is about 3 km³.

342. Belarus is undergoing a period of intense urban development and, as of 1 January 2010 (using preliminary results of the 2009 census), 74.5 per cent of the population lived in cities and towns. The bulk of water requirements in Belarus are met through groundwater, except in Minsk and Homiel, where domestic drinking water needs are partly met using water from surface sources.

343. Overall, water consumption for household and business needs does not exceed an average of 5–7 per cent of annually renewable water resources. Thus, renewable freshwater resources are sufficient to meet current and foreseeable water supply needs.

344. Good quality drinking water is provided to 84.7 per cent of the population, meaning that the rate of water-borne infectious diseases can be kept to a minimum.

345. Under the national conformity certification system, drinking water provided through the drinking water supply systems must be appropriately certified.

346. The quality control system for public water supplies provides for laboratory testing by the competent authorities of the Ministry of Housing and Public Services in the framework of conformity inspections. The Ministry of Health, carrying out the State's oversight functions, monitors drinking water using chemical and microbiological indicators.

347. Laboratory tests in 2009 showed that 0.8 per cent of tested water samples from communal water mains did not meet microbiological standards, compared with 0.97 per cent in 2008, while 18.4 per cent (21 per cent in 2008) failed to meet chemical standards. The respective figures for samples from departmental water mains were 1.4 per cent (1.85 per cent in 2008) and 27.8 per cent (same level as in 2008).

348. Where the hygiene standards for water quality have not been met, the main cause was increased iron content in groundwater (44.8 per cent, artesian wells), compounded by the failure to install sufficient equipment in the mains to remove iron from water in the distribution network. In 8.1 per cent of cases nationwide, the iron content in artesian well water is five or more times the maximum allowable concentration (MAC). This situation may be ascribed to the hydrogeological peculiarities of aquifers in Belarus.

349. Under the prevailing conditions in Belarus, the optimal concentrations of fluorine in drinking water should be in the range of 1–1.2 mg/l. The actual content fluctuates in a range significantly below the optimal level, and so water fluoridation is employed or salts added.

350. Belarus is part of a region with a low or moderate iodine deficiency. Iodine content in soil ranges between 0.49 mg/kg and 0.64 mg/kg. Iodine concentration in water is also insignificant, ranging from 1.9 mg/kg to 3.2 mg/kg. Because residents in Belarus do not receive enough iodine in their normal diet and daily intake of drinking water, salt iodization of drinking water and certain foodstuffs is carried out.

351. In order to improve existing recreational water facilities and prevent undesirable medical and biological consequences of their improper use, instruction manuals have been prepared on the safe use of such facilities, and sanitary standards and rules on their selection, maintenance and operation have been developed.

352. Public water resource management policy is based on the principles of economical and rational water usage, especially in the case of drinking water.

353. Under the Water Code, it is prohibited to use drinking water for purposes not related to the drinking water, household and other needs of the population and the demands of the food and livestock industries.

354. In all large-scale enterprises, water recycling and reuse systems are widely employed. Economic mechanisms for promoting environmental conservation, in particular

an ecology tax on the use of natural resources, including water, are helping to reduce water consumption.

355. The calculation of water usage is becoming more accurate: 80 per cent of water extracted from the environment is now metered. Where meters are lacking at water collection points, businesses pay an ecology tax at a 50 per cent higher rate.

356. The use of individual meters for hot and cold water in private homes is being widely promoted.

357. The disposal of wastewater in water bodies is permitted only when it is treated by the user within the limits established by regulations on pollution-free surface waters. Every business that discharges wastewater into the environment must accordingly be registered with provincial committees on natural resources and environmental protection. Under the regulations, limits are placed on how much waste the business may discharge and the maximum allowable concentrations of pollutants in wastewater are specified.

358. Non-compliance with the established conditions for waste discharge can incur administrative penalties, tax increases and fines. Where it is established that a water body has been polluted, the law provides for penalties for the environmental damage caused.

The right to adequate housing

359. During the period under consideration, a series of legislative and organizational measures has been taken in order to provide better housing for Belarusians.

360. The right to housing is enshrined in the Constitution (art. 21).

361. The implementation of that right is governed by the Housing Code, under which citizens are free to choose how to improve their housing situation; the State undertakes to allot subsidized rental housing to citizens on low incomes or who are unfit for work; low-income citizens needing better housing receive State support in connection with the construction or acquisition of housing; total surface area will increasingly be used as the basis for the provision of and payment for housing units; citizens may freely dispose of their residential properties in accordance with the law; all housing rights are protected by law; the right of the general public to verify the application of housing laws has been broadened.

362. Low-income but able-bodied persons who need better housing are entitled to receive concessional loans, grants and other forms of State aid to build (rebuild) or acquire housing, as are persons to whom article 84 of the Code is applicable:

- Citizens whose residential premises have been rendered uninhabitable by natural or man-made disasters or social catastrophe;
- Orphans and abandoned children whose former housing has not been retained or who cannot be lodged in it for some other reason, at the end of a stay in and by agreement with a foster-care establishment, relative or tutor (guardian) or upon completion of higher, specialized secondary or vocational education or military service;
- Patients suffering from active tuberculosis;
- In other cases provided for by law.

363. The amounts provided in grants and concessional loans are determined on the basis of the maximum total surface area allotted for subsidized housing units.

364. Under Presidential Decree No. 358 of 10 September 1996, not less than 25 per cent of all rental housing built with State funding for allocation to citizens with the appropriate

entitlements is earmarked for the following groups registered as needing better housing: persons with disabilities; relatives of combatants killed or missing in action; international combatants; persons suffering from severe forms of certain chronic diseases; families with three or more children and families upon the birth of twins; single mothers; and workers who took part in the clean-up following the Chernobyl nuclear disaster.

365. The procedure for applying for grants is set forth in Order No. 555, dated 30 April 2002, of the Council of Ministers, on the adoption of regulations for the award of non-reimbursable grants to build (rebuild) or acquire housing.

366. In 2003, a policy framework was adopted for the development of housing and public services, laying down the main guidelines for reforms in this area with a view to making the best use of available housing funds and optimizing the construction of new housing.

367. Since 19 February 2010, a new procedure has been in place for registering persons in need of better housing, which has made it possible to reduce the number of persons concerned and to speed up waiting periods for those in particular need.

368. At the end of 2009, of the total number of persons needing better housing, 370,000 (46.7 per cent) were members of young families, 17,500 (2.2 per cent) were families with many children and 27,000 (3.4 per cent) were persons entitled to subsidized housing. Some 174,100 citizens (families), or 22 per cent of the total, had been registered for 10 years or more; 137,600 (17.3 per cent) were living in hostels, 17,000 (2.1 per cent) in apartments shared by several tenants and 1,900 (0.2 per cent) in housing considered to be uninhabitable.

369. In 2009, 41,600 citizens (families), or 5.9 per cent of the total number of persons in need of better housing, were able to improve their living conditions. Among them were 17,900 members of young families, 4,100 members of families with many children and 2,600 persons entitled to subsidized housing.

370. The Government plans to continue its strategic policy of providing decent and adequate housing.

Article 12

The right to health care

National health-care policy

371. In the course of the past decade, the health-care system in Belarus has undergone a number of positive changes.

372. The health-care system in Belarus continues to be State-run, providing quality free medical services and thereby helping to fulfil the constitutional right to health care. The main goal for the health-care system in future is to consolidate these achievements and improve health indicators.

373. Health care is regulated by the Health-Care Act, in which legal health-care standards are set forth, the Medicines Act, the Psychiatric Care and Guarantees of Patients' Rights Act, the Donation of Blood and its Components Act, the Human Organ and Skin Transplant Act, the Public Health and Disease Control Act, the Narcotic Drugs, Psychotropic Substances and Precursors Act and other legislation and interdepartmental regulations.

374. Laws governing other areas of public life in Belarus contain regulations that may be assimilated to health-care legislation: the Minimum Social Standards Act sets standards in the field of health care; the Protection of Victims of the Chernobyl Nuclear Disaster Act

includes a number of provisions on medical care for victims; and the Quality and Safety of Dietary Staples and other Foodstuffs Act defines public policy in this area.

375. Changes in health care in Belarus have been shaped by the framework plans for health-care development, 1998–2002 and 2003–2007. A draft strategy has been drawn up for the development of health care through the year 2020 and is aimed at consolidating the gains achieved thus far and putting the health-care system on a sure footing.

376. Medical services in Belarus are provided by more than 49,000 physicians and 122,200 mid-level medical workers in 661 hospitals and 2,205 walk-in clinics.

377. In 2009, there were 51.1 physicians in all of the fields of specialization, 126.5 mid-level medical workers and 111 hospital beds per 10,000 inhabitants.

378. The health-care system has shown steady improvement in key performance indicators. The infant mortality rate declined from 12.5 per 1,000 live births in 1996 to 4.7 in 2009, and remains the lowest among CIS States.

379. The mortality rate among children under 5 years of age decreased from 15.8 per 1,000 live births in 1996 to 6.2 in 2009.

380. The maternal mortality rate, which is an important health and social well-being indicator, has declined significantly, from 22 per 100,000 live births in 1996 to 1 in 2009.

381. Since 2002, the rate of mortality due to respiratory illness has fallen by 35.2 per cent. Similarly, there has been a decrease in mortality due to certain infectious and parasitic diseases (6.1 per cent), diseases of the circulatory system (7.7 per cent), diseases caused by malignant neoplasms (6.5 per cent) and external causes (18.7 per cent). There has been a rise in mortality due to diseases of the digestive organs and endocrine system, nutrition and metabolic disorders, mental and behavioural disorders and symptoms, indicators and abnormalities detected only after laboratory testing.

382. The increase in average life expectancy from 68 years in 2002 to 70.5 years in 2009 (from 62.3 to 64.7 years for men and from 74.1 to 76.5 years for women) is a clear indicator of improved quality of life.

383. The establishment across the country of national centres for applied research has contributed significantly to the development of world-class technologies in Belarus. The centres provide a close link between research and practice, thus accelerating the actual application to health care of scientific breakthroughs. There are 15 scientific research organizations in Belarus, including 13 national centres for applied research.

384. High-tech medical care has been introduced not only in the network of national specialized medical centres, but also at the regional level. In every province in the country, there are hospitals with heart surgery units that are equipped to carry out coronary angiograms, operations to implant pacemakers and artery stents, including of the coronary artery, and aorto-coronary bypass operations. In 2008, more than 5,000 cardiac surgery operations were carried out.

385. All trauma units in provincial and emergency care hospitals have been upgraded to permit complex, high-technology orthopaedic surgery and the latest reconstructive and plastic surgery. There has been a substantial increase in the number of endoscopic surgical procedures carried out in hospitals.

386. Various high-tech surgical methods have been introduced in neurosurgery services, including endovascular surgery for the treatment of brain stem and spinal cord pathologies, low-trauma microsurgery for the removal of brain tumours, stereotactic surgery to treat Parkinson's disease and stereotactic biopsies for the treatment of brain tumours.

387. Children are increasingly benefiting from cardiac surgery thanks to the work of the Centre for Children's Cardiac Surgery.

388. Considerable progress has been made in the treatment of paediatric cancer and blood diseases. The overall long-term survival rate of children afflicted with such diseases is 72 per cent, the second highest in Europe.

389. The opening of an in vitro fertilization unit at the maternal and child health care facility in the national centre for applied research has been a notable achievement in the health sector. The unit has had a 41 per cent success rate, which is in line with average rates around the world.

390. This has been made possible by the acquisition and rational use of state-of-the-art equipment, the training in the best European clinics of highly qualified medical personnel, and the creation of favourable conditions for the development of medical science.

391. Locally produced consumables and components are widely employed in high-tech operations.

392. Today, the health-care system in Belarus offers virtually the entire spectrum of medical services, thereby obviating the need to send citizens abroad for treatment and allowing them to avail themselves in Belarus itself of the most technologically advanced medical, health and rehabilitation services.

Accessibility of health-care services

393. Health care is provided in institutions dedicated to prevention, treatment and rehabilitation:

- At the district level, there are family health outpatient clinics, community hospitals, nursing homes, outpatient clinics, general practitioners' clinics and central hospitals;
- At the provincial level, there are general medical centres, general hospitals, clinics, emergency facilities and rehabilitation centres;
- At the national level, there are general medical centres, general hospitals, clinics, national centres for applied research, a national medical rehabilitation institute and rehabilitation centres.

394. Technologies are being developed to replace inpatient medical treatment for the elderly and persons with disabilities through the use of day-care centres and home care. In the first half of 2009 alone, 99,424 patients over the age of 60, or 46.8 per cent of all those who received treatment, were treated in day care centres, while 38,992 in that age group (80.3 per cent of the total number of recipients) received home care.

395. In order to provide proper medical and social assistance to older persons, there are 102 nursing homes, with a total of 2,429 beds, in which 5,215 people have received treatment. A total of 612 beds are set aside for medical and social care, which has been given to 2,816 persons, while 2,131 people were treated in 749 beds in nursing wards distributed across 35 hospitals.

Health-care expenditure

396. In Belarus, the procedure for calculating health-care expenditure is based on standard per capita budgeting.

397. The minimum budget for spending on health care per capita is confirmed annually in the National Budget Act, as required by domestic legislation and reflects the amount of funding per capita that is allocated to cover the cost to health-care institutions of providing health care free of charge.

398. The minimum budget for spending on health care per capita in 2010 was thus set at 577,362 Belarusian roubles nationwide and at Rbl 413,164 in the Minsk municipal and provincial budgets (in 2009 the respective totals were Rbl 503,041 and Rbl 397,002).

399. The budget for spending on health care per capita covers only the ongoing costs of health-care institutions and makes no provision for such matters as development or logistical improvements.

400. The principle of per capita funding allows the patient to receive medical care regardless of how far the health-care infrastructure has been developed in a given region (in other words, it favours the principle of fairness in the provision of medical care) and creates conditions that foster the even-handed development of health-care infrastructure throughout the country as well as the efficient and rational use of resources.

Provision of medicines

401. The Act on State Social Benefits, Rights and Guarantees for Specific Categories of Citizens of 14 June 2007 defines the categories of citizens entitled to receive subsidized (in some cases free) prescription medicines listed as essential drugs.

402. Council of Ministers Order No. 1650 of 30 November 2007 on certain issues relating to the free and subsidized provision of medicines and wound dressing materials for specific categories of citizens, lists the illnesses for which citizens are entitled to the free provision of medicines from among those on the list of essential medicines, as approved by Decision No. 65 of the Ministry of Health, dated 16 July 2007, revised by Decision No. 96, dated 22 May 2008.

403. In Belarus, there are local companies that produce medicines, making good quality and affordable products available to the public.

Training of medical personnel

404. In Belarus, a system has been developed to train, retrain and upgrade the skills of medical and pharmaceutical personnel having completed their higher or specialized secondary education in the medical or pharmaceutical field.

405. Public policy on health care has laid down the fundamental conditions required to modernize the sector. In particular, specialized medical centres, operating theatres with reanimation units and perinatal units have been rebuilt and re-equipped. The establishment of sound technical foundations is making it possible to train highly qualified professionals and introduce innovative technologies.

406. For every 10,000 inhabitants, there are 48.5 professionals with higher degrees in medicine, per, 43.1 of them working under the Ministry of Health. For every physician, there are 2.5 mid-level medical workers.

407. Training, skills upgrading and retraining for physicians and chemists is offered in five institutions across the country. More than 2,000 foreign nationals are currently enrolled, a telling indicator of the quality of higher education in the medical and pharmaceutical fields in Belarus.

408. Four medical universities (in Minsk, Viciebsk, Homiel and Hrodna) offer courses in seven specialized subject areas of medicine and one in pharmaceutical studies. The Belarusian Medical Academy of Post-Graduate Education and Viciebsk State Medical University offer courses to upgrade professional skills in all areas of medicine and pharmaceutical studies, as well as advanced training in more than 80 specialized subjects in the health field.

409. The training of highly skilled medical specialists with a clinical orientation also takes place in the higher educational institutions mentioned above, as well as in 11 centres of applied medical science.

410. Training, retraining and skills upgrading for mid-level medical workers is provided in 17 medical colleges around the country.

Improving reproductive health

411. Information on the measures taken in Belarus for the protection of mothers and children, family planning and the provision of services to women in rural areas and vulnerable groups, is presented in the seventh periodic report of Belarus on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (2009).

Prevention of diseases linked to water

412. The information is presented in the section on article 11, entitled “Right to water”.

Infectious disease control strategies

413. Immunization is considered to be a key objective of the State and has been given high priority in infectious disease prevention efforts.

414. Immunization is available to all citizens of Belarus. Vaccinations are offered in health-care facilities free of charge under the national immunization calendar or for disease control purposes. Vaccines provided under the immunization calendar are publicly funded.

415. Immunization is carried out for 9 infectious diseases (diphtheria, tetanus, measles, mumps, rubella, whooping cough, tuberculosis, hepatitis B and polio) and for 19 in the context of disease control.

416. The extensive immunization coverage provided in recent decades (95 per cent of adults and no less than 97 per cent of children) has ensured that the entire community is protected against vaccine-preventable infectious diseases. The incidence of diphtheria has declined by a factor of 12.7, whooping cough by 2.8, mumps by 127.5, rubella by 14,578 and hepatitis B by 5.2 in the past 10 years (1999–2009). No cases of measles or polio were recorded in 2009.

417. An immunization drive to prevent *haemophilus influenzae* type b (Hib), hepatitis A and hepatitis B among at-risk groups was carried out under the national public health programme for 2007–2010 and the national demographic security programme for 2007–2010.

418. Belarus supports the global strategies of the World Health Organization (WHO) for eliminating a number of diseases. Belarus was certified as polio-free in 2002, and since then, a system for epidemiological monitoring of acute flaccid paralysis has been in place.

419. Belarus joined the measles and rubella initiative of the WHO Regional Office for Europe to stamp out the diseases by 2010.

420. Children receive a combination vaccine against measles, mumps and rubella at the ages of 1 year and 6 years; immunization coverage has been consistently high in recent years and now stands at more than 98 per cent.

421. Measures provided for under a national plan of action for 2006–2008 were continued in Belarus in 2008 to ensure that the country remains polio-free and to prevent the outbreak or spread of the disease. Polio control measures consist mainly in diagnosis and virological surveillance of children under 15 years of age with acute flaccid paralysis.

422. Belarus continues to experience a decrease in the incidence of diphtheria. The level in 2009 remained the same as in 2008, with three reported cases of the disease and a morbidity rate of 0.03 per 100,000 inhabitants. The gains made in the campaign against diphtheria were fostered by the maintenance of high levels of immunization coverage, especially among children, under the existing immunization calendar.

423. In 2009, progress was made in controlling whooping cough. The morbidity rate decreased by a factor of 1.7 compared with 2007 and stood at 1.0 per 100,000 inhabitants (98 cases). It was children up to 2 years of age who most often contracted whooping cough, accounting for 59.2 per cent of the total number of cases.

424. In 2009, immunization coverage among children up to the age of 1 for diphtheria, pertussis (whooping cough) and tetanus (DPT) was 98 per cent for the first dose of the combination vaccines, 96 per cent for the second and 97 per cent for the third. Booster doses of DPT vaccines were given to 98 per cent of children at the age of 18 months, diphtheria and tetanus vaccine (DT) to 97 per cent of children at 6 years, tetanus-diphtheria toxoid with a reduced dose of antigen to 97 per cent of children at 11 years and tetanus-diphtheria toxoid with a reduced dose of diphtheria toxoid (Td) to 99 per cent of adults.

425. The Ministry of Health expanded the list of population groups covered by publicly funded immunization at the national and local level, which led to the vaccination of 1,044,202 persons, or 10.8 per cent of the entire population, against influenza in 2009 (7 per cent in 2008): 36.2 per cent were children (377,951) and 63.8 per cent (666,251) adults. Compared to 2008, the number of vaccinations funded by local authorities increased by a factor of 7.1; the increase in funding by businesses and organizations was by 2.2 and by private sources, by 1.8.

426. Immunization coverage for tuberculosis remained relatively high in 2009 (97.8 per cent), exceeding the recommended WHO indicator.

427. In 2009, 95,925 of the 97,388 children aged 6 years (98.5 per cent) were vaccinated against hepatitis A under the immunization schedule for outbreak control and 5,024 of the 5,057 adults (99.3 per cent) received the vaccine in endemic areas, with funding provided from the national budget and the national demographic security programme for 2006–2010.

428. Belarus is among the countries with a moderate prevalence of parenterally transmitted viral hepatitis. Vaccination against viral hepatitis has reduced the incidence of acute hepatitis B in the past 10 years by a factor of 5.2, from 9.4 cases per 100,000 population in 2000 to 1.8 in 2009, moving Belarus from among the countries with a moderate prevalence of the disease to those with the lowest (under 2 per cent).

429. In 2009, 103,006 newborns (97.7 per cent of those due for vaccination) and 83,822 children aged under 13 (89 per cent) were vaccinated against hepatitis B; 5,117 medical workers (85.5 per cent), 4,226 (92.9 per cent) in the context of outbreak control, were vaccinated in endemic areas.

430. There were no cases of infectious diseases calling for health-protection measures in the territory of Belarus in 2009.

Alcohol and tobacco abuse

431. The State is carrying out a programme to prevent alcohol abuse and alcoholism for 2006–2010, a comprehensive tobacco control programme for 2008–2010 and a programme of comprehensive measures to address drug abuse and drug trafficking and related offences in Belarus for 2009–2013.

432. The figures from health-care organizations show a steady improvement in the medical treatment of persons affected by alcoholism and alcohol abuse. In 2008, compared

to 2007, there was a 2 per cent decrease in the overall number of minors under observation by the substance abuse service; the number of minors with some form of substance dependence fell by 30 per cent; there was an 11.8 per cent decrease in the number of minors under observation in connection with alcoholism, drug abuse and addiction, a 3.5 percent decrease in the number of minors recorded as first-time users of alcohol, drugs and hazardous toxic substances and a drop of 3.4 per cent in the number of minors abusing alcohol, drugs and hazardous toxic substances.

433. A total of 78.75 posts for physicians has been allocated nationwide to treat youngsters for substance abuse. An inpatient facility is in operation in Viciebsk, an outpatient centre in Minsk, day clinics for adolescents in Hrodna, Homiel and Brest and counselling centres throughout the country.

434. An anti-smoking campaign is conducted every year from 15 to 31 May, comprising efforts to promote healthy lifestyles and prevent smoking and tobacco-related illnesses, and for the first time, a campaign against alcohol and substance abuse has been carried out to intensify efforts to prevent smoking, drunkenness and alcoholism and drug abuse and addiction and the diseases associated with them and to galvanize work in promoting healthy lifestyles.

435. The following events are held each year: International Drug Control Day (1 March), World No-Tobacco Day (31 May), Alcoholism Prevention Day (7 July) and World No-Smoking and Cancer Prevention Day (November).

436. Health-care specialists perform counselling and awareness-raising work on a group or individual basis and through helplines and hotlines in connection with healthy lifestyles and the prevention of addiction and associated illnesses.

HIV/AIDS prevention and treatment

437. As of 1 January 2010, there were 10,690 registered cases of HIV infection (112.8 per 100,000 population). Compared to 2007, the number of persons identified for the first time as HIV-positive increased by 8.3 per cent.

438. Cumulative data on the disease control process covered persons aged between 15 and 39 years, who account for 91.2 per cent of the total reported cases. Drug use was the cause of 52.7 per cent of cases of HIV infection. In 2009, the share of persons infected in this way came to 19.8 per cent (in 2007, 30.1 per cent). The share of persons with sexually transmitted HIV has continued to grow in the past five years (66.8 per cent in 2007, 75 per cent in 2008 and 77.6 per cent in 2009).

439. Of the total number of HIV-positive persons in the country, the proportion of women stands at 37.4 per cent (or 3,994 persons) and men at 62.6 per cent (or 6,696 persons).

440. The increase in the number of HIV-positive women of reproductive age has led to an increase in children born of HIV-positive mothers. This is one of the negative factors that may have an influence on the demographic situation in the country. As at 1 January 2009, a total of 1,279 children had been born of HIV-positive mothers (171 in 2008 and 145 in 2007); 138 children have been diagnosed as HIV-positive.

441. HIV/AIDS prevention is considered to be a top priority in Belarus. In 2006, universal access to HIV prevention, treatment and care was set as a national goal. Belarus is pursuing that goal through coordinated measures in three areas: a national framework strategy, namely the State programme on HIV prevention for 2006–2010 (a new State programme for 2011–2015 has already been developed); a plan for overcoming obstacles to universal access to prevention, treatment, care and support for persons living with HIV for 2007–2010; and an integrated cross-sectoral coordinating body (the Interdepartmental

Council for HIV and Sexually Transmitted Disease Prevention) and an integrated national monitoring and assessment system.

442. Prevention remains a priority of Belarus's State policy on HIV/AIDS. In 2009, 83 per cent of the total funds allocated to the campaign to combat HIV were spent on preventive measures. The prevention programmes have focused on young people and groups that are particularly susceptible to HIV infection.

443. Information centres on HIV/AIDS have been set up in the 14 towns with the highest prevalence of HIV infection. An interactive national web portal (www.aids.by) has been set up.

444. The work done by 41 anonymous counselling centres has received support; this work has reduced HIV prevalence among injecting drug users from 16.7 per cent in 2006 to 10.7 per cent in 2009.

445. In order to reduce the risk of HIV transmission among highly vulnerable groups (injecting drug users (IDU), men who have sex with men (MSM), female sex workers and prison inmates), preventive programmes carried out in 2009 reached 58.7 per cent of the estimated number of injecting drug users, 24.1 per cent of men who have sex with men and 44.7 per cent of women sex workers.

446. In addition to injection equipment exchanges, other means of preventing infection and information packets, drug users are offered a wide range of medical and social services (free HIV and hepatitis testing, medical consultations, psychological counselling and help with substance abuse).

447. Preventive measures have continued to be carried out for young people: the number of programmes in schools, trade schools and institutions of higher education has increased by 80 to 90 per cent.

448. There are 10 self-help centres that provide psychological support and palliative care for people living with HIV and home treatment for people living with HIV/AIDS for 161 persons in six cities in Belarus. Round tables, training sessions, seminars and conferences on medical, social, psychological, legal and other issues have been held in order to promote public tolerance towards people living with HIV, increase their quality of life and encourage them to participate in programmes on prevention and adherence to antiretroviral therapy.

Access to antiretroviral drugs

449. For anyone living with HIV, access to antiretroviral therapy is guaranteed when such treatment is indicated and desired. Antiretroviral therapy programmes covered 75.7 per cent of persons requiring such treatment in 2008 and 83.1 per cent in 2009 (70.9 per cent in 2007).

450. A steady increase in funding for antiretroviral drugs and high-tech medical equipment, laboratories and test systems from the Global Fund to Fight AIDS, Tuberculosis and Malaria made it possible to increase antiretroviral therapy coverage from 6 per cent in 2002 to 83.1 in 2009.

451. Since 2010, the cost of funding antiretroviral therapy has increasingly been borne by the State.

452. In order to reduce the risk of mother-to-child transmission and ensure as safe a delivery as possible, antiretroviral prophylaxis has been instituted for pregnant women and newborns, as recommended by WHO.

453. Without preventive treatment, the likelihood of mother-to-child transmission now stands at between 20 and 40 per cent. The use of such treatment reduces the risk that the child will become infected to 1 to 2 per cent. Those results may be obtained if an antiretroviral regimen is adopted during pregnancy and childbirth and newborns are fed milk formula instead of breast milk and delivered by Caesarean section.

454. In 2009, 194 (89.8 per cent) of pregnant women and 195 (89.9 per cent) of newborn children underwent the full course of such preventive treatment, whereas 161 women and newborns (87.1 per cent) received such treatment in 2008.

455. Analysis of the course of pregnancy among HIV-infected women points to a rise in the number of women who wish to take their pregnancy to term. The use of preventive treatment has brought about a reduction of mother-to-child transmission of HIV from 20 per cent in 1996 to 3 per cent in 2009.

Adequate treatment and care for mental health patients

456. The procedures for the provision of psychiatric treatment, psychotherapy and help with substance abuse are regulated under the law. This enables medical institutions that offer psychiatric services to do so consistently and on a long-term basis at every level of the health-care system (district, city, provincial and national).

457. The treatment of patients for mental and behavioural disorders is regulated by the laws and regulatory acts of Belarus. In 2009, Belarus became one of the first CIS countries to have drafted such legislation, with the adoption of the Psychiatric Care and Guarantees of Patients' Rights Act. One of the fundamental principles of the development of psychiatric assistance under this legislation is ensuring every citizen of Belarus accessible and free psychiatric assistance regardless of social status or income, a place of residence with the least restrictive conditions possible and the absence of discrimination against or infringement of the rights of persons with mental or behavioural disorders.

458. In 2006, a framework for the development of psychiatric care in Belarus for 2007–2010 was adopted, providing for the introduction of a new, sound, balanced and effective model for offering such assistance without adding significantly to health-care costs. The framework envisages making a transition from a system of long periods of confinement in inpatient facilities to a predominantly open system integrated into the general health-care network, with minimal confinement.

459. There are currently 6,665 beds for psychiatric and neurological patients per 10,000 population. Compared to 1996, the total number of beds in psychiatric hospitals has decreased by 34.4 per cent as a result of the development of a network of outpatient mental health-care clinics.

460. There are 1.23 places in day clinics for patients with mental and behavioural disorders per 10,000 population (in total, 1,192 places). Compared to 2000, the number of places has grown by 47.5 per cent.

461. The coverage of psychiatrists to serve the community has decreased slightly compared to 1996 and now stands at 0.75 posts per 10,000 population (0.88 in 1996).

462. From 1996 to 2008, the number of initial diagnoses of mental disorders increased by 62 per cent and stood at 689.6 patients per 100,000 population (totalling 66,432 first-time cases). The onset of such disorders decreased slightly in 1999 and 2000. The number of initial diagnoses of mental disorders has increased by 32.9 per cent in the past six years; the average annual increase was 6.6 per cent.

463. People are admitted to psychiatric hospitals in Belarus for observation and treatment on a voluntary basis, with the consent of the patient or his or her legal representative.

Institutional psychiatric care is provided to patients in the least restrictive environment possible to ensure their safety and the observance by medical workers of their rights and legitimate interests.

464. A system of judicial control is in place to monitor the involuntary commitment of persons to psychiatric hospitals on a continuous basis. Persons with mental disorders may be hospitalized and receive treatment without their consent (compulsory treatment) only in the manner prescribed by law, which helps in upholding the legitimate rights and freedoms of the citizens in question. Only an order of the court may serve as grounds for compulsory hospitalization and treatment.

465. Coercive safety and treatment measures during such hospitalization may only be used in accordance with a court order on compulsory treatment in a psychiatric institution provided that a forensic psychiatric expert appraisal has been completed.

Article 13

The right to education

466. Belarus has achieved the Millennium Development Goal relating to primary education.

467. During the reporting period, Belarus took important steps to further develop the national education system.

468. According to the Human Development Report 2007/08, in 2007 Belarus surpassed all CIS countries with respect to adult literacy (99.6 per cent); it also has one of the world's highest literacy levels among young people (99.8 per cent).

469. The traditionally high quality level of Belarusian schools has been preserved, and access to higher education has been broadened (there are currently 445 higher education students per 10,000 population).

470. The legal framework regulating relations in the area of education has been enhanced through the adoption of the Education Act, the Higher Education Act, the Vocational and Technical Training Act, and the Education of Persons with Special Developmental Needs (Special Education) Act. 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.

471. An Education Code has been drafted and adopted on first reading by the House of Representatives of the National Assembly.

472. Decision No. 53 of the Ministry of Education of the Republic of Belarus of 25 May 2006 approved the Programme on Developing the National Education System for 2006–2010.

473. A system of educational standards has been established in Belarus, containing general requirements for levels of education, periods of study, types of educational establishments, classification of fields, qualifications and occupations, school-leaving certificates, minimum core curriculum, maximum amount of time spent studying, level of training of graduates and criteria for assessing the quality of education. Education standards may be developed, adopted, changed or abolished in accordance with the laws of Belarus.

474. The coverage of general basic, general secondary and vocational education for persons 6 to 21 years of age exceeds 95 per cent.

475. The preschool education system of Belarus is expanding exponentially. There are currently 4,097 preschool institutions running in the country, attended by 372,768 children.

The indicator for coverage of children in preschool institutions remains consistently high, at 71.4 per cent, and for coverage of children aged between 3 and 6 years, at 93.3 per cent.

476. The structure of general secondary education in Belarus includes two levels, general basic and general secondary, and takes place in three stages, the first of which lasts four years (for persons with special developmental needs, four to five years), the second, five years and the third, two years (three if in night schools). The continuity of studies at all stages of general secondary education is guaranteed.

477. General basic education is accessible and mandatory for all.

478. The right framework has been created for children to attend general education institutions from the age of 6 years. At the start of the 2009/10 school year, 86,302 pupils were attending general education institutions, 82.6 per cent of them children aged 6 (urban communities accounting for 67,680, or 78.4 per cent, of the pupils, and rural communities for 18,622, or 21.6 per cent).

479. In the 2009/10 school year, there were 3,664 general education day schools, compared with 3,759 in the 2008/09 academic year, of which 2,354 were in rural communities and 1,310 in urban communities. The schools were attended by 996,487 students (1,072,198 in the 2008/09 school year), of which 238,765 were from rural communities and 757,722 from urban communities.

480. A network of new types of institutions has expanded significantly. At the start of the 2009/10 school year, there were 213 science-oriented secondary schools (gymnasiums), compared with 12 in 1990/91; 31 arts-oriented secondary schools (lycées), compared with 5 in 1990/91; and 7 integrated educational institutions.

481. A network of institutions that link preschool with basic education is under development. Of the 973 schools of this type, 945 (97.1 per cent) are located in rural areas.

482. The right framework has been created for children to attend general education institutions from the age of 6 years. In the 2009/10 school year, 86,237 primary school pupils attended general education institutions, 82.6 per cent of them children aged 6.

483. Educational policies take into account the specific ethnic make-up of the population of Belarus. In the 2009/10 school year, 1,897 (52.9 per cent) of all general education institutions provided instruction in the Belarusian language, 1,565 (43.7 per cent) in Russian and 118 (3.3 per cent) in two or more languages.

484. There are entitlements for children from lower-income households and families with three or more children: their school textbook costs are covered and/or prices for school supplies reduced by 50 per cent. There is also a possibility of reduced price meals.

485. The quality of general secondary education has been monitored since 2003, covering all educational entities and including a comprehensive quality assessment of education, training, management and the psychological and medical support of students. In 2009, 5,294 stakeholders in the educational process (teachers, students and parents) took part in the monitoring exercise.

486. The ground has been laid for the development of children's creative capacities and the discovery of their talents. There are 389 institutions that provide extracurricular education and training for more than 416,000 youngsters in various fields (technical, musical, theatre and the decorative and applied arts).

487. Ensuring that educational establishments have highly qualified teaching staff remains at the centre of the State's attention; after all, teachers are crucial to the way educational process works.

488. Teachers routinely improve their professional skills. Among the teachers working in general educational establishments, 90.8 per cent have received higher education, 9 per cent, specialized secondary education, 31.8 per cent are in the highest professional category, 42 per cent in professional category I, 14.4 in professional category II and 11.8 per cent are unclassified.

489. By legislative mandate, teachers have 56 calendar days of annual leave and have the right to an early retirement pension for long service (30 years for men and 25 for women).

490. Specialized secondary education is provided by various types of educational institutions, including technical colleges, training centres, colleges, vocational training institutions that incorporate secondary specialized and technical education curricula, higher level colleges that provide continuity between specialized secondary and higher education and educational establishments that integrate the general with the specialized secondary educational curricula in the arts, design and physical education.

491. There are more than 200 educational institutions in the secondary education system. A network of educational establishments has been set up evenly throughout the regions, and this makes specialized secondary education accessible for various segments of the population, brings educational services closer to those they serve and helps to provide vocational education for a significant number of young people (including those who have completed basic schooling) close to where their parents live.

492. Persons with general basic or general secondary education have the right to receive specialized secondary education on a competitive basis. Persons with vocational or general secondary education may receive specialized secondary education in similar or corresponding fields on a fast-track basis.

493. Each year, 14 to 16 per cent of those who have completed their general education and an equal share of graduates of secondary schools enter specialized secondary educational institutions.

494. Education in institutions that offer specialized secondary education is provided in day, correspondence and night schools and lasts from two to four years. Publicly funded education in State educational institutions is provided to 70 per cent of students enrolled in day schools and 50 per cent of those in correspondence courses.

495. Graduates of publicly funded specialized secondary educational institutions are guaranteed an initial post when they leave school as a social protection measure.

496. The programme adopted by the Government in 2006 has brought about the steady development of the specialized secondary education system.

497. More than 700,000 pupils and students are in the vocational training system. The curriculum is brought up to date to meet modern-day requirements. More than 160,000 highly qualified workers (salary earners) and specialists enter the workforce each year.

498. The Vocational and Technical Training Act has set standards that guarantee universal access to vocational and technical training institutions free of charge. There are target figures for the admission of persons to the nationally or locally funded State educational institutions that provide vocational and technical training; the figures are set with the needs of the labour market in mind, including agreements entered into for the training of workers (salary earners) and geographical distribution of students. In 2009, 94.1 per cent of the total number of registered students were accepted into vocational and technical training institutions by agreement or on application.

499. More than 70 per cent of graduates were qualified in two or more fields during their studies.

500. The State guarantees students at the State vocational and technical training institutions an initial post when they graduate.

501. The vocational and technical training institutions are being transformed into arts-oriented secondary schools and vocational and technical colleges. There are currently 63 vocational and technical colleges, 105 arts-oriented secondary schools and 54 vocational and technical training centres. About 10,000 students receive specialized secondary education, integrated with vocational and technical education, on a fast-track basis in the vocational and technical colleges.

502. More than 2,000 students with special physical and mental development needs were enrolled in vocational and technical training institutions in the 2009/10 school year, including 554 with disabilities and 5,500 orphans and abandoned children.

503. The system of higher education in Belarus has two stages: the first (4–5 years) entails training students to become qualified specialists, and the second (1–2 years) involves developing the research and teaching skills of young specialists to prepare them for research work.

504. Institutions of higher education offer 356 fields of specialization and more than 1,000 specialized subjects.

505. A high level of education is maintained in the country's higher educational institutions by attracting and involving future specialists in innovative projects. A targeted policy planning method that seeks to obtain practical results is applied to academic research.

506. The Ministry of Education and the administrations of higher educational institutions do a great deal to provide their students with social protection, including scholarships, public transport allowances, dormitory accommodation and reduced tuition fees for starting out in higher education.

507. The Young Talent of Belarus Programme for 2006–2010 was adopted by Order No. 310 of the President on 10 May 2006 to maintain and increase intellectual and creative potential in the country and create an environment conducive to the discovery, development, support and social protection of talented young people.

508. That environment has been enhanced throughout the programme's implementation so as to develop the intellectual and creative potential of talented children and young people.

509. Under decrees issued by the President, 100 presidential scholarships have been established for postgraduates, and the number of scholarships raised to 200 for students in higher educational institutions and consumer relations institutes.

510. The Special Fund of the President for the Social Support of Gifted Students was set up by presidential order in 1996 to encourage intellectual and creative work. More than 18,000 pupils, students and teachers have benefited from the Fund since it was created.

511. Preparations are now under way for Belarus to join the Bologna process to make higher education competitive at the international level and increase international cooperation in the field of education. Belarus signed the Convention on the Recognition of Qualifications Concerning Higher Education in the European Region (Lisbon Convention) in 2002.

512. The participation of Belarus in the Bologna process will help to harmonize national and European standards of higher education, further the integration of science, education and high-tech industries and allow Belarusian universities to become accredited national institutions of higher education included in the accreditation systems of other States.

Moreover, participation in the Bologna process will allow for the introduction of national assessment mechanisms and guarantees and assurances of the quality of education that are compatible with Europe-wide assurances; help to ensure the compatibility in all European countries of the various educational institutions and programmes; increase access to European academic and scientific cooperation programmes; and make the Belarusian system of higher education more attractive to foreign students.

513. The decision to join in the Bologna process was aimed above all at furthering the right of citizens to education and a decent standard of living.

514. Under the law, citizens of Belarus who belong to ethnic minority groups fully enjoy the rights and freedoms guaranteed by the Constitution and are entitled to choose the language of education and training regardless of their ethnic background. Classes are set up in secondary schools that provide education and training in full or in part in the language of a given ethnic minority or instruction in that language, based on an application by the child's legal representative or by decision of the local executive and administrative authorities. There are two schools in Belarus that offer instruction in Polish and one in Lithuanian. In the 2009/10 academic year, 564 pupils were enrolled in minority language schools (499 in Polish schools and 65 in Lithuanian). In the 2009/10 academic year, ethnic minority languages were taught in 120 general secondary schools through various arrangements (as an academic subject or extracurricular activity or in a school club); 4,948 students were involved, of whom 4,634 studied Polish, 262 Yiddish and 52 Ukrainian.

515. A joint advisory commission for school affairs was established for Belarusian ethnic minorities in Poland and Lithuania and for Polish and Lithuanian minorities in Belarus.

516. Under the Act on the Granting of Refugee Status and Subsidiary and Temporary Protection to Foreign Nationals and Stateless Persons, foreigners who are granted refugee status have the same right to education in secondary educational establishments as Belarusian citizens. The administrators of secondary educational establishments may offer back-up courses in Russian and Belarusian to help persons with refugee status to adapt to society.

Article 15

Access for all to cultural life

517. Guaranteeing peoples' cultural rights, like upholding their economic and social rights, is a key to the harmonious development of the individual.

518. Cultural policy in Belarus is systematic and dynamic. The right to take part in cultural life is guaranteed under the Constitution. All citizens have the right to demonstrate their abilities, realize their potential in the world of culture and enjoy the arts. The national culture is one of the strategic resources that, to a great extent, shape all aspects of social development.

519. The basic principles for fulfilling and supporting cultural activity are set forth in the Culture Act of 4 June 1991, as amended on 18 May 2004.

520. Several categories of citizens are entitled to discounts on access to cultural institutions.

521. The Museums and Museum Assets Act of 12 December 2005 provides for the right of all citizens to free entry at least once a month to expositions and museum exhibitions that are either fully or partly funded out of the national and/or local government budgets and assembled using the museums' own assets. Persons with disabilities, veterans of the Second World War, persons in active military service, children under the age of 7, orphans and

abandoned children, students with special developmental needs and museum employees are entitled to free entry to such exhibitions at any time.

522. School pupils and students in vocational, specialized secondary and tertiary educational institutions are entitled to half-price entry to these exhibitions.

523. Decision No. 720 of the Council of Ministers of 30 November 1992, on measures to commemorate the International Day of Persons with Disabilities, stipulates that five seats must be reserved free of charge in theatres, cinemas and concert halls for persons with category I disabilities; they are also entitled to purchase tickets to performances without queuing. Persons with disabilities in all categories are entitled to enjoy services normally paid for in recreational institutions (except concerts, professional performances and film showings) at half the usual price. Cinemas must offer discounted film showings for persons with disabilities and war veterans.

524. The law provides for the reimbursement of cinema and theatre tickets.

525. In Belarus, 2,000 museums (147 run by the Ministry of Culture), 137 cinemas and 27 theatres offer a gamut of cultural leisure activities that are accessible to all.

526. The State has unwavering commitment to keeping ticket prices for concerts and theatre performances affordable for all.

527. The realization of human rights in Belarus in the areas of education, freedom of access to information and development of the individual is facilitated by 3,865 public libraries, of which 3,848 are part of the Ministry of Culture and 17 are run by other organizations; in all, 3,918 libraries are organized into 132 library networks run by local authorities. Public library collections total approximately 67.7 million books (around 67 million are in the libraries of the Ministry of Culture). Readers number about 3.8 million (including 1.2 million children and adolescents up to the age of 15 and 7,200 visually impaired persons). The services of the State public library system extend to 39 per cent of the population, just over half in rural areas. There is one State public library for every 2,500 people, which is in line with UNESCO standards. Almost 40 per cent of the inhabitants of Belarus use public libraries.

528. The advent of the information society has led to the computerization of libraries, turning them into modern information centres. Currently, 98 per cent of State public libraries have computer facilities, making Internet classes and multimedia applications accessible to all. All provincial, municipal and district libraries have been computerized. Some 915 libraries (23.4 per cent of the total number) have Internet access.

529. In rural areas, 634 libraries (19.4 per cent of the total) have Internet access.

530. In 2009, every fourth household had access to the Internet via home computers, representing an increase in the number of such households throughout the country of 25.5 per cent over 2008. In rural areas, the increase was almost 50 per cent.

531. It is a matter of Government policy to foster the revival, conservation and development of ethnic cultures in Belarus. To that end, efforts are being made to harmonize inter-ethnic and interreligious relations and the practical groundwork is being laid to implement the rights of citizens of different ethnic backgrounds in the pursuit of their cultural and spiritual interests.

532. Currently, members of some 140 ethnic and national groups live in Belarus, and 125 community organizations representing 26 national groups are active. Everything possible has been done to encourage their creative activity and the further development of ethnic culture.

533. Representatives of more than 20 ethnic groups sit on the council of the National Ethnic Cultures Centre.

534. The work of ethnic cultural associations results principally in the holding of ethnic cultural festivals. Taking part in these festivals gives each ethnic group the chance to make its distinctive culture better known and to introduce people to its traditions, customs and handicrafts.

535. The State provides tangible assistance to ethnic cultural associations in the manufacture of costumes for their theatre and dance troupes, the acquisition of technical literature and musical instruments and the organization of festivals and other cultural events.

536. The Inter-Ethnic Advisory Council, comprising representatives of more than 20 ethnic groups present in Belarus, has been set up within the Office of the Commissioner for Religious and Ethnic Affairs to formulate recommendations on government policy to support ethnic minorities.

Basic and vocational education in the field of culture and the arts

537. Belarus is systematically developing artistic and aesthetic activities as part of the education of children and young people and, to that end, has set up schools of music, art, dance, drama and handicrafts. In addition to their academic role, these establishments are actively engaged in large-scale cultural and educational activities, and their pupils participate in concerts, international and national festivals, contests and shows.

538. Clubs such as amateur art groups, drama studios and study groups have proved successful in structuring the leisure time of young people.

539. One of the most important accomplishments of cultural policy in Belarus in the past decade has been the maintenance and further development of a multilevel system of public education in the arts.

540. The country's system of artistic education comprises 523 primary schools in which various art forms (fine arts, music, dance, drama and folk crafts) are taught, 21 specialized secondary establishments and 3 tertiary institutions which have 6 provincial branches. About 3,000 students graduate every year from higher and specialized secondary educational institutions with a broad range of skills and specializations that, overall, meet the country's needs in this area.

541. The national secondary school affiliated to the Belarus State Academy of Music and the Belarus State Dance College are unique institutions in the field of arts education.

542. Pupils and students with developmental needs also study in cultural educational institutions.

Measures for protecting the moral and material interests of authors

543. Legislation on copyright and related rights in Belarus is guided by the country's commitment to the Berne Convention for the Protection of Literary and Artistic Works, the World Intellectual Property Organization (WIPO) Copyright Treaty, the WIPO Performances and Phonograms Treaty and other related international treaties.

544. The Copyright and Related Rights Act of 16 May 1996, as amended on 11 August 1998, provides the necessary legal foundations for the implementation and protection of the interests of authors and performers. The Civil Code, the Code of Administrative Offences and the Criminal Code provide for administrative and criminal liability for breaches of the rights of authors and performers. In accordance with Government Decision No. 871 of 5 August 2005, on the regulations governing cooperation between State administrative bodies

and law enforcement agencies in the area of intellectual property rights, the Ministry of Culture monitors compliance with copyright law and related rights in connection with responses to requests for cultural services.

Legislative provisions ensuring freedom of scientific research and cultural activities

545. Freedom of scientific research and creative activity is enshrined in the Constitution (art. 51).

546. Other legislation, including regulations governing the conduct of scientific research (the Civil Code, Labour Code and Science and Research Act), take into account the provisions of the Constitution and cover the legal aspects of their implementation by defining the terms and conditions in which scientific research is to be carried out.

547. There are no legislative restrictions on rights and freedoms in the conduct of scientific research and creative activities, apart from the general restrictions applying to all spheres of activity in the interests of national security, law and order, the protection of public morals and health and the rights and freedoms of other individuals.

Promotion of international contacts and cooperation in the fields of science and culture

548. International scientific and technical cooperation in Belarus follows proven models, but the search for new directions and methods is ongoing. Currently, the most common approach is through bilateral cooperation based on intergovernmental and international treaties. Cooperation takes different forms, including joint contracts and projects and the conduct of joint scientific and technical activities. Agreements to this effect have been signed with 40 countries, and more are being signed every year.

549. Bilateral meetings of intergovernmental committees for scientific and technical cooperation are held on a regular basis (in 2008–2009 with Venezuela, China, Iran, Syria, Poland, India, Latvia, Lithuania and the Czech Republic).

550. Cooperation and collaboration is being actively developed with such leading international organizations and centres as the Joint Institute for Nuclear Research (JINR), the European Organization for Nuclear Research (CERN), the United Nations Industrial Development Organization (UNIDO) and WIPO.

551. In 2008, more than 200 researchers and engineers from 18 organizations in Belarus took part in 27 projects performed by JINR and CERN. The results included world-class achievements that have been put into practice in Belarus and abroad.

552. Projects run by organizations in Belarus with the assistance of UNIDO address the need to improve the process of turning the results of scientific research into marketable products.

553. With funding from WIPO, measures are being implemented to take particular account of the interests of authors and developers; these measures are designed to raise awareness of what the protection of intellectual property rights entails. WIPO consultants are providing advice on various aspects of the matter.

554. With the aim of deepening cooperation between Belarus and the European Union (EU), a national office has been established to provide information on procedures for cooperation under the scientific research and technological development programmes carried out by the European Union. The office's main functions include the dissemination of information on opportunities for taking part in EU programmes, the provision of advice and practical assistance with the setting up of projects and the search for cooperation partners.

555. Centres for scientific and technical cooperation with provinces in China and with Kazakhstan and Venezuela have been established, as have a centre for technology transfer with Latvia and a centre for cooperation with the Republic of Korea.

556. The scientific and technical potential of Belarus is widely publicized through exhibitions held at home and abroad. On average, 16 such events are held each year.

557. One pillar of Belarusian foreign policy in the field of culture consists of establishing and consolidating relations of mutual understanding and trust with other countries, strengthening the country's participation in multilateral cultural cooperation and promoting awareness of Belarusian culture around the world.

558. At the governmental and departmental levels, Belarus has signed bilateral agreements on cooperation in the field of culture and the arts with more than 30 countries.

559. Belarus possesses a unique cultural heritage of universal value that awakens interest in many countries around the world. Well known performing ensembles from Belarus have time and again demonstrated their prowess on stages around the world at festivals, while on tour and at charity performances. Talented young Belarusians take an active part in international exchanges, winning prizes and awards at various international competitions.

560. Every year, Belarus stages Belarusian cultural days abroad and hosts cultural days of other countries at home. The country's top-ranking artists and groups take part in such events as a means of showcasing ethnic culture and ethnic identity.

561. A series of international festivals, such as the Viciebsk Slavic Fair, the Belarusian Autumn Music Festival, the Autumn Film Festival and the Minsk Spring Music Festival, takes place every year in Belarus. They have become a veritable calling card, drawing attention to the country and attracting hundreds of foreign artists from many countries to Belarus.

562. A growing number of international art exchanges is providing greater insight into the legacy of classical culture preserved in the museum collections and art galleries of countries worldwide and into contemporary fine art in all its depth and creative diversity.
