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# Belarus

## **VIOLENCE AND ITS IMPACT ON THE RIGHT TO HEALTH**

SUBMISSION

for the UN Special Rapporteur

on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health



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# Introduction

This report is prepared by the Belarusian Helsinki Committee in the framework of the call issued by the Special Rapporteur on the highest attainable standard of physical and mental health on the topic “Violence and its impact on the right to health”.

Founded in 1995, the Belarusian Helsinki Committee (BHC) is one of the oldest human rights defenders’ organization in Belarus. The list of its founders includes the nation’s most prominent leaders such as Vasil' Bykau, Sviatlana Alexievich (Nobel prize in literature 2015).

BHC works mainly on six major human rights topics, such as: discrimination (BHC carries out research and promotes the introduction of special anti-discrimination legislation), human rights based approach (BHC promotes incorporation of human rights instruments in project development at various levels), international human rights mechanisms (BHC promotes the use of the mechanisms by non-human rights organizations and develops electronic resources for assisting these organizations), national human rights mechanisms (BHC examines the legislation and addresses its gaps in order to provide as many protective measures as possible), business and human rights (the topic has never been widely discussed in Belarus, and BHC, in fact, is pioneering business and human rights), death penalty (BHC carries out research and opens new aspects of death penalty such as overall brutalization of societies in which death penalty is practiced, for those interested).

BHC has a huge experience in expertise in the topic of human rights. The organization has prepared hundreds of proposals to state bodies on improving legislation and practice in the field of human rights. Dozens of reports and communications to the UN Special Procedures, treaty bodies were sent in order to strengthen the rule of law and good governance. For many years, BHC reinforces the ability of CSOs to effectively work further on reporting to UN mechanisms and on advocacy in dialogue with the government. Among other things, BHC also helps NGOs to use UN mechanisms through training, support and creating special web resources for NGOs.

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# 1. Background information on violence, its types, categories and victims in Belarus

The problem of violence, according to the current legislation of Belarus, is a general problem and does not take into account the specifics of domestic violence or other types of violence[[1]](#footnote-1). Moreover, violent acts committed within the family and outside the family are usually interpreted by the Belarusian society itself in different ways: the rape of a wife by her husband appears to be outside the criminal code, because the Belarusian society does not consider it as violence a priori[[2]](#footnote-2).

Despite this, the law "On the basics of crime prevention activities" is in force in Belarus[[3]](#footnote-3). According to the article 1 of this law, domestic violence is “intentional actions of a physical, psychological, sexual nature of a family member in relation to another family member, violating his rights, freedoms, legitimate interests and causing him physical and (or) mental suffering”[[4]](#footnote-4). Thereby, this concept includes both physical and psychological violence. Family member is interpreted by the law as follows: it applies not only to spouses in an official marriage and relatives, but also to other citizens who live together and run a common household. Thus, even if the union is not registered, its members are also protected by law[[5]](#footnote-5).

It should be noted that domestic violence is the most common category of violence in Belarus, victims of domestic violence in the country are protected the most. 94% of victims who turn to hotlines, shelters and organizations that help victims of domestic violence for help are women, 6% are men.[[6]](#footnote-6)

Even though some laws and provisions against violence (including domestic violence) are in place, the real work for victims of (domestic) violence has been doing by Belarusian NGOs such as Gender Perspectives[[7]](#footnote-7), Radislava[[8]](#footnote-8) and HerRights[[9]](#footnote-9) rather than by the State[[10]](#footnote-10).

There is the law "On the Socially dangerous situation of the family" that considers the ill-treatment of minors in the family as a criterion of the socially dangerous situation of a minor. According to the law if the state body made decision that this or that family was socially dangerous for a minor, they would deprive parents of parental rights and take away the child, even though it should be done as the last resort according to the international human rights standards and the best interest of the child. Therefore, such law could be used as repressive mechanism totally or in part and negatively affect parents’ mental health and what is more important – minor’s health. [[11]](#footnote-11)

The legislation of the Republic of Belarus does not provide for the concept of certain types of violence that may occur in people's daily lives, as well as methods of protection against them. For example, the concept of economic violence and stalking is completely absent in the legislation.

Statistics of hotlines also show that cases of stalking (harassment) have become more frequent over a long period of time on the part of former spouses or intimate partners. Harassment (stalking), namely constant intrusive and unwanted communication, physical presence nearby, the provision of any kind of emotional impact – all these actions, entailing severe consequences for the psychological and emotional state of the injured party, nevertheless are not reflected in the current legislation of Belarus and do not provide for responsibility for the perpetrators[[12]](#footnote-12).

Statistics also show the prevalence of domestic violence in relations between former spouses who are forced to live in a common living space even after divorce. So, almost every sixth woman noted that her ex-husband shows various types of violence towards her. It should be noted, that in such cases the facts of aggression are difficult to prove, and all responsibilities for collecting and presenting evidence are assigned to the victims themselves. According to the current legislation, violence by ex-spouses does not relate to cases of domestic violence, whereas they are committed in their common home[[13]](#footnote-13). Thus, the people who are actually victims of domestic violence are not protected in any way by the law adopted for the prevention of domestic violence[[14]](#footnote-14).

# 2. Data and information on the characteristics, number of cases, and the profile of victims and perpetrators in Belarus regarding

# 2.1. gender based violence against women

Researchers of the National Academy of Sciences found[[15]](#footnote-15) that the greatest risk of physical violence in partnerships was recorded for women aged 35-44 years. In 84% of cases of domestic violence against women, they were injured more than 1 time. Women aged 45-54 years are the most vulnerable group.

94% of victims who turn to hotlines, shelters and organizations that help victims of domestic violence for help are women, 6% are men[[16]](#footnote-16).

Employees of hotlines for victims of domestic violence note that the social portrait of the victim remains virtually unchanged throughout all years of work. Most often, this is a middle-aged woman - from 27 to 40 years old (35%), married or in a permanent relationship (47%) and having 1-2 children (80%). In 35% of cases, minor children are also subjected to some kind of domestic violence. However, every second woman who calls the hotline is afraid or simply does not want to seek help from state authorities because this may lead to the removal of children from the family to the shelter[[17]](#footnote-17).

The case of Olga Gorbunova[[18]](#footnote-18), women's rights activist, the specialist at the NGO “Radislava” (the oldest organization in Belarus that protects and assists with legal and psychological help to the victims of domestic violence and gives them shelter) who prepared “The Manual on the organization of work with victims of domestic violence in a crisis center”[[19]](#footnote-19) is indicative. She was detained in November 2021 on suspicion of leading women's peaceful marches during protests. Olga has been kept in the temporary detention facility Okrestina, which is distinguished by the special cruelty of the staff. On December 8, 2021 she was included in the list of prisoners "prone to extremism and other destructive activities”[[20]](#footnote-20). She also went on a hunger strike for more than two weeks because of the inhumane conditions in the detention center. She noted that there is almost no heating in the cells, prisoners are not provided with mattresses, and there is also no sanitary regime. There is also forced sleep deprivation: employees turn on loud music every two hours to prevent prisoners from falling asleep. Olga also noted that she receives threats, including threats of sexual and sexualized violence. Also, personal searches of female prisoners are carried out by men, according to her[[21]](#footnote-21).

Such violence is intersectional and affects women to different degrees depending on their experience of varying or intersecting forms of discrimination including on the basis of ethnicity/race, socio-economic status, age, disability, being lesbian, bisexual, transgender or intersex, etc.

Thus, gender based violence has an even more detrimental effect on those whose identity is intersectional, for example, Olga is a woman, a feminist, an activist, she is stand up against the regime, defends LGBT rights. All these signs make her even more vulnerable to those who carry out violence against her, and this gives reason to believe that violence against her will be much more severe.

# 2.2. gender based violence and other forms of violence against children

As for the protection of children from violence, it can be noted that the law "On the Socially dangerous situation of the family" is in force in the Republic of Belarus[[22]](#footnote-22). According to international standards, as was mentioned above, deprivation of parental rights should be the last resort, but the practice in 2020 after the presidential elections in Belarus has shown that the law has been used as the means to threat parents, who are actively involved in politics or openly show their civic position. There were massive checks from state bodies with the intention to find out if one or another family consist of activists who are against the regime. This practice could be interpreted as interference in private and family life, as well as psychological violence (threats to deprive parents of their rights may be attributed to it) on the part of state bodies in relation to activist parents and children. At the same time, such violence is applicable not only to parents, but also to children, because they also experience stress in such situations.

Opponents of the regime began to be blackmailed by the fact that they would be put in prison, and the children would be sent to orphanages. After such threats, many of them were forced to leave the country[[23]](#footnote-23). Katerina Vodonosova is a musician and TV presenter from Belarus, a mother of two children. She and her daughter, a violinist, performed in the courtyards, after which they were noticed. Katerina says: "It turned out that it was absolutely impossible to do this. This is illegal for Belarus, and it was absolutely by chance that I found out that my family was put in a socially dangerous position." As a result, the musician was forced to flee with her family to Ukraine[[24]](#footnote-24). Human rights activist Vladimir Yavorsky was threatened to take away nine-year-old Daniel. First, the security forces detained his wife Tatiana, and then they came for Vladimir and took him away for questioning[[25]](#footnote-25). Police officers came to the parents of Larisa Shchiryakova, a journalist of the Belsat TV channel, threatening to take her 10-year-old son Svyatoslav to a boarding school if Larisa did not stop her journalistic activities[[26]](#footnote-26).

Over 500 children suffered from sexual violence in Belarus in 2021[[27]](#footnote-27). According to statistics, from 2012 to 2018, the number of crimes against the sexual integrity or sexual freedom of minors increased almost 22 times[[28]](#footnote-28). Of the 849 children who suffered from the criminal actions of pedophiles in January 2018– April 2019, almost 30% are boys who were sexually assaulted by men[[29]](#footnote-29).

Important is the case when in 2019 a 19-year-old father beat a baby for screaming[[30]](#footnote-30). This case caused a public outcry, after which the state considered it right to draw the attention of citizens to what responsibility is provided for such actions[[31]](#footnote-31).

Authorities do not ban all forms of corporal punishment at home/school and other institutions. Physical coercion of children is still considered an acceptable parenting method. Public discourse describes corporal punishment of children as acceptable. In the absence of effective protection mechanisms, children find themselves in an extremely vulnerable situation. Children's right to physical integrity and to be protected from violence by the state are virtually ignored.

*A great public outcry was caused by an incident in one of Gomel schools, where on September 12, 2019, a teacher shouted at a fourth-grade student, using obscene expressions, and used physical coercion. Classmates filmed those events and the video was downloaded on the regional portal "Hard news" (Silnyje novosti).[[32]](#footnote-32) The incident, due to its exceptional nature both in case of the school and the entire Belarusian education system, resulted in a number of actions undertaken by educational authorities: a Commission from the Regional Executive Committee visited the school, an emergency meeting with parents was held, the teacher was fired. On September 19, the President spoke in support of the teacher[[33]](#footnote-33), as a result the teacher was reinstated, and the Director of the school was forced to resign.*

According to the National study evaluating violence against children in the Republic of Belarus, about 50.1% of parents use physical or psychological violence, when raising children, i.e. 29.2% used corporal punishment, and 44.5% used psychological disciplinary methods; the study also revealed high level of tolerance to violence against children in case of various experts, as well as problems with timely detection and response to cases of violence against children[[34]](#footnote-34).

Non-government organizations have credible information on the use of torture and other cruel or degrading forms of punishment or treatment against juvenile prisoners, convicted under article 328 of the Criminal Code (illicit trafficking in narcotic drugs).

# 2.3. gender based violence against LGBTQ+ or other persons based on real or imputed sexual orientation, sex characteristics, and gender identity

In general, it should be said that both the stigma around this topic and the hate speech are widespread. Discrimination of the LGBTQ+ community is widespread, such people are seen by the state as abnormal. On May 17, 2019, when there was the International Day Against Homophobia, the rainbow flag appeared on the building of British Embassy, they showed solidarity with the community. Igor Shunevich, the Minister of Internal Affairs of Belarus, emotionally said on the air of the Belarus 1 TV channel.: “I call it propaganda of a way of life that is unacceptable for us.” Before that, a statement was made by the Ministry of Internal Affairs criticizing same-sex relationships[[35]](#footnote-35).

Fake dates, which are appointed through dating sites by police officers "in order to identify facts of pedophilia and work out representatives of the LGBT community" for representatives of the LGBT community are common in Belarus[[36]](#footnote-36).

It should be noted that the Belarusian legislation does not contain any norms providing for responsibility for homophobic crimes. The police do not respond satisfactorily to cases of hate-motivated violence against LGBTQ+ people. Criminal cases are often not initiated, even if there is obvious evidence of crimes. Victims may face derogatory treatment and insults from the police because of their sexual orientation[[37]](#footnote-37).

On May 15, 2010, police officers forcibly stopped a peaceful march of LGBT rights activists in Minsk. The actions of the policemen were marked by special cruelty, some participants of the march were dragged along the ground, two were beaten. All the detainees faced derogatory treatment, harassment and homophobic insults from the police. In addition, they spent two days under arrest and all received fines[[38]](#footnote-38).

Police raids on LGBT parties also widespread. Violence was used against at least one person in January-February 2013. During one of these raids, in June 2014, at least one person was subjected to moral pressure in order to obtain a confession of rape, biological samples were taken from him without recognizing him as a suspect or accused[[39]](#footnote-39).

Since August 2020, representatives of the LGBTQ+ community have faced more various forms of discrimination and violence. They were subjected to harassment and psychological violence[[40]](#footnote-40) based on their sexual orientation or gender identity during political detentions.

One of the ways to commit psychological violence against members of the LGBT community is outing. Netizens note that the state focuses on homosexuality during repression and mocks people only because of their orientation. The case of Nikolai Bredelev, A1's press secretary, is notorious. The security forces published a "repentant" video where Nikolai says he is gay, they also posted personal photos and correspondence of the man. He was accused of spreading information about the data of the telecom operator's customers[[41]](#footnote-41).

# 2.4. violence against persons with disabilities, including GBV

Persons with disabilities are one of the most vulnerable groups in Belarus. They are the “grey zone” for the State, they simply do not exist. There is no inclusive approach for people with disabilities, they are not integrated into society, they are considered as objects, not subjects of their rights. There are disability benefits[[42]](#footnote-42).

Mental health is a taboo and stigmatized topic, the state also prefers to turn a blind eye to people with mental illness, in the worst case, cutting them off from society and life with human dignity. The law on psychiatric help has been designed in a way, where the doctor is the one who decides whether you could go back home after some time in mental hospital or you should stay longer[[43]](#footnote-43).

In 2020 the pandemic and the political situation in the state after the presidential elections had a negative impact on vulnerable groups of the population, socialization decreased, difficulties arose for the entire population, and especially for the elderly and people with disabilities in access to medicine[[44]](#footnote-44).

Several marches of people with disabilities took place during the peaceful protests in Belarus. Only a few people were detained, while the authorities did not comment on these detentions[[45]](#footnote-45). Ilya Dobrotvor, journalist, and Anastasia Zakharevich, journalist, even before the march began, were detained[[46]](#footnote-46). The march was watched by police officers, they also filmed. The column of demonstrators was accompanied by a police minibus throughout the procession[[47]](#footnote-47).

At one of these actions there was a man who said that he became disabled after on August 10 (this was the very beginning of political protests) at the Pushkinskaya metro station he was hit by a stun grenade used by the security forces. As a result, part of his leg was amputated. Despite the fact that he filed a complaint with the Investigative Committee, no criminal case was opened there[[48]](#footnote-48).

In 2016 Belarus has ratified the Convention on the Rights of Persons with Disabilities, however, there is no implementation of the convention yet.

When it comes to domestic violence and persons with disabilities, they are most likely would be the victim as they are not always able to physically protect themselves from abuse by relatives or partners, the same happens with mental and economic violence. What makes this group even more vulnerable is that they are not able to protect their rights as their legal capacity is limited and they are dependent on their family members.

# 2.5. gender based violence against men

As was mentioned above, hotline call statistics show that the majority of victims of domestic violence seeking help are women, not men[[49]](#footnote-49). As part of the Belarusian project “Promoting Gender Equality in Belarus through the Engagement of Men and Young People”, a study on masculinity was conducted in 2020 by the NGO “Gender Perspectives”, according to which violence against men is not the primary problem they face throughout life[[50]](#footnote-50).

Traditional values are strong in Belarusian society, and therefore men often face the so-called toxic masculinity in everyday life, which is expressed in the pressure (most often psychological) of society and the strengthening of stereotypes that “men don’t cry”, “men must always be strong", etc.

According to the results of the study, the most important thing for Belarusian men to consider themselves successful and accomplished is the need to take care of loved ones, a ban on violence against the obviously weak, the ability to take responsibility and stand up for themselves, respect for everyone, regardless of gender, participation in housekeeping. The most urgent problems of Belarusian men are the low level of well-being, financial difficulties (82%), problems with work, career (68%), political and economic problems in the country (45%)[[51]](#footnote-51).

Despite the fact that a woman is traditionally considered a victim of violence in society, the Men's Anonymous Counseling Service, MAKS, has been created in Belarus by the initiative of Gender Perspectives. Men can apply there if they become victims of domestic violence (or violence in general). The main goals of the service are to eradicate stereotypes that a man should be ashamed to seek help or talk about his problems, as well as to prevent the spread of PTSD among men[[52]](#footnote-52). However, in 2021 the service has been stopped due to the liquidation of Gender Perspectives

Andrei Turovets, director of the Minsk City Center for Social Services for Families and Children, notes that marital conflict ranks second in the ranking of reasons for applying to the center. The men who applied say that they are experiencing "so far psychological, but sometimes economic" violence in the form of attitudes like "You must provide, and I will rest and not work"[[53]](#footnote-53).

# 2.6. conflict gender based violence, including sexual violence

After August 2020, a separate vulnerable group was formed by people with an active civic position who spoke out (and keep doing it) against election falsification, activists, human rights defenders, as well as all those who were recognized as political prisoners. In the current situation, state bodies, which, according to the legislation, are called upon to protect people from violence, began to use it against people[[54]](#footnote-54).

A new wave of violence began in August 2020, when people came out to protest against the rigged presidential elections. Flash-bang grenades, round and stabilized rubber bullets and tear gas were used against the demonstrators[[55]](#footnote-55). Some people died. First of all, it was police violence against all people, regardless their gender and health status[[56]](#footnote-56). People, who suffered from violence during that period and turned to investigating authorities, were refused to initiate criminal proceedings against the security forces[[57]](#footnote-57). Starting in August 2020, the media published photo- and video-evidence of physical violence used against both men and women, who took part in peaceful protest actions[[58]](#footnote-58). Violence shows that it affects everyone, especially when it comes to internal conflict and the State's monopoly on violence.

As for women, we can note the resonant case when in Zhodino at a peaceful protest in September 2020, a security officer hit a woman in the face. This woman filed a report for a policeman and in January 2021 was refused to initiate a criminal proceedings[[59]](#footnote-59). Brutality during detention was noted, as well as violent behavior on the part of the security forces in prisons[[60]](#footnote-60).

The girls detained at the protests were subjected to violence and ill-treatment in prisons and police departments. They were starved, beaten and humiliated. They were also denied hygiene products and threatened with rape if they refused to sign protocols, the text of which they were not familiar with[[61]](#footnote-61).

An activist of the movement for LGBT+ rights, Victoria Biran, was also detained, she was sentenced to 15 days of administrative arrest, which the activist must serve in an isolation ward on Okrestina Street. According to media reports, this detention center is distinguished by the brutality of its employees and terrible conditions for detainees[[62]](#footnote-62). Considering this, as well as the fact that activism for the protection of LGBT+ rights does not find broad public support in Belarus, it can be assumed that the treatment of such human rights defenders would be even more cruel.

As for men, the case of Roman Bondarenko, who was beaten to death by security forces for "non-state symbols" is indicative[[63]](#footnote-63).

A peaceful driver, who held his hand in a white bandage high out of the window (a symbol of peaceful protest), was detained and handed over to the police. That's what he notes: "They wrung my hands, put me facedown on the floor. I heard people being beaten and they were screaming, and the local secretaries, stepping over those lying down, were nice to communicate with colleagues and with each other"[[64]](#footnote-64).

34-year-old Alexander Taraykovsky was killed at the protest on August 10. One of the representatives of the security forces shot him in the chest. Alexander was completely unarmed, and his friends note that he had only his phone with him. At the same time, official state media reported to the population that he wanted to throw an "unidentified explosive device" at the security forces, but "it exploded in his hand, and the man received injuries incompatible with life"[[65]](#footnote-65).

Another peaceful citizen, who did not even participate in the protests that evening, was detained because he had a walkie-talkie with him (there was no access to mobile communications and the Internet in the country) and numerous stamps in his passport about trips to Europe. He was considered a foreign agent who organized the protests, and ordered to "take it tough." He notes: "They trampled on me, spat on me, lifted me up with my arms twisted behind my back. They brought knives, backpacks, explosive packages - when I said it wasn't mine, they continued to beat me. They brought a youngster who was being driven in the same paddy wagon, demanding to admit that I had agitated him for a rally"[[66]](#footnote-66).

One of the peaceful protesters also notes: "We were beaten, I was beaten in the head. One fighter took a flag (meaning a white-red-white flag), threw it around my neck and shouted: "I'll strangle you, you bastard." He was called on the radio, and he fell behind me. I took off the flag and put it in my pocket"[[67]](#footnote-67).

One of the representatives of the LGBT community said that during a peaceful protest, a grenade was thrown at his feet, which almost tore his legs[[68]](#footnote-68).

# 3. The legal framework and its prohibition or non-prohibition, sanctions of these forms of violence and the definitions and forms of violence included in the legal system

According to article 22 of the Constitution[[69]](#footnote-69), everyone is equal before the law and has the right, without any discrimination, to equal protection of rights and legitimate interests.

The law "On the basics of crime prevention activities" is in force[[70]](#footnote-70). A significant part of it is devoted to the prevention of domestic violence. According to this Law, it is possible to issue protective orders, there are also shelters[[71]](#footnote-71). However, human rights activists note that it is impossible to live there for more than three days. Due to the large number of victims there is usually a queue. Priority is given to women with children. The rest of the women simply have nowhere to hide from the aggressor[[72]](#footnote-72). Accordingly, these measures cannot be called effective.

The Radislava organization dealt with these issues in more detail, but it was liquidated in 2021, and its head, Olga Gorbunova, was imprisoned. The same destiny has happened with HerRights, Gender perspectives and its hotline for victims of domestic violence and new project on men’s issues MAKS[[73]](#footnote-73).

There is no separate law on domestic violence in the Republic of Belarus. There were attempts to create it, but they were unsuccessful due to the fact that the bill on countering domestic violence received a lot of criticism from adherents of "traditional values", among whom was the President. His quote: "All this is nonsense, taken primarily from the West. This is now a fashionable formulation in the West. They will soon have no families: a man marries a man or gets married. There is no one to give birth to children." He also referred to the fact that the traditions of the Belarusian people sometimes quite fit the violence of parents towards children. After that, a collective letter was discussed in the Presidential Administration, which was signed by about 6 thousand citizens who expressed their dissatisfaction with the innovations[[74]](#footnote-74). However, this issue was raised again in 2021. The deputies of the National Assembly of Belarus adopted the bill "On amendments to the laws on the prevention of offenses" on December 21, 2021. "It is planned to improve the existing mechanisms for the prevention of domestic violence," the deputies note. The bill provides for: expanding the circle of persons against whom violence is classified as domestic. Such a measure has been introduced to optimize the activities for the application of measures of individual prevention of offenses as a correctional program, and its content has been determined[[75]](#footnote-75). It is worth noting that this bill did not pay special attention to the issues of violence against children.

There are no separate norms in the legislation that relate to violence against any of the above-mentioned groups either. The norms of the Criminal Code and the Code of the Republic of Belarus on Administrative Offenses are aimed not at preventing, but at liquidation of the consequences, and begin to take effect after the fact of violence. All forms of corporal punishment at home/school and other institutions are still not prohibited by Belarusian authorities.

Definitions of crimes related to violence (murder, inducement to suicide, slander, insult and many others) are contained in the Criminal Code, the Code of Administrative Offenses, the Code on Marriage and Family and other regulatory legal acts.

The Code of the Republic of Belarus on Administrative Offenses contains articles related to violence, namely: causing bodily injury (Art. 9.1); insult (Art. 9.3); disorderly conduct. (Art. 17.1).[[76]](#footnote-76)

Quite a large number of articles related to violence are contained in the Criminal Code of the Republic of Belarus in the chapters "Crimes against life and health", "Crimes against sexual integrity or sexual freedom", "Crimes against personal freedom, honor and dignity".[[77]](#footnote-77)

Liability, including criminal, is provided for committing domestic violence.

The issuance of a protective order is one of the measures of individual prevention of offenses against the aggressor, except for others (preventive conversation, official warning, preventive accounting).[[78]](#footnote-78)

As already noted, the victims of violence (both domestic and physical and sexual) in Belarus are mainly women. Due to the peculiarities of the Belarusian society, many of them are subjected to harassment and accusations that they provoked the aggressors themselves. As a result, they do not apply for protection of their rights, because they feel guilty or ashamed. Accordingly, they are deprived of the opportunity to receive any compensation from the State as victims of violence. Another reason that victims do not protect their rights is that they do not believe in the system and law enforcement agencies. Victims of sexual crimes completely conceal the facts of violence, because they are afraid of repeated traumatization[[79]](#footnote-79).

# 4. Information on the health and other type of responses provided by the State and/or other actors in Belarus in focus to survivors of each/some of the aforementioned forms of violence

It is worth noting that the state, although it has legal grounds for providing assistance to victims of violence, behaves quite passively in this regard, or the mechanisms created by the state turn out to be ineffective. NGOs were engaged in providing assistance of any kind (psychological, financial, housing) to victims of violence, essentially doing the work of the state, for instance, Gender Perspectives and Radislava. Until recently, a hotline for victims of domestic violence was opened and operated for many years by Gender Perspectives. Before the liquidation, Radislava was the only shelter for victims of domestic violence. However, due to repression, victims of domestic violence found themselves in an even more vulnerable position, because these organizations were liquidated for political reasons.[[80]](#footnote-80)

5. Examples of good practices by State and non-State actors, its initiatives and measures to prevent these forms of violence

Most state measures are taken in relation to domestic violence and the recommendations[[81]](#footnote-81) of State bodies posted on the Internet have the biggest focus on it. The Ministry of Labor and Social Protection publishes articles[[82]](#footnote-82) on its website with tips and an action plan for people affected by domestic violence.

Other types of violence against specific groups of people are not widely publicized by State bodies. There are Crisis centers for victims of domestic violence[[83]](#footnote-83) and Territorial centers of Social service of the population of the administration of the districts of Minsk[[84]](#footnote-84). In September 2021, the preventive event "House without Violence" was held; one of the goals was to take preventive measures against persons who commit domestic violence[[85]](#footnote-85).

Nevertheless, telephones and organizations of assistance to citizens affected by violence function[[86]](#footnote-86).

In 2017, the National Action Plan for Improving the Situation of Children and Protecting Their Rights for 2017-2021 was approved[[87]](#footnote-87).

Among the good things, we can also mention that, at the end of 2021, The Law on amendments to the Law "On the basics of crime prevention activities" was considered. In general, there are hopes for innovations, as well as for the fact, that they will be legally fixed, but it is too early to judge how legislative innovations will be implemented in practice, taking into account the negative experience of applying the 2014 law and the legal default in the Republic of Belarus after August 2020.

Among the good practices, one can also note the active work of the NGOs described above. Specific examples of such work include the collection and publication of statistical data, conducting research and providing reports, a hotline for victims of domestic violence, providing shelters and much more.

The Belarusian Women's Fund has also launched the "My Step to Freedom" project[[88]](#footnote-88), which aims to collect information about the crimes of the Lukashenka regime. They publish interviews with women who have experienced any kind of violence in Belarus. More than 50 in-depth interviews have been collected so far. Most of them cannot be published for the safety of the interviewees, however they are nevertheless filed for initiating further litigation (this is another fund project - "Road to The Hague").

At the moment, published interviews talk about torture against peaceful protesters in detention centers (#33, #32, #31), as well as torture against female political prisoners, cruel detentions (#14), inhuman treatment of women. There is also information about transphobia and psychological pressure on the part of guards against detained transgender women (#27).[[89]](#footnote-89)

1. Domestic violence, <https://www.genderperspectives.by/programs/domashnee-nasilie/> [↑](#footnote-ref-1)
2. Ibid. [↑](#footnote-ref-2)
3. The law of the Republic of Belarus  "On the basics of crime prevention activities", <https://www.fr.gov.by/upload/ruvd/law-122-3.pdf>  [↑](#footnote-ref-3)
4. Ibid, art. 1. [↑](#footnote-ref-4)
5. Domestic violence, <https://www.genderperspectives.by/programs/domashnee-nasilie/> [↑](#footnote-ref-5)
6. <https://www.genderperspectives.by/events/news/analiz-12-tysyach-obrashchenij-na-goryachuyu-liniyu-svidetelstvuet-o-neobkhodimosti-sovershenstvovaniya-zakonodatelstva/?sphrase_id=279> [↑](#footnote-ref-6)
7. <https://www.genderperspectives.by/en/> [↑](#footnote-ref-7)
8. Due to repression from the state, the website of the NGO “Radislava” was blocked in 2021. [↑](#footnote-ref-8)
9. <https://eeprava.by/> [↑](#footnote-ref-9)
10. For more details, see section 3 of the Report. [↑](#footnote-ref-10)
11. Domestic violence, <https://www.genderperspectives.by/programs/domashnee-nasilie/> ; <https://boiro.by/files/00110/obj/110/61523/doc/%D0%9F%D0%BE%D1%81%D1%82%D0%B0%D0%BD%D0%BE%D0%B2%D0%BB%D0%B5%D0%BD%D0%B8%D0%B5%20%D0%BE%20%D0%BF%D1%80%D0%B8%D0%B7%D0%BD%D0%B0%D0%BD%D0%B8%D0%B8%20%D0%B2%20%D0%A1%D0%9E%D0%9F.PDF> [↑](#footnote-ref-11)
12. <https://www.genderperspectives.by/events/news/analiz-12-tysyach-obrashchenij-na-goryachuyu-liniyu-svidetelstvuet-o-neobkhodimosti-sovershenstvovaniya-zakonodatelstva/?sphrase_id=279> [↑](#footnote-ref-12)
13. Ibid. [↑](#footnote-ref-13)
14. Ibid. [↑](#footnote-ref-14)
15. Prevalence of violence against women in the Republic of Belarus, <https://belarus.unfpa.org/sites/default/files/pub-pdf/Распространенность%20насилия%20в%20отношении%20женщин_Электронное%20издание%20%281%29.pdf> [↑](#footnote-ref-15)
16. <https://www.genderperspectives.by/events/news/analiz-12-tysyach-obrashchenij-na-goryachuyu-liniyu-svidetelstvuet-o-neobkhodimosti-sovershenstvovaniya-zakonodatelstva/?sphrase_id=279> [↑](#footnote-ref-16)
17. Ibid. [↑](#footnote-ref-17)
18. Human rights activists: the ex-head of "Radislava" was charged with two articles, <https://news.zerkalo.io/life/7127.html> [↑](#footnote-ref-18)
19. <https://karta-nasiliya.by/organisation-aid.pdf> [↑](#footnote-ref-19)
20. <https://www.frontlinedefenders.org/ru/case/woman-human-rights-defender-olga-gorbunova-included-list-detainees-considered-inclined> [↑](#footnote-ref-20)
21. Ibid. [↑](#footnote-ref-21)
22. <https://boiro.by/files/00110/obj/110/61523/doc/%D0%9F%D0%BE%D1%81%D1%82%D0%B0%D0%BD%D0%BE%D0%B2%D0%BB%D0%B5%D0%BD%D0%B8%D0%B5%20%D0%BE%20%D0%BF%D1%80%D0%B8%D0%B7%D0%BD%D0%B0%D0%BD%D0%B8%D0%B8%20%D0%B2%20%D0%A1%D0%9E%D0%9F.PDF> [↑](#footnote-ref-22)
23. <https://www.currenttime.tv/a/belarus-deti/31520331.html> [↑](#footnote-ref-23)
24. Ibid. [↑](#footnote-ref-24)
25. Ibid. [↑](#footnote-ref-25)
26. <https://www.dw.com/ru/белорусские-власти-давят-на-оппозицию-через-детей/a-38842547> [↑](#footnote-ref-26)
27. More than 500 children have suffered from sexual violence in Belarus since the beginning of the year, <https://www.belta.by/incident/view/v-belarusi-s-nachala-goda-ot-seksualnogo-nasilija-postradali-bolee-500-detej-468452-2021/> [↑](#footnote-ref-27)
28. Interior Ministry: Sexual abuse of children is a threat to national security, <https://pravo.by/novosti/obshchestvenno-politicheskie-i-v-oblasti-prava/2019/may/35355/> [↑](#footnote-ref-28)
29. Ibid. [↑](#footnote-ref-29)
30. A young father beat his newborn son in Kostyukovichi, <https://sputnik.by/20190205/Molodoy-otets-izbil-svoego-novorozhdennogo-syna-v-Kostyukovichakh-1039902988.html> [↑](#footnote-ref-30)
31. Violence against children in the family. What will happen to the child and what threatens the parents, <https://pravo.by/novosti/obshchestvenno-politicheskie-i-v-oblasti-prava/2019/february/32420/> [↑](#footnote-ref-31)
32. <https://www.youtube.com/watch?v=YPGMutfLjWE&feature=youtu.be> [↑](#footnote-ref-32)
33. The president during a meeting on economic issues stated the following: “you have gone, arranged wrangles, gathered civil servants from top to bottom ... decided to punish this poor teacher. If I were this teacher, I would have twist the neck of this puppy (he meant the 4th-grade student): <https://news.tut.by/society/654144.html> [↑](#footnote-ref-33)
34. <https://www.unicef.by/uploads/models/2018/04/unicef-belarus-vac-report-2018.pdf> [↑](#footnote-ref-34)
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36. Fake dates and "working out" of LGBT representatives in Belarus: homophobia in the country of police violence, <https://www.bbc.com/russian/media-55059877> [↑](#footnote-ref-36)
37. <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=1739&file=RussianTranslation> [↑](#footnote-ref-37)
38. Under the rainbow flag against Lukashenko: LGBT community and protests, <https://www.dw.com/ru/pod-raduzhnym-flagom-protiv-lukashenko-lgbt-soobshhestvo-i-protesty/a-57215607> [↑](#footnote-ref-38)
39. <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=1739&file=RussianTranslation> [↑](#footnote-ref-39)
40. Under the rainbow flag against Lukashenko: LGBT community and protests, <https://www.dw.com/ru/pod-raduzhnym-flagom-protiv-lukashenko-lgbt-soobshhestvo-i-protesty/a-57215607> [↑](#footnote-ref-40)
41. <https://reform.by/285760-vlasti-hotjat-chtoby-u-arestovannogo-ne-bylo-shansov-na-zashhitu-gomofobija-v-belarusi-stala-instrumentom-repressij> [↑](#footnote-ref-41)
42. National Human rights Index in Belarus, right to health, <https://index.belhelcom.org/> [↑](#footnote-ref-42)
43. Ibid. [↑](#footnote-ref-43)
44. Ibid. [↑](#footnote-ref-44)
45. <https://www.bbc.com/russian/news-54559425> [↑](#footnote-ref-45)
46. <https://naviny.online/article/20201105/1604586568-sbili-s-nog-srazhaysya-na-kolenyah-invalidy-proshli-marshem-po-centru> [↑](#footnote-ref-46)
47. Ibid. [↑](#footnote-ref-47)
48. <https://bdg.by/v-minske-na-marsh-snova-vyshli-lyudi-s-ogranichennymi-vozmozhnostyami> [↑](#footnote-ref-48)
49. <https://www.genderperspectives.by/events/news/analiz-12-tysyach-obrashchenij-na-goryachuyu-liniyu-svidetelstvuet-o-neobkhodimosti-sovershenstvovaniya-zakonodatelstva/?sphrase_id=279> [↑](#footnote-ref-49)
50. <http://www.genderperspectives.by/programs/muzhskaya-sluzhba-maks/> [↑](#footnote-ref-50)
51. Ibid. [↑](#footnote-ref-51)
52. <https://www.genderperspectives.by/events/news/muzhchiny-kotorye-postradali-ot-nasiliya-chto-delat-kak-pomoch-sebe-i-chto-mogut-sdelat-blizkie/> [↑](#footnote-ref-52)
53. [Belarusian men urged to break the chain of domestic violence](https://www.dw.com/ru/%D0%B1%D0%B5%D0%BB%D0%BE%D1%80%D1%83%D1%81%D1%81%D0%BA%D0%B8%D1%85-%D0%BC%D1%83%D0%B6%D1%87%D0%B8%D0%BD-%D0%BF%D1%80%D0%B8%D0%B7%D1%8B%D0%B2%D0%B0%D1%8E%D1%82-%D1%80%D0%B0%D0%B7%D0%BE%D1%80%D0%B2%D0%B0%D1%82%D1%8C-%D1%86%D0%B5%D0%BF%D0%BE%D1%87%D0%BA%D1%83-%D0%BD%D0%B0%D1%81%D0%B8%D0%BB%D0%B8%D1%8F-%D0%B2-%D1%81%D0%B5%D0%BC%D1%8C%D0%B5/a-4081801) [↑](#footnote-ref-53)
54. For more information about violence against protestors see The Report “Belarus after election”, prepared by the Belarusian Helsinki Committee, Human Rights Centre "Viasna"

    and the Belarusian Association of Journalists in cooperation with the

    International Federation for Human Rights (FIDH) and World Organization Against Torture (OMCT). <https://spring96.org/files/misc/belarus_after_election_report_2020_en.pdf> [↑](#footnote-ref-54)
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56. Ibid. [↑](#footnote-ref-56)
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58. Ibid; <https://www.hrw.org/ru/news/2020/08/12/376082> [↑](#footnote-ref-58)
59. <https://news.zerkalo.io/life/6342.html> [↑](#footnote-ref-59)
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61. <https://www.bbc.com/russian/features-53773443> [↑](#footnote-ref-61)
62. <https://eurasia.amnesty.org/2020/10/02/potrebujte-osvobodit-aktivistku-dvizheniya-za-prava-lgbt-viktoriyu-biran/> [↑](#footnote-ref-62)
63. Roman Bondarenko died in Minsk. He was beaten because of the white-red-white flag, <https://www.bbc.com/russian/news-54925380> [↑](#footnote-ref-63)
64. <https://www.bbc.com/russian/features-53857338> [↑](#footnote-ref-64)
65. <https://www.currenttime.tv/a/taraykovsky-god-spustya/31403276.html> [↑](#footnote-ref-65)
66. <https://www.bbc.com/russian/features-53857338> [↑](#footnote-ref-66)
67. <https://www.bbc.com/russian/news-55148452> [↑](#footnote-ref-67)
68. <https://www.the-village.me/village/city/opyt-ludzi/284195-zavalej> [↑](#footnote-ref-68)
69. <https://pravo.by/pravovaya-informatsiya/normativnye-dokumenty/konstitutsiya-respubliki-belarus/> [↑](#footnote-ref-69)
70. The law of the Republic of Belarus  "On the basics of crime prevention activities", <https://www.fr.gov.by/upload/ruvd/law-122-3.pdf> [↑](#footnote-ref-70)
71. Ibid, art. 10, 17. [↑](#footnote-ref-71)
72. <https://reform.by/281780-bez-ee-podderzhki-ja-by-ne-vyzhila-kto-takaja-olga-gorbunova-kotoruju-obvinjajut-v-organizacii-zhenskih-marshej> [↑](#footnote-ref-72)
73. <https://nash-dom.info/73039> [↑](#footnote-ref-73)
74. <https://www.belta.by/president/view/lukashenko-zhestko-raskritikoval-zakonoproekt-o-protivodejstvii-domashnemu-nasiliju-320484-2018/> [↑](#footnote-ref-74)
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79. <https://news.zerkalo.io/life/5598.html> [↑](#footnote-ref-79)
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82. <https://mintrud.gov.by/ru/vyhod_est_vsegda>; <https://www.mintrud.gov.by/ru/profilaktika_dom_nasiliya> [↑](#footnote-ref-82)
83. [https://10gp.by/информация/кризисные-центры-в-минске-для-жертв-домашнего-насилия](https://10gp.by/%D0%B8%D0%BD%D1%84%D0%BE%D1%80%D0%BC%D0%B0%D1%86%D0%B8%D1%8F/%D0%BA%D1%80%D0%B8%D0%B7%D0%B8%D1%81%D0%BD%D1%8B%D0%B5-%D1%86%D0%B5%D0%BD%D1%82%D1%80%D1%8B-%D0%B2-%D0%BC%D0%B8%D0%BD%D1%81%D0%BA%D0%B5-%D0%B4%D0%BB%D1%8F-%D0%B6%D0%B5%D1%80%D1%82%D0%B2-%D0%B4%D0%BE%D0%BC%D0%B0%D1%88%D0%BD%D0%B5%D0%B3%D0%BE-%D0%BD%D0%B0%D1%81%D0%B8%D0%BB%D0%B8%D1%8F) [↑](#footnote-ref-83)
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