



# Economic and Social Council

Distr.: General  
21 February 2022

Original: English

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## Committee on Economic, Social and Cultural Rights Seventy-first session

### Summary record of the 7th meeting

Held at the Palais Wilson, Geneva, on Thursday, 17 February 2022, at 9 a.m.

*Chair:* Mr. Abdel-Moneim

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### Consideration of reports (*continued*)

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Seventh periodic report of Belarus (continued)*

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*The meeting was called to order at 9.10 a.m.*

**Consideration of reports** *(continued)*

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant** *(continued)*

*Seventh periodic report of Belarus (continued)* (E/C.12/BLR/7; E/C.12/BLR/QPR/7)

1. *At the invitation of the Chair, the delegation of Belarus joined the meeting.*
2. **The Chair** invited the delegation to reply to the questions raised by Committee members at the previous meeting.
3. **Ms. Velichko** (Belarus), speaking via video link, said that the delegation of Belarus had been surprised to hear Committee members ask questions in follow-up to those that had already been fully answered, in particular with respect to access to education, employment and health care for members of Roma communities. Committee members were also drawing heavily on reports on the situation in the country that had been produced by non-governmental organizations (NGOs). It would be better, however, for the Committee to focus on the situation as it was described in the report submitted by the Government.
4. The questions that had been asked about the scale of homelessness suggested that Committee members were misinformed, as the shelters for homeless people in Belarus were not full. Hunger had been eliminated, and poverty rates were half those of countries in the Commonwealth of Independent States and eastern Europe. Everyone had access to basic sanitation and hygiene, and piped water was safe to drink. Interruptions to the water supply had been a short-term problem, since resolved, related to a major construction project. Minsk alone used 500,000 m<sup>3</sup> of water a day.
5. Sanctions had had a negative impact on the country's economy, causing its gross domestic product (GDP) to fall by as much as 7 per cent. Restrictions on the export of potash from Belarus, a key ingredient in fertilizer, had also had a global impact, however, as they had contributed to increases in the price of food around the world. She was well aware that the Committee did not have the authority to lift the sanctions, but it could at least call for them to be lifted.
6. **Ms. Belash** (Belarus), speaking via video link, said that the measures taken to provide support to families in Belarus included the provision of comprehensive medical care, at no charge, to pregnant women, generous parental leave, up to three years in some cases, and lump-sum payments to help parents defray the costs they incurred for the purchase of necessities. The families of more than a quarter of the country's children received child benefits from the State.
7. Since 2015, as part of what was known as a family capital programme, an amount roughly equivalent to US\$ 10,000 was deposited in the special accounts opened for families on the birth of a third or subsequent child. By early January 2022, more than 100,000 such accounts, into which a total of some US\$ 825 million had been deposited, had been opened. The beneficiaries could use the money as they saw fit.
8. The more children a family had, the more generously the State subsidized the costs of borrowing for the purchase or construction of housing. A family with several children could, for example, secure a 40-year housing loan at a fixed interest rate of 1 per cent per annum. Repayment of the loan, including interest, was frozen for families with two or more children in which one parent was taking care of a child under 3 years old.
9. Working conditions in Belarus enabled women to reconcile their work and family obligations. Pregnant women and women with children under 14 were entitled to work part-time. A woman or a man with two children under 16 was entitled to one additional day off a month, while a woman or a man with three or more children under 16, or with a minor child with a disability, was entitled to an additional day off a week.
10. Social Protection Decision No. 35 of 12 June 2014 contained a list (list No. 35) of the 181 jobs with hazardous working conditions that women were prohibited from doing. If, however, an employer ensured that the conditions of work for a job that was on the list were

safe, that job could be done by a woman. In the wake of a review conducted in 2021, plans had been made to reduce the number of jobs on the list by more than half, from 181 to 90.

11. Labour laws contained a number of provisions designed to protect working parents, mothers in particular. It was against the law, for example, for an employer to lay off a pregnant employee or a woman with children under 3 years old as part of a downsizing exercise. Belarus had ratified the International Labour Organization Maternity Protection Convention (Revised), 1952 (No. 103).

12. The years a woman spent caring for a child under 3 years old counted towards the years of coverage required to qualify for a State pension. As a result of that and other pension system rules, women in Belarus received old-age benefits in amounts equivalent to 99 per cent of those received by men.

13. Some social welfare benefits, including monthly allocations, were available to low-income families. Other benefits, such as the provision of children's food free of charge to the parents of twins or triplets under 2 years old, were made available regardless of the family's income. The parents of a child with a disability could place the child in a social service institution for up to 56 days a year, to give themselves a respite from attending to the child's needs.

14. A number of other measures, taken in areas as diverse as taxation, health care and education, had been introduced to alleviate the financial burden borne by families with numerous children. In 2021, public spending on support for families with children had amounted to more than 5 billion roubles, or 3.5 per cent of the country's GDP.

15. **Mr. Shcharbinski** (Belarus), speaking via video link, said that, according to a 2020 report of the World Health Organization (WHO) Regional Office for Europe on a technical mission of experts to Belarus, Belarus had taken measures to control the spread of coronavirus disease (COVID-19), such as testing of suspected cases, contact tracing and isolation of confirmed cases, and was adequately assessing the needs of health-care workers. It was also, according to the report, providing information on COVID-19 in accessible formats. Matters had improved further since April 2020, when the experts had visited the country.

16. The pandemic-related statistics that had been provided previously accurately reflected the incidence of and mortality from COVID-19 in Belarus. Vaccination was still a priority; strict lockdowns, on the other hand, had proved ineffective.

17. Under the Constitution of Belarus, everyone had equal access to medication and health care. Questions about the relative ease with which different population groups gained access to such goods and services thus made little sense. A person's ethnicity or his or her socioeconomic status played no role in his or her ability to obtain health care.

18. **Mr. Vysotski** (Belarus), speaking via video link, said that Belarus, which was on drug smuggling routes between the European Union and Russia, took all necessary measures, including by ratifying relevant international instruments, to contain the scourges of drug addiction and crime related to drug trafficking. The country's strict laws made it possible for the authorities to combat drug trafficking and its ill effects, such as crime and overdoses.

19. More than 90 per cent of Belarusian drug deals were done on what was known as the darknet, and only 6 per cent of persons convicted of drug crimes had admitted to being dependent drug users. The penalties for possession of drugs for personal use were generally non-custodial. In 2021, for example, only 18 per cent of those convicted of such possession spent time in prison. In no case would a prison sentence for such a crime exceed 5 years. The penalties for large-scale trafficking, on the other hand, or for selling drugs that led to the death of the user could be much stiffer. No one was convicted of a drug crime without a thorough assessment of the evidence.

20. The Government was opposed to the decriminalization of drug use in the belief, shared by the people of the country, that it would lead to an unwelcome increase in drug use. Steps were nonetheless taken to amend drug laws if amendments were deemed necessary. In 2019, for example, article 328 (2) of the Criminal Code had been amended to lower the mandatory minimum sentence for a number of drug-related crimes.

21. **Mr. Tamilchyk** (Belarus), speaking via video link, said that Belarus made every effort to prevent violence against children. Government officials inspected educational facilities to ensure that such violence was prevented, and large-scale campaigns were organized to raise awareness of the prohibition of violence against children. Educators and others were given training on how to identify signs of violence and provide support to the victims.

22. Efforts were also made to familiarize children with their rights. In 2021, representatives of the United Nations Children's Fund (UNICEF) had organized a consultation of the country's children and helped set up mobile operations for the identification of cases of violence against children. Complaints could be lodged, including by children themselves, with any of a broad range of public offices. Information on helplines and counselling services, as well as contact information for law enforcement agencies, was available from the Ministry of Health.

23. More than 7,600 children and their families had received assistance from a national centre for psychological support that had been in operation for the previous three years. Counselling activities were coordinated by a network of more than 100 psychologists.

24. A medical examination was standard in all reported cases of violence against children, and where parents or teachers were implicated in the violence, the Ministry of the Interior was immediately informed. Parents regained custody of children who had been removed from the parental home for their protection only once they had undergone mandatory training and shown that they were no longer a danger to their children.

25. Plans had been made to establish what was referred to as a parenting university, which would encourage positive parenting. Non-violent child-rearing was also encouraged in stories carried in the country's media.

26. **Ms. Shin** (Country Rapporteur), welcoming the information provided by the delegation regarding the fact that women and men enjoyed pensions of similar value, said that she would be grateful for details of that comparison, and specifically of whether pensions were comparable for women and men with the same occupations or in general. She would also like to know what the retirement age was for women and men.

27. **Mr. Hennebel**, noting that the delegation had invited the Committee to give its views on the sanctions imposed against the State party, said that it was not the Committee's role to pronounce itself on the legitimacy or legality of sanctions. Moreover, if the sanctions against the State party and their economic impacts were to be taken up as part of the interactive dialogue, the Committee would need to approach the issue holistically, meaning that it would have to consider not only the sanctions themselves but also the serious and systematic violations of international law and human rights that had led certain States to adopt the positions they had vis-à-vis Belarus.

28. **Mr. Abashidze** said that the Committee's politicization of the issue raised by the State party was regrettable. The European Union, submitting to the dictates of the United States of America, was imposing unilateral measures that were clearly unlawful, according to the Charter of the United Nations, and that had a direct negative impact on the well-being of the people of Belarus. The delegation had appealed to the Committee to take those circumstances into account when considering its situation. Indeed, it was not clear how States targeted by sanctions that adversely affected their economic resources could be expected to fulfil their obligations under the Covenant. States should be able to turn to the international community for support. Instead of helping Belarus, the European Union continued to impose sanctions on the basis of flimsy, unsubstantiated human rights violations. Belarus had an outstanding social system with regard to health care, education and social protection, even when compared with States members of the European Union. The Committee should focus on that, rather than politicizing the situation.

29. **Mr. Hennebel** said that his intention had not been to politicize the dialogue, but rather to clarify the Committee's mandate and methods of work. It was simply not for the Committee to pronounce itself on the legality of sanctions, unless all parties were prepared to discuss the reasons behind the sanctions as well as their impacts.

30. **Mr. Windfuhr** said that he would appreciate more detailed information on the availability of personal protective equipment for health-care workers, since the information provided by the delegation seemed at odds with the information gleaned from reports published by WHO and civil society organizations. Furthermore, while it was helpful that the delegation had outlined the impact of the current sanctions against the State party, including reduced economic opportunities, a drop in GDP and cuts in wages, he would be interested to hear whose wages had been affected, in which sectors specifically. As far as he was aware, the sanctions in place targeted specific persons or entities.

31. **Ms. Belash** (Belarus) said that the retirement age was 58 years for women and 63 years for men; the lower pensionable age for women did not entail a reduction in pension as compared to men. The comparison of pensions for women and men had been made on the basis of the average of all pensions across the country. For equal work, of course, there should be equal pay and so equal pensions.

32. **Mr. Shcharbinski** (Belarus) said that, in response to the COVID-19 crisis, Belarus had not only purchased personal protective equipment and ventilators but also organized domestic production of such equipment. As a result, current stocks would cover needs for 60 days of round-the-clock work by health-care personnel. There were some 10 million masks and 2 million ventilators in stock.

33. **Ms. Velichko** (Belarus) said it was clear that the Committee, while working within the framework of its mandate, tended to examine those points that suited it. It was regrettable that, for over a century, States that followed an alternative political line were punished by sanctions; no better solution seemed to have been found. In any event, sanctions were never imposed for the benefit of a State or its people, but rather for political reasons. Furthermore, a number of international bodies that analysed the deleterious impact of unilateral economic sanctions on countries and people had found them unlawful under the Charter of the United Nations and the resolutions of the General Assembly and Security Council. While the Committee did not have the power to change the sanctions against Belarus, which were not of its own doing, it could take them into account when considering the State party's fulfilment of its obligations under the Covenant. It was with that in mind that her delegation had raised the issue in the first place.

34. **Mr. Tamilchyk** (Belarus), noting that the level of school and university enrolment in Belarus was comparable to that of the most developed countries in the world, said that the State provided free education to all, regardless of sex, faith, family income or disability. In total, the State invested some 8 billion roubles, or 4.8 per cent of GDP, in the education system every year. He wished to reassure the Committee that the newly revised Education Code was in force.

35. There was sufficient capacity for all children of preschool age, and parents could choose from various options, including full days and half days of preschool. Twelve kindergartens had been built in 2021, opening up a further 2,659 places. Parents paid only for meals, which cost between US\$ 25 and \$53 per month, depending on the child's age and length of preschool day. Parents could seek partial exemptions from such fees if their children had an illness or disability. The Government spent \$1,785 per year per child, for a total expenditure on preschool education equivalent to 1.1 per cent of GDP.

36. To ensure that school was as inclusive as possible, transport was also provided: there were 1,600 school buses, of which 115 were specially equipped to transport children with disabilities. Children, with their parents' consent, could request to be taught in their mother tongue, including Polish and Lithuanian. The number of children receiving an education in Polish had remained steady in recent years; statistics were available on the website of the National Statistics Bureau. There were 99 teachers giving classes in Polish in Belarus; most of those teachers were Belarusian nationals, but the law provided that foreign teachers could be hired if necessary. Thus, one teacher was a Polish national and, of the 41 teachers giving classes in Lithuanian, 18 were Lithuanian nationals. It was possible to study the Hebrew language and literature as a subject in school. The State took all the steps necessary to ensure that children, including the children of foreigners and minorities, and Roma children, were enrolled in school. There had been no cases of discrimination against Roma children.

Monthly stipends were available for Roma children to encourage them to enrol in school; support in kind, for example shoes, was also available.

37. Over the previous five years, thousands of teaching aides, including electronic ones, had been developed. Laboratory and computer equipment had been upgraded and modernized in many schools. Fitness equipment was also provided.

38. Since 1 January 2021, a centralized electronic learning platform with educational resources, explanatory videos and self-check exercises had been in place for students temporarily unable to attend school. All schools had Internet access, as did the vast majority of households.

39. The Government was achieving its goal of ensuring high-quality education in all schools, including those in rural areas. Although only 16 per cent of school students lived in rural areas, all rural schools offered upper secondary education. Centralized procurement funded from the national budget had allowed more than 400 rural schools to receive up-to-date teaching equipment between 2019 and 2021. The new Education Code provided that boarding must be offered in specialized secondary schools, which made them accessible to students from rural areas.

40. All school students could receive supplementary education to develop their talents and interests free of charge. The supplementary education offered through the Ministry of Education covered more than 70 per cent of school students, including around 60 per cent of children with disabilities; additional schemes operated through the Ministry of Culture and the Ministry of Sport and Tourism. At the national children's technology park, which had opened in 2021, hundreds of school students from all over the country spent several weeks working on projects in areas such as robotics and environmental engineering.

41. In State schools, children with disabilities enjoyed special medical and educational follow-up, remedial measures, access to adapted transport and textbooks free of charge. Efforts to promote inclusive learning had resulted in a decrease of more than 50 per cent in the number of special schools over 20 years. The proportion of students with special educational needs who attended mainstream school had reached 70 per cent. Children were never placed in a particular school without their parents' consent.

42. An accessible environment was ensured in all school buildings, facilities and grounds. Students with autism, motor impairments or visual impairments received individual support. Special education and remedial teaching assistance were provided to virtually all students with special educational needs.

43. Children in correctional institutions received general and technical secondary education through in-person teaching and had access to specialized secondary and higher education through distance learning courses. The young offenders' institution had an electronic education centre equipped with computers with Internet access. Pursuant to the new Education Code, children would receive general secondary education while detained in remand centres from September 2022.

44. Pregnant girls could receive an exemption from school-leaving examinations on medical grounds and either continue to attend classes or study independently. In either case, their average grades would be used in place of their examination results on their certificate of secondary education. They could also sit the final examinations as external candidates.

45. Almost 60,000 students were currently receiving free vocational and technical secondary education. The curricula were continuously reviewed in line with economic trends, employers' requirements and professional standards. Fifty-two resource centres had been established and equipped with cutting-edge learning technologies. The country had 50 public and private higher education institutions with 242,000 students, including 9,554 students with disabilities. Leading global companies had partnered with the institutions to run laboratories and educational centres.

46. To improve access to vocational education for persons with disabilities, curricula were being reviewed with a view to updating the technologies used, and a resource centre for inclusive vocational education had been established. Students with disabilities could receive bursaries and free, priority placement in student residences. They could also opt for a distance

learning format. Individual teaching plans were put in place where necessary. A barrier-free environment, access to information and communication technologies, and material, psychosocial and other types of assistance were assured.

47. The higher education system was being restructured to introduce the bachelor's–master's–doctoral degree system in line with international standards. Belarus was a member of the European Higher Education Area. A new national agency for quality assurance in education had been established and would work towards membership of the European Association for Quality Assurance in Higher Education. Under the Education Code, expelled students were entitled to return to education in any establishment that offered an equivalent or related course.

48. The risk of the spread of COVID-19 in schools was minimized under guidelines recommending restrictions on large events or their transfer to an outside setting, daily temperature-taking, provision of hand hygiene materials, effective ventilation and air filtering, regular disinfection of classrooms and the promotion of vaccination. The guidelines allowed for the possibility of teaching through information and communication technologies for all classes or in individual subjects.

49. **Mr. Rumak** (Belarus), speaking via video link, said that the State provided all registered religious organizations with support, including tax breaks, subsidized rents and funding for the restoration of places of worship. Round-table interfaith discussions on social issues, such as the preservation of traditional family values, were regularly organized.

50. The country had more than 200 voluntary associations established by 25 different ethnic minority communities with the aim of preserving and developing their cultures and languages. One of the main objectives of the State programme on culture was to support the preservation of cultural heritage and the development of ethnic minority cultures. The State subsidized the organization of cultural events and the purchase of national costumes by associations of ethnic minorities.

51. Every two years, the Ministry of Culture and the Office of the Commissioner for Religious and Ethnic Affairs organized a national festival of ethnic minority cultures, which had a very favourable influence on constructive relations between different ethnicities. Representatives of all ethnic minorities were invited to participate in all events of national significance.

52. **Ms. Shin** said that there appeared to be discrepancies between the information provided by the State party and that available from other sources. While the primary responsibility to uphold Covenant rights fell upon the Government, NGOs made an essential contribution to the protection and promotion of human rights. The Charter of the United Nations provided for the participation of such organizations in the work of the Economic and Social Council. She hoped that the current legislation governing the registration and work of NGOs would be amended to allow freedom of activity to organizations promoting economic, social and cultural rights.

53. Like many countries, Belarus had serious issues with inequality among various minorities, between men and women, and between urban and rural areas. The significant gender pay gap was partly caused by direct and indirect discrimination against women, including the prohibition on women working in some jobs and career interruption for family reasons. She wished to encourage the State party to adopt comprehensive anti-discrimination legislation and to establish effective mechanisms to address violations, including a national human rights institution. She hoped that the upcoming constitutional referendum would be a real opportunity to enshrine all aspects of the Government's obligation to respect, protect and fulfil human rights in the Constitution, so that all people under the jurisdiction of Belarus could fully and equally enjoy all economic, social and cultural rights.

54. **Mr. Ambrazevich** (Belarus), speaking via video link, said that the members of the delegation had made every effort to be constructive while ensuring that their voices were heard. Much misinformation about the situation in Belarus was circulating and several Committee members appeared to be influenced by reports from dubious sources. Instead of spending its time asking about the water supply in one specific village near Minsk, the

Committee could have commended Belarus for its status as one of the top 20 countries for access to clean water.

55. As part of the information warfare conducted against his country since August 2020 for geopolitical reasons, Western States were using human rights mechanisms as a pretext for interfering in the internal affairs of Belarus. Those States had imposed sanctions on Belarus despite the fact that they had their own systematic problems in areas falling under the Covenant. He urged the Committee to consider the impact of sanctions on the Government's ability to fulfil its obligations and to carefully check the accuracy of the information it received about Belarus.

56. The imposition of unilateral coercive measures, circumventing the United Nations system, was a clear violation of international law, including human rights law. Further details of the impact of such measures on human rights would be provided in the forthcoming report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. For example, the measures against the national airline were impinging on the ability of thousands of Belarusian and foreign citizens to travel, including for humanitarian, economic and social reasons. Restrictions on the export of potassium fertilizer were contributing to global increases in the price of food and thus to worsening poverty and hunger. Belarus called on all treaty bodies to make public statements condemning the practice of introducing unilateral coercive measures.

57. In formulating its recommendations, the Committee should not shy away from recognizing the achievements of Belarus, which had made significant progress over the previous 25 years, as shown by its ranking in the category of very high human development, according to the index of the United Nations Development Programme. He wished to thank the Committee for the substantive dialogue, which would contribute to social, economic and political improvements.

58. **The Chair** said that he wished to assure the delegation that the Committee was guided only by the Covenant.

*The meeting rose at 11.05 a.m.*