



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

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Consideration of reports submitted by parties to  
the Convention under article 35

### Replies of Belarus to the list of issues in relation to its initial report\*

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\* The present document is being issued without formal editing.



## Replies to the list of issues (CRPD/C/BLR/Q/1)

### Reply to the questions raised in paragraph 1

1. The legal standards in the international treaties of Belarus are directly applicable, except in cases where it follows from the international treaty that enabling legislation or enactments must be adopted or issued for its application. In accordance with article 36 (2) of the International Agreements Act, the standards have the force of the law under which Belarus consents to be bound by the relevant treaty.

2. The Persons with Disabilities and their Social Integration Act was adopted on 30 June 2022. The Act was drawn up in order to implement the Convention on the Rights of Persons with Disabilities, which was ratified by Act No. 424-Z, of 18 October 2016. Organizations representing the interests of the various categories of persons with disabilities and other associations concerned with disability issues were involved to the maximum extent possible in the preparation of the draft law. Out of the 51 members of the working group created for the preparation of the Act, 14 were representatives of such associations, including: the Belarusian Society of Deaf Persons, the Belarusian Society of Persons with Disabilities, the Belarusian Association for Assistance to Children and Youth with Disabilities, the Belarusian Association of Visually Impaired Persons, the Belarus Red Cross and the Paralympic Committee.

3. The law guarantees all civil, political, economic and other rights and freedoms for persons with disabilities and prohibits discrimination on the basis of disability. The means of communication for the different categories of persons with disabilities are differentiated in accordance with their limitations. Sign language is recognized as a full-fledged linguistic language system of cognition, development, education and access to information. Belarusian sign language has now been established as a new language. The creation of centres or units for the rehabilitation and habilitation of persons with disabilities is planned at the national and local levels. A quota system for jobs for persons with disabilities is being introduced (the procedure for establishing quotas and their fulfilment will be determined in accordance with the legislation on employment). Questions relating to accessibility for persons with disabilities not only to social services and accommodation, but also to transportation, production infrastructure and information, are the subject of regulation. The Persons with Disabilities and their Social Integration Act enters into force (with the exception of certain provisions) in January 2023. Further work will be aimed at bringing the legislation into line with the Act and implementing its provisions by preparing relevant standard-setting enactments.

4. The National Action Plan for the Implementation of the Convention on the Rights of Persons with Disabilities in Belarus for 2017–2025 was approved by Decision No. 451 of the Council of Ministers, of 13 June 2017, in order to coordinate activities for the Convention's implementation.

5. Funding for the National Action Plan comes from national and local budget allocations for State programmes in the fields of health care, education, social protection, culture, sports, tourism, information, construction and transport; from government and non-governmental funds, international technical assistance and the funds of the implementing agencies; and from other sources not prohibited by law.

6. The National Action Plan is implemented by the national State administrative, executive and judicial authorities, the regional executive committees and the Minsk City Executive Committee, with the involvement of scientific organizations and voluntary associations of persons with disabilities, and with the financial and technical potential of international organizations in Belarus which, within the framework of their mandate, deal with matters related to persons with disabilities.

7. The national Interdepartmental Council on the Rights of Persons with Disabilities coordinates the activities of State bodies in implementing the Convention and the Rights of Persons with Disabilities Act in Belarus. One of its main tasks is to promote and protect the rights of persons with disabilities and to monitor respect for those rights. The national

Interdepartmental Council is headed by the Deputy Prime Minister and includes ministers and their deputies.

8. The Interdepartmental Council, basing its membership on equal representation, also includes the heads of the five main national voluntary associations of persons with disabilities, thus defending the interests of all categories of persons with disabilities (the Belarusian Society of Deaf Persons; the Belarusian Society of Persons with Disabilities; the Belarusian Association for Assistance to Children and Youth with Disabilities; the Belarusian Association of Visually Impaired Persons; and the Republican Association of Wheelchair Users). More than 70,000 persons with disabilities from all over the country are members of these organizations.

9. Meetings of the Interdepartmental Council are held on a quarterly basis. Its meetings consider, with the participation of persons with disabilities, their most pressing issues, including those related to employment, accessibility and social services.

10. The country has only just begun work on the implementation of international standards for persons with disabilities. Belarus therefore has no plans to sign the Optional Protocol to the Convention in the near future.

11. The National Public Supervisory Commission under the Ministry of Justice has not received any information on discrimination against convicted persons with disabilities.

## **Reply to the questions raised in paragraph 2**

12. Belarus is convinced of the need to promote the principles of equality and non-discrimination and to ensure respect for them equally at the national and international levels.

13. Belarus has drawn the attention of human rights institutions to the flagrant injustice perpetrated against the Belarusian Paralympians who were suspended from participation in the 2022 Winter Paralympic Games in Beijing by a groundless decision of the Executive Committee of the International Paralympic Committee.

14. That politically motivated decision not only undermined sporting principles; it also sacrificed the fate of specific persons with disabilities.

15. The silence of international institutions that are supposed to defend equality and non-discrimination is demotivating and indicative of double standards among international human rights bodies.

16. Article 22 of the Constitution of Belarus guarantees citizens, without any discrimination, equal protection of their rights and legitimate interests. Article 60 (1) guarantees the protection of rights and freedoms by a competent, independent and impartial court, in accordance with a procedure and within time limits established by law, and the right to legal assistance for the exercise and protection of rights and freedoms, including the right to be assisted at any time by lawyers and other representatives in court, other State bodies and other organizations, and, in accordance with article 62 (1), in relations with officials and citizens.

17. Article 62 of the Constitution also establishes that, in the circumstances specified by law, legal assistance is to be publicly funded. It is prohibited to oppose the provision of legal aid in Belarus.

18. Article 7 of the Rights of Persons with Disabilities Act provides for the prohibition of discrimination on the basis of disability. The article also defines what exceptions or limitations are not to be considered as discrimination. Article 8 sets out a general procedure for the protection of violated rights.

19. Equality of citizens before the law and the right to legal aid are enshrined in the Code of Civil Procedure (arts. 12 and 14), the Code of Criminal Procedure (art. 20), the Code of Administrative Procedure and Enforcement (arts 2.8, 2.12 and 4.5) and a number of other laws.

20. In addition, work is currently under way on a draft Code of Civil Procedure intended to unify the legislation on civil and economic procedure. Under the title “Equality of all before the law and the courts”, article 13 of the draft includes provisions establishing that justice in civil cases is to be administered on the basis of equality of all before the law and the courts.

21. In civil proceedings, no preference may be given to any of the persons participating in the case or other parties to the proceedings. None of them may be discriminated against on the grounds of their origin, social or property status, race or nationality, sex, education, language, attitude to religion, political or other beliefs, type or nature of occupation, place of residence, the location of a legal entity, its organizational or legal form, its subordination to another entity or form of ownership, or any other circumstances.

22. In accordance with the housing legislation, unemployed single persons with disabilities of disability groups I and II, low-income persons with disabilities of groups I and II and citizens whose families include children with disabilities and who are in need of better housing are entitled to social housing under the State housing fund.

23. When requested to do so in writing, local authorities and organizations of all forms of ownership provide persons with disabilities with housing near their place of work, the place of residence of their relatives or the location of organizations engaged in their rehabilitation, or with living quarters on lower floors (not higher than the third floor) or in buildings with elevators. Their access and use of residential premises provided by local authorities or other organizations is ensured accordingly by agencies or organizations that own or are responsible for the economic or operational management or free use of residential premises provided at the expense of local budgets or using the funds of such organizations, or from other sources not prohibited by law.

24. When a disability related to a locomotor disorder arises during possession or use of a State housing fund residence, if for technical reasons it is impossible to adapt such residential and/or auxiliary premises in apartment buildings for access and use by persons with disabilities, the local authorities, with the consent of the persons and the adult members of their families living with them, make available equivalent residential premises as a replacement.

### **Reply to the questions raised in paragraph 3: See the reply to the questions raised in paragraph 25**

### **Reply to the questions raised in paragraph 4**

25. Comprehensive guaranteed protection by the State and society of childhood, the family and maternity for present and future generations is based on the Constitution, the United Nations Convention on the Rights of the Child of 1989 and the Children’s Rights Act. Special care and social protection are guaranteed for children with special developmental needs and children who are temporarily or permanently deprived of their family environment or who find themselves in other unfavourable conditions or emergencies.

26. The State establishes the best possible conditions for minimizing the risk of abandonment of children with disabilities and for bringing them up in families. Measures to support families with minor children, including the creation of conditions for raising children with disabilities in families, are being implemented until 2025 as part of the State Programme on Public Health and Demographic Security, the State Programme on Education and Youth Policy and the National Plan of Action to Improve the Situation of Children and Safeguard Their Rights for 2022–2026.

27. When a child is found to have a disability, the family receives substantial State support, in the form of child allowances and a social disability pension. The amount of payments depends on the age of the child, the degree of loss of health and the presence of other children in the family. Since 1 September 2022, families of children born with disabilities have been paid from 19,000 to 25,400 roubles during the first year of the child’s life. The total monthly

payments range from 1,307 roubles to 1,733 roubles, depending on the presence of other children over 3 years of age in the family. The payments are indexed on a quarterly basis.

28. To ensure quality care for children with severe disabilities, babysitting and respite services are provided. Demand among families for such services grows every year. In 2021, a service to teach caregivers' skills was introduced.

29. In order to prevent disability among children under the age of 3 who have developmental disorders or who are at risk of such disorders, a regulation has been adopted for activities aimed at identifying such children and providing them with medical and other assistance.

30. Early intervention assistance is provided at 37 early intervention centres, including 5 operating at childcare units. The main beneficiaries at the early intervention centres are children with neuropsychiatric illnesses or disorders.

31. As a result of effective interagency cooperation between various specialists, in 2021 the number of referrals of families with child developmental disorders to early intervention centres increased by 24 per cent in comparison with the number in 2020. Thanks to their timely referral, rehabilitation among such children has been consistently high, at about 67 per cent.

32. One of the main priorities of the youth policy development strategy until 2030 is the development for young people with special developmental needs and disabilities of a system for their rehabilitation and adaptation to independent life, including through the use of physical education and sport.

33. At the national level, a Coordinating Council has been established for the implementation of the Child- and Adolescent-friendly City Platform, with the participation of 25 cities. It includes representatives of the Ministries of Education, Health, Labour and Social Protection and Internal Affairs, the Parliament, the National Commission on the Rights of the Child, public associations and the United Nations Children Fund (UNICEF).

34. As part of the Platform's implementation, Belarus has developed and carried out systematic monitoring and analysis of the situation of children's rights in cities, using a child-friendly city index based on seven parameters: children's participation in public life and decision-making; their living environment; their safety in the city; health protection and healthy lifestyles; education and development; leisure and culture; and assistance in difficult situations.

35. Adolescents and young people with disabilities are included in children's and youth councils and parliaments and participate in the development of decisions affecting their rights.

### **Reply to the questions raised in paragraph 5**

36. Measures to raise public awareness of the dignity and rights of persons with disabilities and to combat negative stereotypes against them are reflected in the National Action Plan for the Implementation of the Convention on the Rights of Persons with Disabilities for 2017–2025 and in the State Social Protection Programme for 2021–2025.

37. State national and regional print and electronic media outlets publish materials aimed at eliminating negative stereotypes on a regular basis. In total, more than 1,450 pieces were published in 2021 and more than 500 publications and stories were published in the first quarter of 2022 on this topic. Press conferences highlighting inclusion and integration themes are regularly organized.

38. Information screens in public places regularly broadcast video public service announcements under the titles "Let's create a barrier-free environment together", "Let's create a world of equal opportunities" and "Together we can do more".

39. Every October and November a 30-day campaign is held under the title "The Man with the White Cane". Informational, cultural, sports and rehabilitation activities are held for visually impaired people, and specialists providing services to them are given training.

40. The Convention is freely available on the website of the Ministry of Labour and Social Protection; copies translated in Braille are available in libraries and at the Belarusian Association of Visually Impaired Persons.

### **Reply to the questions raised in paragraph 6**

41. The Government's work is aimed at providing fully accessible facilities for all categories of citizens, enabling them to lead an independent lifestyle and participate fully in society.

42. Measures to create an accessible environment and to ensure accessibility of services and improve the quality of life of persons with disabilities in all spheres of public life – such as education, health care, labour, physical education and sports – are implemented within the framework of the Accessible Environment for Persons with Disabilities and Physical Impairments subprogramme of the State Social Protection Programme for 2021–2025 and under a number of other State programmes and strategic plans of key ministries, and also as part of local development programmes.

43. Each region approves its own plan to create an accessible environment for persons with disabilities, including a list of specific buildings and facilities to be adapted to their needs. Monitoring of implementation is carried out with the participation of representatives of associations of persons with disabilities. The results are reviewed quarterly at meetings of interdepartmental councils on the rights of persons with disabilities, both at the national and local levels.

44. For the period from 2021 to 2025, some 306 million roubles has been allocated for implementation of the Accessible Environment for Persons with Disabilities and Physical Impairments subprogramme.

45. Almost 20 per cent of facilities are fully accessible, and more than 70 per cent have been fitted with some elements of an accessible environment.

46. The subprogramme's objective is to increase the share of fully accessible facilities to 23 per cent by the end of 2025.

47. Article 39 of the Act provides for the creation of an automated information system to keep track of accessibility at public facilities. Up-to-date information on the accessibility of facilities will be consolidated on a public registry map, which will become a virtual city guide for people with limited mobility and will allow them to lead an independent lifestyle.

48. The legislation in force and State programmes ensure that information is available to persons with disabilities.

49. On 22 October 2020, the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled entered into force for Belarus.

50. According to article 34 of Act No. 262-Z, the Copyright and Related Rights Act, in order to ensure access to legally published works for blind and visually impaired persons and other persons with limited sight, such works may be transformed into special formats intended for such persons (such as relief-dot font, relief graphics, tactile editions, special audio formats or simple language editions), reproduced and communicated to the public.

51. To ensure accessibility of telecommunications services, Beltelecom, the national telephone company, developed special social tariffing plans for persons with disabilities, families with children with disabilities under the age of 18, veterans of the Great Patriotic War and associations of persons with disabilities.

52. The national postal operator developed the National Postal Electronic System, which makes it possible to send and receive simple and registered letters in electronic form and simple and registered hybrid mail in a mode convenient for users (electronic to paper communications). Users are registered in the system using mobile electronic digital signatures on SIM cards, electronic digital signatures on USB keys and logins and passwords issued to individuals at any post office, upon presentation of an identity document.

53. Postal and other services in rural areas are provided by postal service facilities and postal delivery staff or couriers, including through the use of the “Mobile Postman” hardware and software system.

### **Reply to the questions raised in paragraph 7**

54. In Belarus, the death penalty may not be imposed on persons who have committed crimes when they were under 18 years of age, on women or on men who have reached the age of 65 by the day of sentencing (art. 59 (2) of the Criminal Code).

55. The death penalty, and other punishments under article 28 of the Criminal Code, may not be imposed on a person who, owing to a mental disorder or illness at the time of commission of an act posing a danger to society, was in a state of insanity, i.e., who could not be conscious of the actual nature and public danger of the action (or inaction) or control it. Coercive security and treatment measures may be applied to such persons by a court.

56. The question of the sanity of a particular person who has committed an act posing a danger to society is decided by the court, taking into account the conclusions of forensic psychiatrists.

57. The death penalty was left in force following a national referendum held in 1996. More than 80 per cent of Belarusians favoured retaining that exceptional punitive measure.

58. Opinion polls conducted in recent years confirm that the majority of the population still favours the retention of the death penalty, with a slight downward trend in the number of supporters.

59. In January 2020, a working group of the National Assembly was established to study the abolition of the death penalty. It was chaired by the head of the Commission on Human Rights, National Relations and Mass Media of the House of Representatives.

60. This question continues to elicit considerable interest in society. It was actively discussed during the preparation of constitutional amendments that were adopted by a referendum held on 27 February 2022.

61. The question will continue to be studied, including in the context of preparations for a possible, albeit not imminent, referendum on the abolition of the death penalty.

### **Reply to the questions raised in paragraph 8**

62. The Protection of the Population and Territories from Natural and Man-made Disasters Act ensures the protection of persons with disabilities and others in situations of risk. In accordance with this law, citizens have the right to protection of their lives, health and personal property in the event of emergencies.

63. Decision No. 495 of the Council of Ministers, of 10 April 2001, established a State system for preventing and responding to emergencies. The system warns all categories of citizens about possible emergencies and what action to take if they occur.

64. In order to implement article 5 of the Emergency Agencies and Units Act, a single emergency dispatch service operates around the clock under phone numbers 101 and 112. The service can be called by anyone in Belarus, including persons with disabilities.

65. In all the cities in the provinces and in Minsk, centres established by the State are operated in cooperation with the local administrations of the Ministry for Emergency Response, in accordance with the legislation on social services, to receive and transmit information to the emergency services from persons with hearing impairments, using various communication channels. These centres interact with the call service of local departments of the Ministry for Emergency Response, based on established instructions. In 2021, a total of 20,352 calls were received, including 875 emergency calls.

66. In 2020, the Ministry of Health adopted an Instruction for the procedure for organizing the activities of the ambulance service. According to the Instruction, persons with hearing and speech impairments can call the service using the number 103, by SMS.

67. In order to ensure the protection and safety of persons with disabilities in emergency situations, the Rights of Persons with Disabilities Act contains an article making it obligatory to take into account the interests and needs of persons with disabilities when measures are planned or implemented to protect the population and territories from emergencies.

68. The National Emergency Risk Reduction Strategy for 2019–2030 was approved to create and implement an effective civil protection system in the country.

### **Reply to the questions raised in paragraph 9**

69. Up-to-date information on prevention of the coronavirus disease (COVID-19) and counselling and vaccination is carried in all the mass media, in the form of videos and infographics, and is available on the official website of the Ministry of Health and its other communication channels, including in an accessible format for persons with disabilities (with versions for the visually impaired and simple language versions).

70. During the pandemic, there were no restrictions on access to social services for incapacitated citizens. Social services were provided as planned, in compliance with sanitary and health measures.

71. As part of the measures taken against the pandemic, all local social service centres provided free home delivery of food and medicines to persons with disabilities when COVID was spreading.

72. In order to prevent the consequences of social isolation during the pandemic, the local centres introduced new forms of interaction with recipients of social services: they held classes, online consultations (videoconferences, groups in social networks, etc.), telephone consultations and outdoor activities.

### **Reply to the questions raised in paragraph 10**

73. On 30 November 2021, amendments to Bar and Advocacy Act entered into force, expanding the categories and the subjects for which legal assistance is provided by the Bar association.

74. Under article 28 of the Act, legal assistance is provided, funded by the Bar association, to persons with disabilities of groups I and II, in the following cases: when oral advice which does not require familiarization with documents is given; when persons with disabilities stay or reside in social service institutions providing inpatient social services; when advice is given on issues related to the provision and protection of their rights and legal interests; and when people were participants in or veterans of the Great Patriotic War or combat operations in other countries and are persons with disabilities. Oral advice is given on questions unrelated to commercial activities.

75. In accordance with this article of the Bar and Advocacy Act, other legal assistance may be provided to persons with disabilities on an equal basis with other citizens, also funded by the Bar association.

76. In addition, regardless of age or social status, suspects and accused persons are provided with legal assistance funded under the local budget if a lawyer participates in the initial inquiry, preliminary investigation and trial by appointment of the local Bar association, at the request of the body conducting the criminal proceedings.

77. In order to ensure accessibility of legal aid to persons with disabilities, legal clinics are equipped to ensure accessibility.

78. Every year, campaigns are held to provide free legal advice, for instance with the use of direct telephone lines, on questions related to social support, job placement and other issues.



79. In accordance with the Mediation Act, persons with disabilities can, along with others, act as parties in settling disputes in actions related to civil, labour, and family law, and also in criminal proceedings.

80. Article 376 of the Code of Civil Procedure establishes that, at the request of a guardian or members of the family of the person in question, or, in their absence, of a close relative, and also in response to a declaration by a procurator, guardianship agency or psychiatric or neuropsychiatric institution, a case may be initiated to recognize an incapacitated person as having legal capacity, or having limited legal capacity owing to a mental disorder or illness, or to remove restrictions on the legal capacity of a person whose legal capacity has previously thus been restricted.

81. Judges order forensic psychiatric examinations of the person in question when they prepare proceedings for the recognition of an incapacitated person as having legal capacity or for the recognition of an incapacitated person as having limited legal capacity owing to a mental disorder or illness.

82. The judge prepares proceedings for the recognition of persons as having legal capacity when they have previously been recognized as having no legal capacity owing to their being in an unconscious state as a result of an illness, which precludes their ability to understand the meaning of their actions or to control them. In so doing, the judge requests the medical advisory commission of the health-care institution or other institution providing the person with medical assistance to issue a conclusion confirming the person's status.

83. Court decisions to recognize incapacitated persons as having legal capacity or to cancel the restriction of their legal capacity must be motivated; they serve as the basis for cancelling the guardianship or custody status.

84. In 2021, courts of general jurisdiction delivered decisions on 290 requests to remove a recognition of partial legal capacity, and in 256 cases the request was granted; they also delivered decisions on 67 requests to recognize legal capacity, and of these, the request was granted in 40 cases.

85. Belarus has the necessary legal framework for the implementation of guardianship functions.

### **Reply to the questions raised in paragraph 11**

86. The procedural codes of Belarus establish specific conditions for the participation of persons with disabilities in court proceedings.

87. Article 98 of the Code of Commercial Procedure and article 188 of the Code of Civil Procedure contain provisions stating that witnesses may be questioned by the court at their place of residence if, due to illness, old age, disability or other valid reasons, they are unable to appear when summoned by the court.

88. Hearing-impaired persons who take part in court proceedings are provided with sign language interpreters if they are unable without assistance to fully benefit from the legally established rights of participants in court proceedings.

89. Article 185-1 of the Code of Civil Procedure establishes that the parties in a case, other persons with a legal interest in its outcome and witnesses may participate in court hearings, including in preparatory court hearings, with the use of videoconferencing systems.

90. In accordance with article 11.2 of the Code of Administrative Procedure and Enforcement, in administrative proceedings, if due to physical disabilities, illness or illiteracy a natural person or a representative of a legal entity in respect of whom administrative proceedings are being conducted, a witness, an official witness, an interpreter or another person participating in the proceedings is unable personally to sign a procedural document, the situation is documented with a note. The note is certified by the signatures of the persons participating in the proceedings, indicating the reasons for which the person is unable to sign.

91. Under article 8.1 (1) (11) and article 8.15 (1) (2) of the Code, persons subject to administrative proceedings are not subject to temporary restrictions on their rights to operate

motor vehicles and motorized small vessels with engines exceeding 3.7 kilowatts (or 5 horsepower) and the right to hunt in cases where the enjoyment of such rights is required in relation with their disability.

92. Article 8.4 (4) of the Code establishes that administrative detention exceeding 3 hours cannot be applied to persons with disabilities of groups I and II.

93. In addition, according to paragraph 9 of the annex to the Code, vehicles specially designed for the movement of persons with disabilities and social rehabilitation equipment are exempted from seizure in the enforcement of decisions to impose administrative penalties in the form of fines, confiscation or recovery of value.

94. Within the framework of criminal proceedings, such property may not be seized in order to ensure compensation for damages or harm caused by a crime, to recover income obtained by criminal means, as a result of civil action or as part of other seizure of property (Code, annex, para. 9).

95. Judges are given classes to in ways of working and communicating with persons with disabilities in their further training plans.

96. The Internet portal of the courts of general jurisdiction includes a version accessible to visually impaired persons.

97. In addition, the version for visually impaired persons includes an electronic service under the title "Electronic court proceedings in commercial cases", which presents a schedule of court hearings, a database of court rulings in commercial cases and a service for filing claims (statements of claim, applications and petitions) to courts that consider commercial cases.

## **Reply to the questions raised in paragraph 12**

98. The Office for the Rights of Persons with Disabilities was registered in 2010 as an educational human rights institution. This institution, whose director was Mr. S.E. Drozdovsky, had since March 2020 taken part in a mechanism for lawyers to provide, under certain conditions, free professional legal assistance to persons with disabilities, a vulnerable group, using funds provided by the Office of the United Nations High Commissioner for Human Rights (OHCHR) from voluntary extrabudgetary contributions within the framework of cooperation between Belarus and OHCHR.

99. During the implementation of these activities, financial offences were committed by employees of the United Nations Office in Belarus and the management of the Office for the Rights of Persons with Disabilities.

100. On 11 February 2021 Mr. Drozdovsky was charged with a crime under article 209 (2) of the Criminal Code. During the preliminary investigation, he was held under house arrest, as his disability was taken into account.

101. On 30 July 2021, with the consent of the Deputy Procurator General of Belarus, the preventive measure was changed from house arrest to release on his own recognizance. Taking advantage of this freedom, Mr. Drozdovsky fled the country.

102. Belarus duly informed the United Nations Secretary General and the United Nations High Commissioner for Human Rights about the investigation of the unlawful actions involving the staff of the United Nations Office in Belarus and employees of the Office for the Rights of Persons with Disabilities.

103. There are 24 registered public associations in Belarus whose activities are aimed at supporting persons with disabilities.

### **Reply to paragraphs 13 and 17 of the list of issues**

104. The only basis for granting an application for forced hospitalization and treatment is a court decision issued in accordance with article 392 of the Code of Civil Procedure or articles 101–106 of the Criminal Code.

105. Under article 36 of the Mental Health Care Act, the basis for compulsory hospitalization and treatment is a court decision on compulsory hospitalization and treatment, which is issued for persons suffering from mental disorders or illnesses and rejecting treatment. Such persons must: present a condition that places them in immediate danger to themselves and/or to other persons; be in a state of helplessness; and present the possibility of harm to their lives or health as a consequence of their worsening mental health if they are left without psychiatric care.

106. Persons suffering from mental disorders or illnesses may be subject to compulsory hospitalization and subjected to treatment also on other grounds, as provided for in article 36 of the Mental Health Care Act (in particular, if they present an immediate danger to themselves and/or other persons, if they are in a state of helplessness or if they present the possibility of causing substantial harm to their health as a consequence of their worsening mental health if left without psychiatric care).

107. The procedure for the consideration of cases of compulsory hospitalization and treatment and the extension of the period of compulsory hospitalization and treatment is regulated by the Code of Civil Procedure.

108. In 2021, courts of general jurisdiction considered and issued decisions on 442 cases of compulsory hospitalization and treatment, of which 441 cases were considered with satisfaction of the claim.

### **Reply to paragraphs 14 and 15 of the list of issues**

109. Articles 128 (crimes against the security of humankind) and 394 (coercion to testify) of the Criminal Code provide for liability for crimes involving the use of torture and other cruel, inhuman or degrading treatment or punishment.

110. Article 128 of the Criminal Code punishes deportation, unlawful detention, enslavement, mass or systematic extrajudicial executions, abduction of persons followed by their disappearance, torture or subjection to acts of cruelty when committed in connection with the racial, national or ethnic origin, political convictions or religious beliefs of civilians, with deprivation of liberty for 7 to 25 years, or for life, or with the death penalty.

111. Under article 394 (3) of the Criminal Code, coercion of a suspect, accused person, victim or witness to testify or of an expert to give an opinion using threats, blackmail or other unlawful acts by a person conducting an initial inquiry or pretrial investigation or administering justice, combined with the use of torture, is punishable by deprivation of liberty for a term of 3 to 10 years, with or without deprivation of the right to hold certain posts or to engage in certain activities.

112. In 2018–2021, no cases of crimes under article 128 and article 394 (3) of the Criminal Code were considered by courts of general jurisdiction.

113. No cases were identified corresponding with paragraph 15 of the list of issues. The National Public Monitoring Commission under the Ministry of Justice has not received any information on discrimination against convicts with disabilities.

### **Reply to the questions raised in paragraph 16**

114. The Criminal Code establishes liability for a number of acts involving the commission of violence, including against women. Specifically, the Criminal Code provides for liability for rape (art. 166), violent acts of a sexual nature (art. 167), coercion to engage in acts of a sexual nature (art. 170), the organization and/or use of prostitution or creation of conditions for engaging in prostitution (art. 171), enticement into prostitution or coercion to continue

engaging in prostitution (art. 171-1), trafficking in persons (art. 181), kidnapping (art. 182) and unlawful deprivation of liberty (art. 183).

115. Liability under the Criminal Code and the Code of Administrative Offences for all forms of violence (physical, psychological and sexual) is gender-neutral: the victims and perpetrators of the violence can be either a woman or a man.

116. In 2021, the numbers of persons convicted under the various articles of the Criminal Code were as follows: under article 166, 33 persons, and 45 women were victims; under article 167, 91 persons, and 94 women were victims; under article 170, 2 persons were convicted, and 5 women were victims; under article 171, 24 persons were convicted, and 27 women were victims; under article 171-1, 2 persons were convicted, and 14 women were victims. No one was convicted under article 181; 9 persons were convicted under article 182, and 2 women were victims; 10 persons were convicted under article 183 of the Criminal Code, and 5 women were victims.

117. The internal affairs agencies and the procuratorial authorities explain to victims of domestic violence their right to file a complaint of a crime or of an administrative offence, inform them of organizations that provide assistance to victims of domestic violence, and, within the limits of their competence, prepare cases for the adoption, in accordance with the established procedure, of decisions to bring citizens who have committed domestic violence to bear administrative or criminal liability for their actions.

118. The legislation currently in force provides for the establishment of State organizations and their structural subdivisions to provide temporary shelter for persons who have suffered from domestic violence and to provide places of temporary residence for persons subject to protection orders. Social service institutions and other State organizations and their subordinate structures provide social services to persons who have suffered from domestic violence, keep records of data on the provision of assistance victims and compile, systematize and analyse such information.

### **Reply to the questions raised in paragraph 18**

119. Citizens of Belarus have the right to move freely and choose their place of residence within the country's borders, to leave it and to return to it without hindrance (Constitution, art. 30).

120. The principles of Belarusian citizenship and the rules governing citizenship do not contain provisions limiting the rights of citizens on the grounds of social, racial, ethnic, linguistic or religious affiliation. Citizenship is acquired and lost in accordance with the law and is the same and equal regardless of the grounds for acquisition.

121. The right to social benefits, entitlements and guarantees is realized at the place of a citizen's permanent residence, upon presentation of certificates or certification of a uniform standard established by the legislation.

### **Reply to the questions raised in paragraph 19**

122. In Belarus, the system of social services is being comprehensively developed. It is aimed both at creating conditions for the independent living of persons with disabilities at their place of residence and at meeting the needs for care and medical assistance of persons who cannot live independently.

123. A wide range of social services in various forms is provided to persons with disabilities by the 146 local centres.

124. The most popular form of social service is the provision of services at home, including caregiver services, which allow persons with disabilities to carry out their activities in agreeable home settings.

125. To assist persons with disabilities in restoring their ability or compensating for their inability to maintain themselves and to prepare for independent living, 162 day units are

operating in the local centres. More than 6,600 persons with disabilities visit such units on a regular basis.

126. For families raising children with disabilities or where the parents are disabled, the local centres provide hourly childcare or babysitting services.

127. Since 2013, accompanied living services (provided by assistants and sign language interpreters) have been introduced and developed in order to create the conditions for persons with disabilities to live independently.

128. In 2021, new social services were introduced for persons with disabilities and their families. A day-care service has been set up for persons with cognitive impairments. The service is provided at home or in a day-care unit. A personal assistant service was introduced in 2023.

129. Club and association activities are organized for persons with disabilities under the age of 18 of disability groups I and II who have lost the ability to be independent and mobile.

130. To support families who care for older relatives on their own, a service to train family members in caregiving skills was introduced in 2021. Residential care facilities for older persons, persons with disabilities and children with disabilities with special developmental needs are a popular form of social service for persons who are unable to care for themselves and live independently.

131. There are 92 residential care facilities in Belarus, including 28 homes for older persons and persons with disabilities, 55 neuropsychiatric residential facilities and 9 residential facilities for children with disabilities with special developmental needs. Some 19,000 people live in residential care facilities. Residents there are provided with living quarters, a range of social services and nutritious and varied meals. They are provided with the necessary medical assistance and round-the-clock care. The current network of residential care facilities fully meets demand for such services.

132. In recent years, persons with more serious conditions who suffer from severe chronic illnesses and require constant care as well as attention from medical staff, have been placed in residential care facilities. The number of persons on bed rest has increased.

133. To prepare persons with disabilities for independent living outside of residential institutions, the residential care facilities have set up accompanied living units for persons with intellectual impairment. About 1,500 persons with disabilities are covered by such services, in all regions. They are provided with the opportunity for independent living in special homes with accompanying support.

134. A social respite service has been introduced into the legislation to prevent the abandonment of children with disabilities by their families. This service is provided by children's residential care facilities in order to temporarily relieve parents caring for a child so that they can be revitalized and can resolve family and domestic issues.

135. In order to realize the right of children to live in the family with their parents, the mechanism for placing children with disabilities who have parents in residential care facilities changed as from 1 January 2021.

136. Decisions to place children with disabilities in residential care facilities are made on the basis of parental applications only if it is impossible for the local authorities to create the conditions for providing the children with the necessary educational, medical and social services at their place of residence.

137. As from 1 January 2021, day-care service was introduced at residential care facilities.

138. Social services at residential care facilities, including neuropsychiatric facilities, are organized on the principles of humanity and respectful treatment (Social Services Act, art. 4).

139. In the work of institutions, such principles are ensured regardless of the epidemic situation in the country.

140. During the pandemic, residential care facilities operated without interruption. They worked in accordance with the recommendations on sanitary and pandemic-control measures that had been drawn up for the implementation of activities of social service institutions.

141. Persons living in residential care facilities were provided with the necessary social services and medical care in a timely manner and were able to communicate with relatives via the Internet and using telephone and mobile communications.

142. In order to involve the resources of non-governmental non-profit organizations in the system providing social services to persons with disabilities, the Government issued a public call for social services tenders. Among the most active providers of social services are the Belarus Red Cross and the Belarusian Association of Visually Impaired Persons, the Belarusian Society of Deaf Persons and the Belarusian Association for Assistance to Children and Youth with Disabilities.

### **Reply to the questions raised in paragraph 20**

143. Persons with disabilities of groups I and II are provided with free travel on urban and suburban public transportation. Personal rehabilitation equipment (such as wheelchairs, canes, crutches or walkers) are also transported free of charge.

144. Transport staff are obliged to assist passengers with disabilities, with their consent, in boarding and disembarking from the means of transport and in acquiring tickets. These duties are set out in the staff's job descriptions.

145. Each public transportation vehicle has special seats designated for passengers with disabilities.

146. Among public automotive transport services in regular urban and suburban areas and urban electric transport, 58.7 per cent are adapted for persons with disabilities.

147. Persons with disabilities have the right to use taxi services without waiting in line for them.

148. Announcements of stops in public transportation and arrival and departure times at bus, rail and airport terminals are made over an announcement system and on information boards.

149. Bus, rail and airport terminals are equipped with special elevators, escalators, lit signage, signs and Braille postings, and toilets equipped for persons with disabilities. Ramps are installed at entrances and exits, and wheelchairs are provided. The signage uses three international languages: Russian, English and Chinese, which are among the official languages of the United Nations.

150. Local centres provide persons with disabilities with free transportation to day-care units, for participation in events at the district, provincial and national levels and to public places of importance. There are 125 service vehicles, including 62 with platform lifts. In the provinces (Brest Province, Homiel, Hrodna, Bobruisk) and Minsk, persons with disabilities are provided with publicly funded taxi services free of charge or at reduced rates.

151. Article 36 of the Act provides for the allocation of free parking spaces in each parking lot for vehicles driven by or transporting persons with locomotor disabilities or for persons transporting children with disabilities. Illegally parking vehicles in such spaces is punishable under the administrative law.

152. Persons with disabilities who own specially equipped vehicles are allocated separate spaces in parking lots in the vicinity of their apartment buildings.

### **Reply to the questions raised in paragraphs 21 and 22 of the list of issues**

153. Versions of the official websites of State bodies and other organizations are provided for visually impaired persons in order to ensure accessibility.

154. State electronic and print media at the national and regional levels regularly cover State support for persons with disabilities and their achievements in work, sport, creative

pursuits and education. In total, more than 1,450 reports on such subjects were carried in 2021.

155. The Press House Centre national enterprise regularly holds press conferences with representatives of government agencies and other organizations to shed light on support for persons with disabilities.

156. Under a subprogramme entitled “An Accessible Environment for Persons with Disabilities and Physically Incapacitated Persons”, a target was set for the adaptation for persons with hearing impairments of State television productions. It sets the minimum number of productions (with the use of sign language interpretation, subtitles or running lines) to be shown on State television channels every year. For example, in 2021, 2,800 hours of television production were adapted for persons with hearing impairments, 223 programmes were produced with the participation of representatives of public associations of persons with disabilities and 940 copies of Braille books of the School Library series were published for visually impaired children. Remote banking services are being introduced in the banking system.

157. Since 1 September 2019, Minsk State Linguistic University has given training in a new specialty of secondary special education, offering a diploma under the title “Specialist in Sign Language Communication” and the possibility of facilitated higher education in translation. It had 115 students enrolled for the 2021/22 school year.

158. Work is currently under way to begin higher education training at the university for sign language interpreters, if there is demand for it.

159. All court proceedings in Belarus are conducted in accordance with the procedural legislation in force and the Constitution. The allegations contained in paragraph 22 of the list of issues are baseless.

### **Reply to the questions raised in paragraph 23**

160. Under article 32 (5) of the Constitution, the State ensures that priority is given to raising children in a family. Children may be separated from their family against the will of their parents and other persons in loco parentis only if they fail to carry out their obligations, and on the basis of a court decision.

161. Under article 85 of the Marriage and Family Code, courts may decide to remove children and place them in the care of guardianship and custody agencies without depriving their parents of parental rights if it would be dangerous for the children to remain with the persons they are currently living with.

162. The removal of children without the deprivation of parental rights is carried out in the same manner as deprivation of parental rights. Such cases are considered by a court with the mandatory participation of a procurator and a representative of the guardianship and custody agency.

163. At the parents’ request, and acting on the basis of the best interests of the child, courts may decide to return children to their parents if, according to a report of the tutorship and guardianship agency, the reasons for the removal no longer exist. The wishes of children who have reached the age of 10 must be taken into account.

164. Disability or chronic illnesses of parents cannot serve as grounds for the separation of children and their parents.

165. Children are recognized as being at risk, without taking them away from their families, with the involvement of various State agencies and governmental and other organizations.

166. Children are recognized as being in need of State protection and are temporarily placed in State care (for up to six months) when the situation in the family has not been normalized and there is a risk to the child’s life or health.

167. Under the Marriage and Family Code, parents who have illnesses or conditions that prevent them from fulfilling their obligations to bring up and support their children may not

be deprived of parental rights. Under the Act on Guarantees of Social Protection for Orphaned Minors, Minors Deprived of Parental Care and Young Persons Who Were Orphaned or Deprived of Parental Care as Minors, their children may be provided with State support in the form of monthly allowances for their maintenance, paid to a guardian or custodian. The guardians and custodians of such children have no right to prevent the parents from communicating with the children, except when such communication is harmful to the children.

### **Reply to the questions raised in paragraph 24**

168. Various mechanisms have successively been adopted in Belarus to ensure implementation in of the principle of inclusion in education. Work is done to improve the tools for implementation, starting with the provision of comprehensive early assistance, which is provided at remedial and developmental education and rehabilitation centres. The assistance is aimed at the earliest possible identification of disorders in children's development and the earliest possible start of work with the children and their families. There are 138 comprehensive early assistance units, where more than 1,500 young children receive help every year. Comprehensive early assistance covers 99.9 per cent of the total number of young children registered in the database of children with special developmental needs.

169. For early identification and timely assistance to children with special psychological or physical developmental needs up to the age of 3, including those with disabilities, remedial and developmental education and rehabilitation centres work closely with local health-care organizations and social service institutions.

170. In accordance with the legislation, personal support is provided for the schooling of students with autism or visual or locomotor function impairments.

171. Between 2020 and 2022, in order to minimize the risk of the spread of COVID-19, on-site events were limited at schools, body temperatures were monitored every day, staff and students were trained in hand hygiene, effective ventilation was ensured of the premises and air purification equipment was installed, all the premises were regularly sanitized and the importance of vaccination was emphasized. Educational activities were carried out with the use of information and communication technologies either in full or in part (for specific subjects, academic disciplines or types of classes).

172. Schooling for students with hearing impairments was carried out in the Belarusian or Russian sign language, and for the blind with the use of a Braille system. For students with hearing impairments, sign language was introduced as a subject of study.

173. In addition to academic subjects, the curricula included remedial classes on the development of sign language for children with hearing impairments, spatial orientation and mobility for children with visual impairments and motor mobility for children with locomotor disorders.

174. Every year since 1998, Braille textbooks have been published in Belarus. Beginning in 2019, textbooks for blind students published in Braille have used the digital accessible information system (DAISY) format. Teaching aids for students with hearing impairments use augmented reality technology. For students with intellectual disabilities, simple language texts are used.

175. Methodological support has been established for the education of children with severe or multiple physical and/or mental disabilities, and this is reflected in the availability of educational and teaching aids.

176. In 2022/23, after the entry into force of the new version of the Education Code, in order to implement the relevant general secondary education programme, integrated classes may be opened at general secondary education schools, where persons with special psychological or developmental needs will study side by side with persons who do not have such needs.

177. As a result of the implementation of the 2015 National Concept of Inclusive Education for Persons with Disabilities in Belarus, the standard-setting laws in the field of education



were amended. This has made it possible to provide personal support for students with autism spectrum disorders and to pass laws securing our country's achievements in ensuring equal access to education for all students, taking into account the requirements of international instruments, including the Convention.

178. The State's education and social protection programmes incorporate measures to develop inclusive approaches in education, including the creation of accessible environments at educational institutions.

179. The competence of teaching staff in working with children with disabilities has been improved through training courses, seminars, conferences, round tables and the development at educational institutions of a network of resource centres addressing various aspects of the education of persons with disabilities.

180. The new version of the Education Code adds the principle of inclusive education to the principles of State policy in the sphere of education.

181. The Ministry of Education has adopted conceptual approaches for developing the education system up to 2030. The main task in developing the education system for persons with disabilities is to create a safe, adaptive and accessible educational environment taking into account their individual characteristics and ages.

### **Reply to the questions raised in paragraph 25**

182. Women and girls with disabilities are guaranteed equal access to medical care, including reproductive health care. Their access to medical care is guaranteed by the Constitution and the Health Care Act.

183. Measures to improve family planning services and the quality and accessibility of medical care for women and children and to develop a support system for families with children and improve their living conditions are being implemented under the State Programme on Public Health and Demographic Security for 2021–2025 and the National Plan on Gender Equality for 2021–2025.

184. Gender-sensitive family planning and the training to encourage a culture of responsible parenting are made available to adolescents and youth, including women and girls with disabilities.

185. Activities and events are carried out, including through a network of adolescent- and youth-friendly centres. Their aims are to develop children's and adolescents' attitudes encouraging healthy reproductive behaviour and values of equality in the family and their skills to maintain their own mental and physical health and to attract public attention to such matters.

186. In close cooperation with the offices of UNICEF and the United Nations Population Fund (UNFPA), online discussions have been held on reproductive health care to discuss the specifics of assistance for women and girls with mental disabilities, to expand the concept of sexual and reproductive health in sex education at schools and to develop youth-friendly services.

187. An information and methodological manual was developed under the title "Organizing outreach work with adolescents at risk and vulnerable groups on the basis of adolescent-friendly centres".

188. In Belarus, psychiatric care is provided on the basis of the Constitution, laws, government decisions and other standard-setting enactments, which take into account international documents concerning the provision of this type of specialized medical care.

189. Since its adoption in 2012, the Mental Health Care Act has been amended (in 2015 and 2019), including in its aspects related to persons with disabilities resulting from mental disorders or illnesses. Hospitalization at psychiatric hospitals for examination and treatment is carried out with the consent of patients or their legal representatives. Inpatient psychiatric care is provided in the form that is least restrictive for patients, ensuring their safety and the observance by medical personnel of their rights and legitimate interests.

190. There is a system of permanent judicial oversight of compulsory hospitalization at psychiatric hospitals. Only a court decision issued under article 392 of the Code of Civil Procedure or articles 101–106 of the Criminal Code can serve as the basis for compulsory hospitalization and treatment at psychiatric hospitals.

191. Citizens, including persons with disabilities and their families, are guaranteed accessible health care, including during the COVID-19 pandemic. Recommendations have been approved for organizing medical care for patients with COVID-19 infection in terms of diagnosis (blood tests), treatment and patient routing, including by taking into account World Health Organization recommendations and foreign scientific publications and materials. The amount of medical care is directly dependent on the patient's state of health.

192. Citizens of Belarus, including persons with disabilities, have access to vaccination on an equal footing.

193. In order to provide timely medical care, citizens of Belarus, including those with disabilities, are assigned to State health-care institutions at their place of residence or stay and, if there are departmental health-care organizations, also at their place of work, study or service. In rural areas there are paramedic and midwifery units, rural outpatient clinics and general practitioners' practices and rural district hospitals. The main types of inpatient, outpatient and emergency medical care services are provided by State health-care organizations free of charge.

194. Persons with disabilities of groups I and II receive medicines and first-aid material at a 90 per cent discount, and persons with disabilities of group III receive a 50 per cent discount, based on their main disabling condition. Children with disabilities are provided with medicines free of charge.

195. Citizens are also provided with medicines free of charge, as specified in the list of illnesses covered by entitlement to the free provision of essential medicines for outpatient treatment, when they have a doctor's prescription. They also receive food for therapeutic purposes free of charge.

196. The State statistical reporting does not disaggregate statistics on morbidity and mortality for the category of persons with disabilities.

### **Reply to the questions raised in paragraph 26**

197. In accordance with the Health Care Act, during medical and social expert assessments, the patient's disability and disability group are determined and, for children under the age of 18, the patient may be categorized as a child with disability. An individual rehabilitation and habilitation programme is drawn up for adults and children with disabilities, consisting of three sections: the Programme for Medical Rehabilitation and Habilitation, the Programme for Occupational and Labour Rehabilitation, and the Programme for Social Rehabilitation, setting out the list of measures to be applied, their timing and the parties responsible for carrying them out.

198. The individual rehabilitation and habilitation programmes are drawn up on the basis of comprehensive assessments of the limitations caused by persistent disorders of the persons' organs or body systems, along with assessments of their potential for rehabilitation and habilitation based on an analysis of their clinical and functional, social, occupational, labour and psychological data and an analysis of other documents.

199. The individual rehabilitation and habilitation programmes for persons with disabilities are mandatory for the implementation of rehabilitation and habilitation activities and for the employment of persons with disabilities by State bodies, other organizations or individual employers.

200. Implementation of the individual rehabilitation and habilitation programme is carried out in close cooperation between the person with disability and State agencies, their subordinate institutions and other organizations that are responsible for carrying out the programme. It is based on the principles of early initiation, continuity, coherence, comprehensiveness, individuality, consistency and step-by-step progression.

201. Rehabilitation specialists are trained at the Belarusian Medical Academy of Postgraduate Education, four State medical universities, national scientific centres under the Ministry of Health, medical colleges and other higher educational institutions of the country (involved in the training of special education teachers, speech therapists, rehabilitation specialists, instructors in therapeutic physical training, etc.).

202. During the COVID-19 pandemic, the National Rehabilitation Centre for Children with Disabilities launched a project entitled “It’s so easy to be near” to provide remote services using the Internet for the families of children with disabilities.

### **Reply to the questions raised in paragraph 27**

203. The legislation in force guarantees the right to work for persons with disabilities, prohibits discrimination in employment on the basis of disability and contains a wide range of specific measures to facilitate job placement. Various measures are implemented to assist persons with disabilities:

- Assistance in adapting to labour activity
- Accompaniment in finding employment
- Placement in jobs reserved for them
- Education
- Financial and methodological support for organizing one’s own business, etc.

204. In 2021, of the 26 persons with disabilities who received subsidies to start their own businesses, 14 were women.

205. For the employment of persons with disabilities, the individual rehabilitation and habilitation programmes specify the requirements for the nature and conditions of work and the types of work, working conditions and mode of work. They do not point to specific lists of occupations or specialties.

206. Employers, regardless of their form of ownership, benefit from incentives for hiring persons with disabilities. They receive subsidies for job creation, financing of expenses for remuneration of persons with disabilities during their adaptation to labour activity and a number of tax breaks and other benefits.

207. Flexible forms of employment are used for certain groups of the population (flexible working hours, timekeeping of the actual time worked, part-time work and telecommuting).

208. For persons with disabilities of groups I and II, the established working time is reduced. They may work no more than 35 hours per week, and the duration of daily work or shifts may not exceed 7 hours. However, their remuneration is paid in the same amount as for full working time.

209. Under article 57 of the Labour Code, employers pay wages without discrimination to employees for the work performed depending on the complexity, quantity and quality of the work, the working conditions and the employee’s qualifications, taking into account the time actually worked. There is no maximum limit on an employee’s salary.

210. The Rights of Persons with Disabilities Act provides a number of innovations aimed at improving the mechanism for the job placement and employment of persons with disabilities:

- Introduction of a quota system for the placement of persons with disabilities at enterprises
- Provision of financing and reimbursement of expenses to enterprises of any form of ownership that create jobs for persons with disabilities
- Increase in the period of adaptation to work for persons with intellectual disabilities, to two years

211. Employers that use the labour of persons with disabilities, including associations of persons with disabilities, are provided with the following:

- Advantageous status in securing public procurement contracts (in single-source procurement), including preferential adjustments
- Tax benefits (for value added tax, income tax and real estate tax) if the number of employees with disabilities is at least 30 per cent
- Exemption from mandatory insurance contributions to the Social Protection Fund
- Advantageous conditions for the mandatory insurance of workers against occupational accidents

For the period from 1 January 2022 until 1 January 2025, provisions have been made for:

- Exemption of organizations employing persons with disabilities from taxes on profit in respect of income from the leasing of property
- Exemption of land plots of associations of persons with disabilities, their enterprises and institutions from land tax and rent for State-owned land plots

### **Reply to the questions raised in paragraph 28**

212. In Belarus, persons with disabilities of all categories and of all ages are paid an occupational disability pension or a disability-adjusted social pension.

213. Supplements, increases and excesses are paid in addition to the occupational pension:

- A supplement for the care of a person with disability of group I (100 per cent of the minimum old-age pension)
- An excess pension payment for persons between the ages of 75 and 79, at 75 per cent of the old-age pension, and for persons aged 80 and older at 100 per cent of the old-age pension
- An increase to the retirement pension for persons with disabilities since childhood, in the amount of 50 per cent of the old-age pension

214. For persons with disabilities since childhood and persons with long periods of disability, the requirements for qualifying periods for insurance and general length of service are reduced. In addition, persons with disabilities since childhood are entitled to a pension five years before the general retirement age.

215. In August 2022, the average disability pension was 523 roubles (212 per cent of the pensioner's minimum subsistence budget), while the average social pension for children with disabilities under the age of 18 was 321 roubles (130 per cent of the pensioner's minimum subsistence budget).

216. More than 200,000 people with disabilities receive a retirement pension. The average amount is 685 roubles (277 per cent of the pensioner's minimum subsistence budget).

217. Working persons with disabilities are paid a pension with virtually no limit on its amount.

218. Since 2001, a targeted State social assistance system has operated in Belarus to provide temporary material support to low-income individuals and families in difficult situations. The system comprises four types of social payments, including a social allowance to reimburse the cost of purchasing hygiene items for children with disabilities under the age of 18 with degree IV health impairments and for persons with disabilities of group I. Regardless of income level, a sum amounting to up to six minimum budget levels is paid out four times a year.

219. To support persons with disabilities, older persons and large families, Belarus applies a system of discounts, promotions and bonuses in all areas of public service.

220. In the regions, the decisions of local government bodies make provision for additional measures to support persons with disabilities, for example in the form of compensation for travel expenses for haemodialysis procedures (in Minsk Province), payment for rehabilitation and recuperation activities, free meals, coverage of rehabilitation expenses for children with disabilities and for wheelchair users, reimbursement of the cost of adaptive repairs to apartments or houses for single persons with disabilities of group I and low-income single persons with disabilities of group II (in Minsk) and the acquisition and installation or replacement of self-activating fire-fighting equipment for single persons with disabilities of groups I and II.

221. The percentage of people with disabilities living in households with median incomes below 50 per cent of the median income decreased from 5.2 per cent in 2018 to 3.8 per cent in 2021.

222. The level of provision of social services for older persons and persons with disabilities (non-working persons with disabilities of groups I and II, older persons over 60 years of age and children with disabilities) rose from 827 per 10,000 in 2018 to 910 per 10,000 in 2021.

223. Persons with disabilities and older persons are provided with material assistance from State social insurance funds, including compensation for the purchase of medicines. In 2021, assistance valued at 7.2 million roubles was provided to 81,600 people.

### **Reply to the questions raised in paragraph 29**

224. In accordance with the civil legislation of Belarus, persons who, owing to a mental disorder or illness, cannot understand the meaning of their actions or be in control of them, or who, owing to an illness, are in an unconscious state that renders it impossible for them to understand the meaning of their actions or be in control of them, may be recognized as having no legal capacity by a court. They are placed under guardianship.

225. Under article 64 of the Constitution and article 4 of the Electoral Code, citizens recognized by a court as having no legal capacity cannot participate in elections or referendums.

226. In accordance with article 18 of the Convention on Standards for Democratic Elections and Electoral Rights and Freedoms in the States members of the Commonwealth of Independent States, to which Belarus is a party, when citizens are recognized by a court as having no legal capacity, constitutional and legal restrictions of their rights to vote or to stand for election and to be elected are not considered discriminatory.

227. The electoral legislation of Belarus makes provision for informing citizens, including those with disabilities, about the day of an election or referendum and the location, working hours and telephone number of the electoral precinct commission.

228. There is a special version of the website of the Central Electoral Commission of Belarus for visually impaired citizens. It is adapted for screen access programmes for blind persons. Visual information is available to voters with hearing impairments.

229. When elections and referendums are held, videos are broadcast on television on the voting procedure. They are voice-accompanied, simplified as much as possible and accessible to people with different comprehension capabilities.

230. In 2020, the televised speeches of the presidential candidates were subtitled or translated into sign language.

231. During elections and referendums, the Central Electoral Commission issues decisions regarding the conditions for participation by citizens with disabilities. The following measures are taken:

- Polling stations are equipped with a voting booth or a table for voting by persons with impaired motor functions

- Visually impaired citizens are provided with magnifying glasses to make it possible to familiarize themselves with the information on referendums and to fill in their ballots
- Blind citizens are provided with stencils produced by the Central Electoral Commission so that they can fill in ballots on their own and are given the necessary explanations and assistance
- In cooperation with local executive and administrative bodies and associations, on the day of the voting, volunteers are stationed at the polling stations to provide the necessary assistance to persons with disabilities, and the necessary lighting and signage is provided
- Persons with disabilities have the opportunity (if they so wish) to vote at their place of residence
- Polling stations are primarily located on the ground floors of buildings equipped with ramps and handrails, and, where feasible, staff call buttons are installed

232. The Central Electoral Commission does not keep statistics on the proportion of persons with disabilities in elected office. Candidates have the right to refrain from informing the election commissions about disabilities.

### **Reply to the questions raised in paragraph 30**

233. In Belarus, the conditions are being established for the participation of persons with disabilities in tourism, sports and leisure activities, and their participation has been increasing.

234. Cultural, sports and tourism organizations, together with associations of persons with disabilities, hold various cultural and sporting events, including on significant dates.

235. Persons with disabilities regularly visit club and sporting associations and groups. They cooperate closely with associations of persons with disabilities at the district level for participation in international, national and regional festivals, competitions and contests and for the implementation of joint social projects and programmes.

236. Funds are allocated annually to increase the offerings of public libraries for blind and visually impaired users (with audiobooks, Braille and enlarged print publications, etc.) and to purchase various special editions and books, including in Braille, and periodicals, discs and cassettes. Readers with disabilities are regular participants at events organized by libraries.

237. The country's museums have audio description systems. The audio guides are available in Russian, Belarusian, Polish and English. Museums organize sightseeing and thematic excursions for persons with disabilities to both their permanent and temporary exhibits and to museum evening events, ceremonies and presentations.

238. Services at cultural, physical fitness and sports establishments are offered free of charge or on preferential terms for persons with disabilities.

### **Reply to the questions raised in paragraph 31**

239. Measures have been taken to systematically collect and disseminate data on the situation of persons with disabilities in the country.

240. In 2019, the State statistical agencies conducted a one-time Multiple Indicator Cluster Survey to assess the status of children and women. The individual questionnaires for women and men utilized the short set of questions on disability of the Washington Group on Disability Statistics, while the questionnaires for children utilized the module on child functioning and disability of UNICEF and the Washington Group to comprehensively assess the level of disability among children and adolescents. The report on the results of the survey is available on the official website of the National Statistical Committee.

241. From 2020 on, information on the average number of persons with disabilities on the payroll and receiving wages and the number of hours worked has been added to State statistical reporting form 12-T, under the title “Labour Report”, and information has been included on the number of premises or rooms equipped to accommodate persons with disabilities on State statistical reporting form 1-TUR, under the title “Report on accommodation facilities”.

242. In accordance with the Washington Group criteria, from 2020 on, sample household survey form 1-DX on the standard of living, which is entitled “Core Interview Questionnaire”, and from 2021 on, sample household survey form 4-T, entitled “Employment Study Questionnaire”, have been supplemented with questions that provide data on living standards and employment, disaggregated by disability.

243. Since 2019, an information portal entitled “Universal Web Portal of Statistical Data on Children”, created with the financial support of UNICEF, has been functioning on the website of the National Statistical Committee. The portal contains about 200 indicators on children, 14 of which allow monitoring and evaluation of the situation of children with disabilities in the main areas of interest (education, health care, social protection). The main sources of information for the portal are data from State statistical reporting forms, administrative data and data from sample surveys of households.

### **Reply to the questions raised in paragraph 32**

244. For the 2019 national census, disability-related questions were not included in the programme, as the Washington Group’s short set of questions on disability was used in the 2018 large-scale sample household survey to comprehensively assess the situation of persons with disabilities.

### **Reply to the questions raised in paragraph 33**

245. The State has supported the implementation of international projects, including the following:

246. “Prevention of Disability and Social Integration of Children with Disabilities and Peculiarities of Psychophysical Development”, with the financial support of the Government of the Russian Federation, and UNICEF in Belarus (\$1,365,000).

247. “Improving rehabilitation services for children with severe neurological diseases in the cross-border region”, Hrodna Regional Centre for Medical Rehabilitation of Children with Disabilities and Psychoneurological Disorders, with financial support from the European Union (€111,164.20).

248. “Art for Inclusion of People with Disabilities (Expanding Opportunities for Independent Living in Belarus)”, Belarusian Association for Assistance to Children and Youth with Disabilities, with financial support from the United States Agency for International Development (\$635,000).

249. “Building effective protection mechanisms to improve the situation of children with severe disabilities and life-limiting illnesses”, Belarusian Children’s Hospice, with financial support from the European Union (€484,018).

250. “Accessible work for persons with disabilities”, with financial support from the Brot für die Welt (Bread for the World) programme of the Protestant Churches in Germany; “Clear language: Standardizing and expanding accessibility” (short title: “I Understand – I Choose”), with the support of the Belarus Support Programme of the German Federal Government (IBB Dortmund) and the German Agency for International Cooperation (GIZ); “I’m on the Internet!”, with the assistance of the Dortmund International Education Centre (IBB Dortmund); “Civil engagement in environmental monitoring and improving environmental management at the local level”, funded by the European Union and implemented by the United Nations Development Programme in Belarus, in partnership with the Ministry of Natural Resources, and with the support of the Ministry of Education and others.

**Reply to the questions raised in paragraph 34**

251. The Interdepartmental Council on Disability coordinates the activities of State bodies implementing the unified State policy to ensure the rights of persons with disabilities and their social integration, disability prevention and the development of concerted action aimed at implementing the provisions of the Convention. It also monitors their implementation.

252. Implementation of the National Plan of Action for the realization of the provisions of the Convention is monitored by analysing annual reports and by studying the work of local authorities in addressing the problems faced by persons with disabilities by means of field visits to the regions. For example, in 2020–2022, the results of the work of Brest, Homiel, Hrodna and Mahilioŭ Provinces in providing State support to persons with disabilities were considered, as well as the development of inclusive tourism, physical education and sports activities, health resort treatments and rehabilitation of persons with disabilities and the creation of an accessible environment. Problematic issues facing persons with disabilities are considered at meetings of interdepartmental councils established at the local level.

253. The Citizens' and Legal Entities' Appeals Act plays an important role in protecting human rights in Belarus. It regulates the procedure enabling citizens and legal persons to make use of their right to file complaints with State bodies and other organizations in order to protect their rights and freedoms and/or legitimate interests. The Act sets out the rights and obligations of petitioners, the procedure for submitting written, electronic and oral communications, the procedure for organizing a personal appointment, arrangements for the representation of petitioners, the time frames for considering communications and the process for the consideration of different types of communication.

254. Belarus has a well-developed system of specialized State and public institutions for the protection and promotion of various categories of human rights, including: the National Commission on the Rights of the Child; the National Council on Gender Policy; the national Interdepartmental Council on the Rights of Persons with Disabilities; the Inter-Ethnic Advisory Council; the Interfaith Advisory Council; the National Council on Labour and Social Affairs; the Public Coordinating Council on the Mass Media; and the Public Coordinating Council on the Environment.

255. Taking into account both the activities of existing specialized State-public institutions for the protection and promotion of various categories of human rights and the economic factor, Belarus is continuing to study international experience with the functioning of human rights institutions and to consider the question of the feasibility and advisability of supplementing them with an institution in the spirit of the Paris Principles.

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