

NATIONAL ACTION PLAN

on implementation of the provisions of the
Convention on the Rights of Persons with
Disabilities for the period 2017-2025 in
the Republic of Belarus

CHAPTER 1 GENERAL PROVISIONS

On October 18, 2016, the Republic of Belarus ratified the Convention on the Rights of Persons with Disabilities (hereinafter referred to as the Convention). The goal of the Convention is to promote, protect and ensure the full and equal enjoyment by all persons with disabilities of all human rights and fundamental freedoms, as well as to promote respect for their inherent dignity.

The National Action Plan for the implementation of the provisions of the Convention on the Rights of Persons with Disabilities for the period 2017-2025 (hereinafter referred to as the National Plan) is a fundamental document designed to ensure the creation of the necessary conditions and mechanisms for the implementation of the provisions of the Convention in our country on the basis of consolidation of efforts of state bodies, organizations and civil society institutions.

The National Plan is based on the Standard Rules on the Equalization of Opportunities for Persons with Disabilities adopted in accordance with United Nations General Assembly Resolution No. 48/96 of 20 December 1993, as well as on the provisions and principles of the Convention, international documents ratified in the Republic of Belarus and the legislation of the Republic of Belarus.

For the purposes of the National Plan, the following main terms and their definitions apply:

person with disabilities is a person with persistent physical, mental, intellectual or sensory impairments that, when interacting with various barriers, interfere with their full and effective participation in the society, equal to other citizens' participation;

individual rehabilitation program for a person with disabilities is a document that defines the range of rehabilitation activities, the specific types and timing of the rehabilitation for persons with disabilities, as well as assigns the responsible for conducting it;

social protection of persons with disabilities is a system of state-guaranteed legal, organizational measures and social support measures that provide conditions for persons with disabilities to overcome, replace (compensate) life

constraints and aim to create equal opportunities for them with other citizens to participate in the life of the society;

rehabilitation of persons with disabilities is a system of measures aimed at helping people with disabilities to achieve their optimal physical, intellectual and social levels of activity, as well as supporting them by providing the necessary tools, services, information and other means to improve the quality of life and expand the scope of their independence that consists of medical, professional, labor and social rehabilitation.

Implementation of the National Plan will allow to improve the system of medical and social expertise, providing services in the field of rehabilitation for persons with disabilities, undertake measures to ensure access for persons with disabilities on an equal basis with other citizens to work, physical environment, including transport, information and communication, equipment of facilities, and adaptation services taking into account the needs of persons with disabilities.

CHAPTER 2 THE STATUS OF PERSONS WITH DISABILITIES IN THE REPUBLIC OF BELARUS

As of the end of 2016, the number of people with disabilities receiving a pension in the labor, employment and social protection agencies amounted to 554,900 people (5.8 percent of the country's population), including 86.5 thousand people with disabilities of Group I, Group II – 266.4 thousand people, Group III – 172.4 thousand people, children with disabilities under the age of 18 – 29.6 thousand people. The proportion of women with disabilities in the total number of persons with disabilities was 54.8 %.

In the Republic of Belarus in 2016, 58,275 people were recognized as persons with disabilities for the first time, of which 54,454 people aged 18 and over, 19 950 people are of working age, 3821 people are under 18 years old.

The level of primary disablement of the population of the republic as a whole for 2016 compared to 2015 decreased by 3.5 %, including among the adult population – by 3.6 %, and the employable population – by 3.7 %. Among the children's population, the level of primary disablement rose by 2.5 %.

Among the adult population, the structure of diseases with primary disablement resulting in disability is relatively stable. In the first place are the diseases of the circulatory system (43%), the second – neoplasms (24.2 percent), the third – diseases of the musculoskeletal system and connective tissue (7.6 percent).

The level of congenital anomalies in children under 18 is 25.3%, in 16.8% of children the cause of disability is the diseases of the nervous system, mental illness disorders account for 16.6%.

In the Republic of Belarus, work is carried out on an ongoing basis to improve the system of measures for rehabilitation of persons with disabilities. Regulatory legal acts are being adopted on issues of medical rehabilitation; health care organizations are getting equipped with rehabilitation equipment, new technologies for preventing disability and rehabilitation of persons with disabilities are being developed.

Persons with disabilities in the Republic of Belarus have political, socio-economic, personal rights and freedoms, and their status and legal status are regulated by the Constitution of the Republic of Belarus and legislative acts.

The Constitution of the Republic of Belarus establishes the inalienable right of every person to life. This right is absolute in nature with respect to the identity of any citizen of the Republic of Belarus, a stateless person, a person with disabilities, a legally incompetent person, a minor, and others. Around the fundamental right to life, other legal relations are formed that ensure and protect the individual's right to life. This is the right to freedom, inviolability and dignity of the person, the right to property, the right to free movement and choice of residence, the right to freely elect and be elected to state bodies, the right to work, rest, education and health, the right to marry and create a family, as well as other constitutional rights and freedoms. The equality of all before the law and the right of everyone to equal protection of rights and legitimate interests are proclaimed.

According to the Electoral Code of the Republic of Belarus, all citizens of the Republic of Belarus who have reached 18 years of age have the right to vote. In elections and referenda the citizens who are recognized as legally incompetent by the court, as well as persons detained under the verdict of the court in correctional facilities do not participate. Persons with disabilities on general grounds, like other categories of citizens, have the right to legislative initiative, as well as the right to initiate and participate in a referendum.

The principle of prohibition of discrimination on the basis of disability is fundamental when implementing the state policy in the field of social protection of persons with disabilities. The principle of non-discrimination is at the same time linked to the principle of equality, considered as the equality of all citizens, regardless of the circumstances, including disability. Meanwhile, equality does not exclude demonstration of special care for persons with disabilities (provision of benefits, social support and other).

The following laws of the Republic of Belarus were adopted and are being implemented: 23 July, 2008 “On prevention of disability and rehabilitation of persons with disabilities” (National Register of Legal Acts of the Republic of Belarus, 2008 No. 184, 2/1519), of November 11, 1991, “On the Social Protection of Persons with Disabilities in the Republic of Belarus” (Logs of the Supreme Council of the Republic of Belarus, 1991, No. 34, Article 611; National Register of Legal Acts of the Republic of Belarus, 2009, No. 173, 2/1600), of 22

May, 2000 “On social services” (National Register of legal acts of the Republic of Belarus, 2000, No. 50, 2/170, the National legal Internet portal of the Republic of Belarus, 26.07.2012, 2/1979), of 14 June, 2007 “On state social benefits, rights and guarantees for certain categories of citizens” (National Register of legal acts of the Republic of Belarus, 2007 No. 147, 2/1336), decrees of the President of the Republic of Belarus of 28 August, 2006 No. 542 “On sanatorium treatment and health improvement for the population” (National Register of Legal Acts of the Republic of Belarus, 2006, No. 143, 1/7882), of 19 January, 2012 No. 41 “On State Targeted Social Assistance” (National Register of Legal Acts of the Republic of Belarus, 2012, No. 12, 1/13263), resolutions of the Council of Ministers of the Republic of Belarus of 11 December, 2007 No. 1722 “On the state register (list) of means of social rehabilitation and the procedure for providing these to certain categories of citizens” (National Register of Legal Acts of the Republic of Belarus, 2008, No. 1, 5/26402), No. 1218 of 27 December, 2012 “On Certain issues of providing social services” (National Legal Internet portal of the Republic of Belarus, 11.01.2013, 5/36756), and other regulatory legal acts.

The national legislation enshrines legal norms on the protection of the rights of women mothers, their health, payment of benefits, guarantees to lactating mothers, preserving their place of work and non-discrimination.

The rights to citizenship, a decent standard of living, the inviolability of the individual, protection from exploitation and violence, residence in the family, free expression of thoughts, housing, education and other are secured for every child regardless of nationality, health status and other circumstances. These norms apply equally to children with disabilities. Measures are being taken in the country to specifically protect the rights and legitimate interests of children with disabilities, providing material support to families raising children with disabilities, ensuring access to medical care and education for children with special needs.

Purposeful work is carried out in the education system with various groups of students with special needs, which is reflected in the norms of the Code of the Republic of Belarus on Education. The system of special education is represented by a wide network of institutions in which people with special needs are trained. Integrated education and upbringing is an important feature of special education in our country.

The specific features of regulating the work of persons with disabilities are defined by the Labor Code of the Republic of Belarus and other normative legal acts in the field of labor legislation. To increase the competitiveness of the persons with disabilities on the labor market, as well as to assist in the realization of their labor potential, the persons with disabilities are referred for labor rehabilitation and adaptation, as well as vocational training, training and retraining. Specialized workplaces are reserved and created in order to employ persons with disabilities.

The norms on accessibility of the physical environment for the life of persons with disabilities are reflected in the legislation and have been implemented since 2007 within the framework of state programs (subprograms) on creating a barrier-free environment for the life of persons with disabilities and physically handicapped persons. When implementing the measures of these state programs (subprograms), the number of buildings and structures equipped with barrier-free environment elements is constantly increasing. The work is being carried out to increase the number of social, domestic and other services, as well as information accessible to persons with disabilities.

In all administrative regions of the country there are territorial social services centers with emergency social services, social assistance at home, day-care activities for persons with disabilities with interest groups and rehabilitation workshops, 24-hour stay departments for the elderly and persons with disabilities.

Organization of life-sustaining activities for citizens, for whom it is for some reason impossible to stay at home, is ensured in the institutions that provide inpatient social services. New forms of services are developing in these organizations, including:

- short-term accommodation service;

- staying in the departments of enhanced comfort with accommodation in single, double rooms with private facilities and other additional services;

- social respite service for families raising children with disabilities.

In order to assist persons with disabilities in preparing for independent living outside in-patient institutions, adapting to conditions of everyday life and work, departments of accompanied residence are created.

In 2011-2015, state programs were implemented to integrate persons with disabilities into the society, to prevent disability and to rehabilitate persons with disabilities.

Implementation of the relevant state programs is ongoing, including the State Program “People's Health and Demographic Security of the Republic of Belarus” for 2016-2020, approved by the Resolution of the Council of Ministers of the Republic of Belarus on 14 March, 2016 No. 200 (National Legal Internet Portal of the Republic of Belarus, 30 March, 2016, 5/41840), the State program on social protection and promotion of employment for 2016-2020, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 30 January, 2016 No. 73 (National Legal Internet Portal of the Republic of Belarus, 12.02.2016, 5/41675), the State Program “Education and Youth Policy” for 2016-2020, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 28 March, 2016. No. 250 (National Legal Internet Portal of the Republic of Belarus, 13.04.2016, 5/41915), and other.

In Belarus, institutional conditions have been created and are developing, including the system of state bodies, local executive and administrative bodies, state and non-governmental organizations, civil society institutions. The activities of the latter are directly or indirectly aimed at establishing the status

of a person with disability, ensuring, implementing and restoring the rights and freedoms if necessary, creation of optimal political, economic, material, technical and organizational conditions for the most full enjoyment of the rights, freedoms and protection of the interests by persons with disabilities.

To coordinate the activities of state bodies implementing a unified state policy in the area of disability prevention and rehabilitation of persons with disabilities and to develop coordinated actions, a Republican interdepartmental council on the problems of the persons with disabilities was established by the resolution of the Council of Ministers of the Republic of Belarus of 2 February, 2009 No. 129 “On the establishment of the Republican Interdepartmental Council on the Problems of the Persons with Disabilities” (National register of legal acts of the Republic of Belarus, 2009, No. 40, 5/29243).

The Republican Council includes the heads of the republican governmental bodies responsible for labor, employment and social protection, health, education, transport, communications, housing, culture, sports, as well as heads of public associations of persons with disabilities and other organizations. The Republican Council is chaired by the Deputy Prime Minister of the Republic of Belarus.

According to the Law of the Republic of Belarus of 18 October, 2016 “On Ratification of the Convention on the Rights of Persons with Disabilities” (National Legal Internet Portal of the Republic of Belarus, 21.10.2016, 2/2422), Ministry of Labor and Social Protection is the body responsible for the implementation of the provisions of the Convention in the Republic of Belarus.

A significant contribution to solving the problems of persons with disabilities in the Republic of Belarus is made by public associations of persons with disabilities, including public associations “Belarusian Society of Persons with Disabilities”, “Belarusian Association of the Visually Impaired”, “Belarusian Society of the People with Hearing Impairments”, “The Republican Association of Wheelchair Users”, “Belarusian Association of Assistance to Children and Young People with Disabilities”. The state takes measures to create conditions for the fulfillment of the statutory tasks of public associations, assistance is provided for their development. In accordance with the law tax privileges are established for public associations of persons with disabilities and organizations that belong to them with the right of ownership. At the same time, the funds remaining at the disposal of these associations and organizations in connection with the preferential taxation are directed at the development and strengthening of their material and technical base, as well as to meet the social needs of the persons with disabilities.

In general, the Republic of Belarus has created legal, organizational and institutional conditions for enjoyment of the rights and freedoms of persons with disabilities on an equal basis with other citizens. The norms of national legislation do not contradict the provisions of the Convention and are consistent with its main purposes and principles.

Within the framework of the implementation of the Convention in the Republic of Belarus, the work aimed at maximizing the integration of persons with disabilities into society as much as possible will continue.

In this regard, it is necessary to further improve forming databases of persons with disabilities, as well as automation of this process. This will allow for effective inter-agency cooperation in carrying out medical and social expertise and rehabilitation activities for persons with disabilities, forming a system of social support measures. To ensure the enjoyment of the rights of persons with disabilities to inclusive education, individual adjustments are required for training plans for students with disabilities, equipping educational institutions with the necessary adaptation and technical means of social rehabilitation for students with disabilities, developing distance learning forms, and etc.

More effective measures should be taken to ensure the employment of persons with disabilities. The main reasons are the following: low competitiveness of persons with disabilities on the labor market and absence of conditions for their fullest employment.

In order to ensure effective rehabilitation for persons with disabilities, to achieve their economic and social independence, it is necessary to improve the system of social rehabilitation, prosthetic and orthopedic assistance, and the procedure for providing technical means of social rehabilitation.

As part of the improvement of the system of social support for persons with disabilities, it is necessary to work out the issues of determining the need of citizens in social services by using “social indicators” based on the individual needs of persons with disabilities, creating the institute of the “personal assistant for a person with disabilities”, restructuring the financing of rehabilitation process, social support for persons with disabilities by introducing the “Personal budget of a person with disabilities”.

Particular attention should be paid to removing barriers for people with disabilities to visit social infrastructure facilities. To this end, it is necessary to implement measures to create a barrier-free environment for people with disabilities in social facilities under construction, cultural and entertainment organizations and sports facilities, construction of sidewalks, passenger stops and pedestrian crossings, installation of sound and light devices on pedestrian crossings. It is necessary to solve the issues of ensuring the individual mobility of persons with disabilities when using public transport. To expand the information environment for people with disabilities with hearing, speech and/or sight impairments, it is necessary to ensure that they fully perceive the information provided in the radio and television information and art programs.

In general, the society has to overcome the stereotyped attitude towards the problems of persons with disabilities and the methods for their solution.

In order to fully implement the provisions of the Convention in the Republic of Belarus, the activities of the National Plan will be implemented in accordance with the Annex.

The activities of the National Plan are aimed at:

improving legislation in terms of ensuring its compliance with the provisions of the Convention;

development of conditions for participation of persons with disabilities in all spheres of the life of the society, forming, development and implementation of the potential by persons with disabilities;

further education of the society on the issues of the rights and freedoms of persons with disabilities, creation of a favorable social environment for the life of citizens with disabilities;

creation of a national mechanism for implementing the provisions of the Convention, and monitoring its implementation.

CHAPTER 3

GOALS, OBJECTIVES, MAIN DIRECTIONS OF ACTIVITIES FOR IMPLEMENTATION OF THE NATIONAL PLAN

The strategic goal of implementing the activities of the National Plan is creation of legal, organizational and institutional conditions for the implementation of the norms of the Convention and the rights of persons with disabilities in the Republic of Belarus.

To achieve this goal, the following basic principles of the Convention will be taken into account:

respect for the inherent dignity of a person, their personal independence, including the freedom to make their own choice, and independence;

non-discrimination;

full and effective involvement and inclusion of persons with disabilities into the society;

respect for the characteristics of persons with disabilities and their acceptance as a component of human diversity;

equal opportunities;

accessibility;

equality of men and women;

respect for the abilities of children with disabilities and the rights of children with disabilities to preserve their individuality.

Addressing the following objectives will help to achieve the goal:

Objective 1. Ensuring equality of rights of persons with disabilities and protection against discrimination on the basis of disability.

It is planned to ensure the legal regulation of the issues of non-discrimination of persons with disabilities, including the imperative prohibition of discrimination on the basis of disability, improve the organizational and technical conditions for ensuring the de facto equality of persons with disabilities in various spheres of economic, political and social life in the process of realizing their potential, increase the level of accessibility to justice in persons with disabilities.

Objective 2. Creating conditions for integration of persons with disabilities into all spheres of life of the society.

It is planned to expand the accessibility of the environment, services and information for the participation of persons with disabilities equally with other citizens in all spheres of public life, to receive education, improve medical and social assistance, habilitation and rehabilitation of persons with disabilities, provide state support, social protection for persons with disabilities, improve conditions for the participation of the persons with disabilities in cultural and sports life of the country.

Objective 3. Strengthening respect for the rights, freedoms and dignity of the persons with disabilities in the public mind.

It is expected to implement educational and awareness raising activities in the society on disability issues and respect for the rights and dignity of persons with disabilities, ensuring the enjoyment of the rights of persons with disabilities to participate in public and political life of the country.

Objective 4. Creation of organizational and institutional conditions for the implementation of the provisions of the Convention.

It is envisaged to take measures to develop scientific and statistical support for the implementation of the provisions of the Convention, enhancing international cooperation in the field of enjoyment of the rights of persons with disabilities, organization of monitoring, monitoring and coordination of activities on implementation of the Convention in the Republic of Belarus.

CHAPTER 4

FINANCING OF THE ACTIVITIES OF THE NATIONAL PLAN, MONITORING AND CONTROL OF THE PROGRESS OF ITS IMPLEMENTATION

The sources of financing of the National Plan activities are funds of the republican and local budgets allocated for the implementation of state programs in the areas of health, education, social protection, culture, sports, tourism, information, construction, transport, state and non-state funds, international technical assistance, own funds of the implementers, as well as other sources not prohibited by the law.

Implementation of the National Plan will be carried out by the republican bodies of state administration, executive and judicial authorities, oblast executive committees and the Minsk City Executive Committee with the involvement of scientific organizations, public associations of persons with disabilities, as well as financial and technical potential of international organizations in the Republic of Belarus, who deal with the disability issues within the framework of their mandate.

Ministry of Labor and Social Protection is the coordinator of the implementation of the activities of the National Plan.

Ministry of Labor and Social Protection, based on the proposals of the implementers of the activities of the National Plan shall develop and approve a consolidated plan of activities for the implementation of the National Plan by 15 January annually.

The implementers of the activities of the National Plan submit to the Ministry of Labor and Social Protection an annual report on their implementation.