**Alternative Report**

**to the UN Committee on the Rights of the Child**

**Republic of Belarus**

**Coalition CRC19+**

**2018**

***Introduction***

Republic of Belarus is authoritarian state as to the Report on Human Rights Practices[[1]](#footnote-1) of 2016, 2017, and 2018.

Children’s Rights declared as priority of State Internal Politics, and it seems priviliged in front of Human Rights in general.

Belarus belongs to the group of countries of low risk by the UN Treaty Bodies, because the Government of Belarus often accepts Recommendations and Concluding Observations of the UN Treaty Bodies, and international community, both for the UN CRC, UN CEDAW, and UPR, to name the most relevant Treaties for Children’s Rights. Afterwords, these recommendations are not being implemented at all, or implemented partially by NGOs, and reported by the Government as its own, so it’s implementation by the Government is of decorative character.

There is still widely disseminated discrimination of several children’s groups, the first of all based on their disability, poverty, or minority status. **Children with physical and menthal disabilities; children living in poor families, mostly located at rural, and remote areas; and boy-victims of child sexual abuse are mostly discriminated and vulnerable children’s groups in Belarus.**

Government doesn’t purchase service of NGOs, besides GONGO (State-controlled Non-Governmental Organizations). National legislation towards purchase service from NGOs is poor and highly discriminative. All Children’s Rights NGOs depend of foreign financial aid, this aid becomes catastrophically low, and a number of NGOs become “asleep”, were temporarily stopping its activity, or were closed permanently.

Children’s voice is formally secured by numerous “children’s forums”, “parliaments” and other attributes of democracy, but all of them are of decorative matter. Truly voice of children is unheard, and ignored by the national and local authorities.

Violence against children is formal priority number one for the Government since 2010, when Ponimanie in Coalition with CRPCI **submitted** the First Alternative Report to the UN Committee on the Rights of the Child, **advocated** relevant COs, and paragraphs of National Plan of Action for 2012-2016, and **implemented** these paragraphs. But during all this period the Government didn’t allocated any State financial support to prevent and response to Child Abuse and Neglect, and to purchase service from Ponimanie. Numerous reports by the Government, including reports after projects, implemented by the Governmental agencies with financial support of UNDP, USAID, and SIDA, mention established networking of child-friendly interviwing rooms, but its ownership (Ponimanie) was erased, and no any portion of project funding was allocated for such purpose. Basic national system to protect children from violence was built by Ponimanie only in 2009-PT, without financial support of the Government, and without any kind of Technical Assistance from UNICEF, actively counteracting and opposing efforts of Ponimanie to protect children from violence in Belarus in 2006-PT.

National Coalition CRC19+ was formed in Belarus in 2017 instead of undermined by UNICEF and closed in 2006 Network “For and With Children”. Following to the best practice of the First Alternatiove Report on Violence against Children done by Ponimanie and CRPCI in 2010, Coalition CRC19+ decided to widen the number of Articles of the Convention to cover, and concentrate attention of the UN Committee on the Rights of the Child on the most vulnerable groups of children mentioned above, achievements and promising practices to be supported, and problems to be solved through engaging the Government of the Republic of Belarus to fulfill its international obligation towards Children’s Rights and its protection.

We offer to the Committee and every the most estimated Member of the Committee our voice from the bottom, our vision of relevant national agenda in Children’s Rights for the next Reporting cycle 2022-2026, and we keep sincere hope for Committee’s great support to make this clear vision true.

***State of Issues, and Measures Suggested to Improve It***

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| Art 12 | Right to be Heard |
| Art. 19 | Protection Children from Violence |
| COs 2011 | 32. The Committee recommends that the State party strengthen its efforts to ensure that children have the right to express their views and that those views are given due weight in all matters affecting them in both the public and private spheres, including through awareness-raising programmes for the general public. The Committee further recommends that the State party ensure that children are able to participate in judicial and administrative proceedings and make their views known, including through relevant legislative amendments. In this regard, the Committee draws the State party’s attention to its general comment No. 12 (2009) on the right of the child to be heard. |
| COs 2011 | 41. The Committee encourages the State party to:  (a) Prioritize elimination of all forms of violence against children, including by ensuring implementation of the recommendations of the United Nations Study on Violence against Children, paying particular attention to gender;  (b) Provide information concerning the implementation by the State party of the recommendations of the study in the next periodic report, particularly those highlighted by the Special Representative of the Secretary-General on Violence against Children, namely:  (i) The development in each State of a national comprehensive strategy to prevent and address all forms of violence against children;  (ii) The introduction of an explicit national legal ban on all forms of violence against children in all settings; and  (iii) The consolidation of a national system of data collection, analysis and dissemination, and a research agenda on violence against children;  (c) Cooperate with and seek technical assistance from the Special Representative of the Secretary-General on Violence against Children, UNICEF, OHCHR, the World Health Organization (WHO) and other relevant agencies, inter alia, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization (UNESCO), UNHCR and the United Nations Office on Drugs and Crime, as well as NGO partners. |
| NP 2012-16 | 55. Developing children’s phone hotlines, and “phone of trust” services.  56. Provide child-victims of crime with child-friendly conditions to participate at the investigation, and trial.  67. Involve NGOs in the implementation of measures of the National Plan of Action. |
| Outcomes | 55. Toll-free, 7/24, accessible on all national territory of Belarus, National Child Helpline 8-801-100-1611 was launched by Ponimanie in 2011, and transferred under full provision of the Ministry of Healthcare in 2014. Under provision of the Ministry of Healthcare, Child Helpline was left and neglected, out of service since 2015 to the end of 2017, when after Ponimanie’s fight, it started to respond children’s calls again. Ponimanie formed 17 Child-facilitated Children’s Reference Groups since 2010. Facilitators, and Peer-education Trainers are selected and trained during Ponimanie’s Summer Camp program, and continue with Groups around CACs, Child Hepline, and Missing Children’s Program, giving us great feedbacks on the quality and fitness of Direct Service Delivery, lauched and/or impacted by Ponimanie.  56. The network of 21 Houses of Understanding (Ponimanie) - built after great example of Children’s Advocacy Center Model (USA), and Barnahus (Iceland) - are in service in Belarus in 2011-2016. New redaction of Art. 224-1 Criminal Procedure Code (05.01.2016) includes Part 3 allowing to use audio-video-conference-communication in investigation while children participate. This allows to conduct child-friendly interview in special premise of the Ponimanie’s Houses of Understanding by specially trained psychologist, under on-line management of the investigator done from another room. The world biggest case of child sexual abuse (Davydovich and bicyclists) with over 10,000 boy-victims was disclosed in Belarus, the case was ruined, and only Davydovich and 2 his closest co-criminals were sentenced. Disclosure of violent sexual crime was continuously increasing in 2,5 times from 238 (2009) to 589 (2016) cases a year, with strong trend to gtow up. The percentage of abused children received follow up treatment and rehabilitation increase from 8 to 42% in 2009-2016.  67. Four the most influential Children’s Rights pro-democratic NGOs (including Ponimanie among others) were invited in the Commission on Juvenile Affairs of the Council of Ministers of the Republic of Belarus, and a number of Children’s Rights NGOs were included in Commissions on Juvenile Affairs of Minsk-city, and other municipalities. This allowed NGOs to raise their voices and make low to moderate influence on child-rights-based policy-making and practice on national, regional and municipal level.  Source of verification: US Department of State Country Report on Human Rights Practices, Belarus, 2016, Chapter “Children”, subchapter “Child Abuse”, par. 1 - completely built on achievements of Ponimanie:  <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dlid=265398> |
| Interim NP 2017-21 | 82. Development of toll-free 7/24 child hotlines and helplines.  83. Development of peer-consultation tools, including those on-line, Internet-based.  84. Strengthening child-friendly conditions for participation at criminal investigation.  85. Strengthening child-friendly conditions for participation at civic litigation.  100. Learning the best practices in Children’s Rights abroad.  101. Joining the EU Convention on Implementation of the UN CRC, and CoE Convention on Protection of Children from Sexual Abuse, and Exploitation (Convention of Lanzarote).  102. Preparation of State Party Periodical Report on Implementation of the UN Convention on the Rights of the Child.  103. Realization of Projects of International Technical Assistance aiming to implement of National Plan of Action. |
| Suggested COs | 1. Include NGOs in formulation, implementation, and M&E of national agenda in CR, involve national NGOs as peer stakeholders in projects funded with International Technical Assistance sources. Develop the mechanism of purchase NGO service, study, advocacy, and policy development both on national and local level by the Government. 2. Strengthen and widen child-friendly NGO practice, such as Ponimanie’s House of Understanding, in each administrative district allowing all children one-step access to services, respecting children and taking into account their opinion and the best interest. 3. Implement the best national practices, the first of all, from NGOs working in thematic areas and worldwide acknowledged as the best practice. Strenghten specialization of professionals, tools, and mechanisms for specific and special groups of children, taking in to account their rights and best interests. 4. Widen access of parents into special aducation process for children with disabilities, conduct independent studies, collect and disaggregate data on inclusive education in Belarus, secure training of cadre of social workers and pedagogues in inclusive educational practices, cease discriminative legislation (Resolution No 128 of 22.12.2011 of Ministry of Health of the Republic of Belarus, Resolution No 233 of 16.08.2011 of Ministry of Education of the Republic of Belarus) towards children with disabilities. 5. Learn, respect, and include children’s voice arisen through independent NGOs and by children directly to the Government, as well as Children’s opinion on how to make things better. Secure child participation on fair and transparent basis, including of specific and special groups. 6. Secure protection of children-Human Rights defenders, when their view is different from the official position of the Government. 7. To keep including thematic of deinstitutionalization orphaned children, children with disabilities, and children in coflict/in contact with Law, securing truly voice of children, and protection children from violence among priorities of projects and programs implemented with International Technical Assistance. 8. Establish independent Protection of Children’s Rights and Education in Children’s Rights Institution working on everyday professional basis instead of decorative National Commission on Children’s Rights. Allow independent NGOs to play Children’s Ombudsman role via delegating them all potential and power and sufficient funding according their request, while Government still isn’t ready to establish State-owned Children’s Rights Institution. |
| Expected Outcomes | 1. Increased effectiveness and cost-efficiency of programmatic efforts towards promotion and protection of children’s rights. 2. Improved the accessibility and quality of Direct Service Delivery for children. Kept safer the psyche of children-victims of violent crime while they participate at the investigation, and trial. 3. Increased participation of specific and special groups of children still remaining under high risk to become left behind. 4. Avoided discrimination of children with disabilities, improved quality of support and inclusion for children with disabilities. 5. Secured truly voice of children allows building programmes and action fit to them, and following children’s best interest. 6. Secured alternative view, and voice of children-Human Rights defenders. 7. Secured long-term sustainability of change and action towards implementation of the UN Convention on the Rights of the Child. 8. Enhansed protection of Children’s Rights and education in realm of Children’s Rights. |

***Conclusion***

There are a number of achievements and threats, detected in Belarus and described in current Report. Authors believe that the UN Committee on the Rights of the Child and every it's the most respectful Member will hear our independent voice, together with the voice of children whom we serve, and whos voice we transfer to the Committee.

We believe that through our common efforts we can build together the most comprehensive agenda in Children’s Rights, its Protection, and Education in realm of Children’s Rights for the next reporting cycle of the Republic of Belarus.

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1. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dlid=265398> [↑](#footnote-ref-1)