



UNICEF IN BELARUS

ACCESS TO JUSTICE

Background

Belarus continues its transition away from a policy of isolation towards warming relationships with the EU. Increased international advocacy contributed to **increased attention to human rights** and rule of law issues.

Following a nine-year suspension, the **Human Rights Dialogue** between Brussels and Minsk has resumed with EU and UN support, resulting in Belarus's adoption of its first **National Human Rights Action Plan (NHRAP) 2016-2019**, which serves as a roadmap for addressing human and child rights issues. The plan involves strengthening dialogue and **cooperation between NGOs and the Government** to better serve the best interests of the child.

As a member of the **UN Rule of Law Coordination and Resource Group**, UNICEF takes part in the joint initiative of the Government of Belarus and international development partners to ensure rule of law, access to justice and legal protection for the most vulnerable.

Challenges

- **Deprivation of liberty as a measure of last resort**

The 2012 UNICEF-supported national study on efficiency of preventive work among children in conflict with the law revealed that deprivation of liberty is not always used as a measure of last resort. Children who committed minor offences did not receive adequate support and were not diverted from the formal justice system.

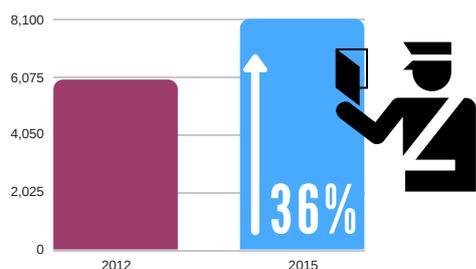


The number of juvenile offences and juvenile offenders increased by 12% and 20% accordingly (from 2,577 crimes in 2013 to 2,878 in 2015, 1,983 persons in 2013 to 2,377 in 2015)*

- **Equitable access to justice for all children**
Ensuring equitable access to justice for children, namely the ability to seek and obtain fair, timely and effective remedies for violations of all rights of children, goes well beyond juvenile justice.

Particular attention must be paid to protection of children in criminal, civil and administrative proceedings, irrespective of their status: as offenders, victims or witnesses of crimes, or those whose rights and interests are considered within civil and administrative cases. This approach is being upheld within a comprehensive UN Rule of Law and Access to Justice programme that pays increased attention to children in contact with the law (i.e. children witnesses and victims).

- **Special protection for the most vulnerable**
Special protection measures and guarantees of the right to justice are to be applied in all cases related to children, with a particular focus to the most disadvantaged children, such as those with disabilities, in detention or deprived of parental care.



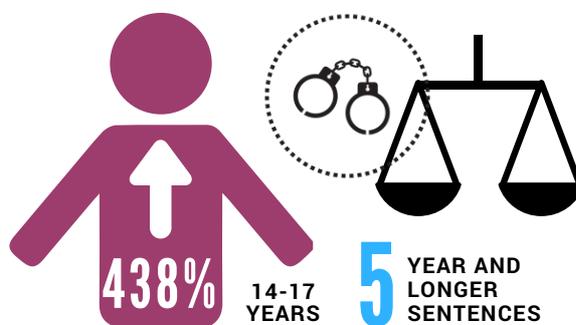
Crimes against children increased by 36% in just 4 years (from 5,966 crimes in 2012 to 8,099 in 2015)*

Priorities for UNICEF Action

UNICEF uses its mandate to facilitate a child rights policy dialogue and programme cooperation among various stakeholders including government agencies, civil society and international organizations.

UNICEF works at different levels from knowledge generation to policy development and domestic capacity building to:

- Advocate for the establishment of a National Human Rights Institution for Children, which involves civil society's participation in monitoring of all institutions, including closed-type facilities;



Total number of children aged 14-17 years convicted to 5 year and longer sentences in the correctional colony increased almost by 438% (from 24 in 2012 to 105 in 2015)*

- Build capacity of professionals working for and with children, especially members of the judiciary, investigators, prosecutors and police, on child rights and ways to respond effectively to child protection issues;
- Improve legal protection through institutional capacity strengthening, legal awareness, and provision of legal aid for children;
- Advance establishment of restorative justice, diversion, and alternatives to incarceration, promoting children's reintegration where use of deprivation of liberty is only a measure of last resort;
- Develop child-friendly procedures in courts, penitentiary and other closed-type institutions and facilities for children.

Promotion of a Human Rights Based Approach and Rule of Law, along with strengthening of child protection system, are major priorities for UNICEF programming in Belarus. A particular focus is on systemic responses in Justice for Children. We aim to ensure that all children obtain equal and quality support and protection, leaving no one behind.

*Source for infographics : Developed based on Belstat data and Ministerial statistics.