

# State of students' rights in Belarus in 2017

Analytical overview



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## 1. INTRODUCTION

This report about state of students' rights in Belarus in 2017 is prepared by the organization youth trade union group "Students' Council" in the framework of activities of the Student Support Center, which was created in the summer of 2017 with the support of the Belarusian Human Rights House named by Barys Zvozkau and is aimed at cooperation in protection of the public interests of the students at the local, regional or national level. Objectives of this center is real-time monitoring violations of student rights, it recording, analyze it and timely legal assistance to victims in need of it. As the result of the Center's works by monitoring violations are preparing reports for given period, in which are marked specific information by violations students' rights, which are recorded by Center, trends and possible effects of these violations to the student area.

"Students' Council" - non-governmental youth organization, which was created 10 March 2008, and since that moment is working in the field of the protection of students' rights in Belarus. The organization was registered in 2008 in the form of youth trade union groups in the independent trade union the REP (workers of electronic industry) The organization "Students' Council" takes place mainly in Minsk.

The organization's mission: facilitate forming new generations of students, fully-fledged members in the educational process, who have an active social position and critical thinking, students who have a sense of solidarity and the desire of freedom and happiness, who identify themselves as fraternal community of students, and for whom the knowledge acquisition is a priority value.

The aim - protection of students' rights.

Tasks:

- Spread values of student rights in the student community;
- Creation and promotion mechanisms of the protection of student rights.

Direction of the organization:

- Collect data on violations of the student rights
- Juridical advice on violations of students' rights
- Companies to promote the interests of the students;
- Educational activities (educational training, seminars, information campaigns, educational festivals).

"Students' Council" has been working 10 years in Belarus in the sphere of protection of students' rights. During this time, was organized a series of activities, including education (seminars on human rights / students' rights, trainings for the protection of

public interests), education (for example, festival "Student Week") and advocacy campaigns.

Since 2011, in the organization is working legal advice, which is free helps students who are in need of legal assistance on issues the educational process. In addition, the organization participated in 2014 in the framework of the Public Bologna Committee in monitoring violations of academic freedom of students in higher education institutions of Belarus.

## 2. METHODOLOGY

The subject of the report is violations of the students' rights, that have took place at Belarusian universities during 2017 year. We consider like such violations of the civil and political rights and freedoms, violations of academic rights and freedoms, human rights and freedoms violations in the field of education legislation, including regulations of educational institutions, as well as any kind of discrimination (racial, political, religious, gender) any violation that students faces from the academic staff, university representatives and governmental officials (Ministry of Educations, local administrations, President Administration, The State Control Committee, Ministry of Internal Affairs etc).

In particular we decided to pay attention to the next rights during data collection:

1. the freedom of association in high schools;
2. the freedom of movement during studing;
3. forced labor outside the educational process;
4. the privacy of the home in dormitories;
5. freedom of belief;
6. abuse of authority of the faculty or the university administration;
7. the freedom of choice;
8. freedom of the information in high schools;
9. the right to quality education.

The data was collected in a several ways:

1. via web-site of the organization "Students' Council". Anyone who carries could leave the information about violation onto the site using special forms;
2. via open sources like internet, mass media, human rights organizations, social networks etc.

After the first analysis the violation cases were accumulated and analyzed by the lawyers, that works at the Organization. As a result of this work the analytical report was prepared and published. Additionally for better visualization of the situation with students rights the cases have been marked on the interactive map on the web-site, section "The map of the violitions".

### **3. GENERAL OVERVIEW OF THE HUMAN RIGHTS IN BELARUS IN 2017**

The significant decline of the general situation with the human rights was noticed in 2017 in compare with the previous period of so called “soft practices”. This period started in August, 2015 and ended with the mass protests of citizens in tht February, 2017 caused by the Decree #3.

Constant pressure between the authorities and civil society for 23 years, negative and from time to time hostile regime’s treatment of the democratic community, conversation with citizens in the language of violence and coercion laid down on social-economic crisis and mass impoverishment of the last years. Plus in 2016 the President have signed the Edict on pension reform. That Edict stipulated step-by-step increase of the pension age: women 58 years and men 63 years.

To withhold the internal situation under the control the authorities have started to use tactic of dosed and suspended repressions. Civil-political activists were persecuted mainly economically, The governmental depended courts wrote out huge fines on administrative offenses. The total amount of this fines put together more than 150 thousand Euro.

On criminal cases punishments were not connected with the imprisonment.

But the Presidential Edict #3 “On prevention of social dependents” actually became the casus belli transformed into mass dissatisfaction. Signed up on April 2 2015 by the Head of the State it became effective on reality from the January 1 2015 i.e. had back force of law.

According to official opinion “the given act is intended to stimulate able-bodied citizens to work and to fulfill a duty of financing of state expenses”. Citizens that have been working less than half a year during staying in Belarus have become obliged to pay govermental fee on financing state expenses in amount of 20 basic amount (approximately 230 US dollars) according to the Edict #3. Those who haven’t pay fee in addition will get an fine or arrest.

The analysis of the Act showed that the Edict was contravene with the Constitution and international legislation. So the independent trade unions and human rights organizations apprehended the Edict extremely negatively.

All the problems together have evoked abrupt activation wide ranges of Belarusian society. The situation got out of the control in the end of the February.

The wave of citizens protests had rolled by many Belarusian cities and towns. The authorities considered those protests as a serious threat for the internal political situation and caused start of persecution and repressions of participants, activists and opposition leaders, independent journalists human rights activists. During the 2017 year nearly 900 people (including participants of action on 25 March) have faced repression in different forms according to the HRC "Viasna" data.

More than 600 administrative cases were fixed about participation in peaceful and manifestation and opinion expression according to the HRC "Viasna" data. More than 250 citizens have been convicted to administrative arrest.

Politically motivated criminal persecution have been practiced during 2017 year by the state authorities. So the HRC "Viasna" says that this persecution have faced 40 persons, 35 have been imprisoned on March 21-24, 2017 and been put in remand center in the criminal case about "mass chaos preparation".

Later the additional charges appeared on article 287 of the Criminal Code (creation of illegal armed formation). Necessary to mention actual criminal case against the activists of the independent labor union H. Fiadynich and I. Komlik on point 2 article 243 of the Criminal Code (evasion of payment of taxes, fees in an especially large amount).

A lot of facts of persecution of independent journalist have been seized for working as journalists itself.

65 cases against journalists ended with fines for working for foreign mass media during the 2017 year according to BAJ data.

Majority of people were released and criminal cases were dismissed till the end of the 2017 year. It shows that the foreign policy and geopolitical factors continue to extremely effect on the internal political situation and on the situation with the Human rights in Belarus in particular. Despite the fact of the general worsening of the situation during spring "events" in the Republic of Belarus the authorities make an efforts to continue dialogue and normalize relations with the Western Europe countries and the USA.

At the end of the year the political prisoner Michas Jamchuzhny and recognized as the political prisoner Dzmitry Palienka have been staying at the Belarusian prisons.

Despite the fact of the dialogue with the European Union and Parliament Assembly of the Europe Council, the death penalty were used, the moratorium was not come

into force in Belarus. Additionally in 2017 year 3 new death sentences were passed, one person was executed.

In this situation, there wasn't systemically changes in a sphere of civil and political rights on legislation level during 2017 year. The wide advertised changes in the Act "On mass events" haven't change the restrictive essence of the law and the practice of its implementation. Also the BDIHR PACE's recommendations about changes in election legislation have not been implemented.

### **Freedom of peaceful assembly and expression**

2017 year haven't change at all position of the governmental authorities in sphere of implementation rights freedom of peaceful assembly and expression including the right for one-man picket (according to the Belarusian legislation even one-man picket is an public event).

The established procedure for obtaining permission stipules disproportionately broad commitment of the organizers to ensure public order, health and cleanup of the territory. The wide advertised changes in the Act "On mass events" haven't change the restrictive essence of the law and the practice of its implementation and haven't change it's absurd and most criticized regulations. The right realization depends on the executive authorities, the financial possibilities of the organizers, the consent of the law enforcement agencies, health care agencies and community services.

Participation, organization and media coverage without authorities permission are lead to administrative responsibility such as fines and arrests. This summer practice of punishment of participants and organizers under the Article 23.34 of the Administrative Code by writing out a huge fine without detentions and interfere in the event was the reality till the end of the February when first administrative arrest became real for protesters against building and construction processes in Kuropaty Area The Memorable place of Stalinism Victims.

Also, in February the protest wave took place against Presidential Edict #3 according which some categories of citizens were obliged to pay fee for governmental services. Human rights defenders marked this Edict as violation of the right for free labor. Unexpectedly the Edict felt under the rain of criticism and negative from non-politicized strata of the society.

Local authorities denied permission for protest events, but the protest event "The took place in Minsk firstly on February 17 and February 19 in regional capitals. Policemen had not disperse a rally, but than the information about many administrative protocols became known, after it as a rule protesters got a huge fine.

Despite above mentioned fact the wave of protest embraced Minsk, regional capitals and other cities and towns of Belarus.

Brutal repressions was the governmental response on citizens activism. More than 200 detained and arrested, among them 70 detained and 54 arrest was only for action in on March 15. There is a practice of so called “preventive arbitrary arrests”. New repressions against protestors confirmed the absence of political changes. This fact have been marked in joint declaration of FIDH and HRC “Viasna”.

Street actions dedicated to The Day of Freedom – The anniversary of proclamation of independency of The Belarusian People Republic were on March 25. To this day the authorities draw off to Minsk a lot of policemen, Special Forces and OMON have been demonstrating newest technics, protection and exclusion for dispersal of demonstrators. The whole district was cordoned off and closed from the morning. Minsk city committee have proposed just one place for celebration – The park of Peoples Friendship and proclaimed that the other places for demonstration are illegal.

Despite the fact of exclusively peaceful format a lot of participants were detained with unjustified force, among them were a lot of pedestrians and passersby. Many of them were waiting for execution of documents under rain on the territory of the local police stations and faced cruel humiliation.

A part of detained was released after registration of information. Other people were convicted the 27th March who were the participants of the actions of solidarity which took place on Kastychnickaja Square in Minsk the 26th March. All of them received administrative enforcement - fines and administrative arrest. On information of the Human Rights Center "Viasna", 178 persons were blamed in administrative detention 27 March: 145 in Minsk and 33 in regions - Babrujsk (3), Barysau (2), Brest (1), Viciebsk (11), Gomel (14) and Polack (2). The observers added 75 arrests and 93 penalties. Its were least 57 arrests and 80 fines in Minsk and at least 18 arrests and 13 fines in regions.

Protest actions took place in regions the 25th March. On information of the Human Rights Center "Viasna", more than 900 persons became the victims of the activists' pursuing for realization of their right to peaceful meetings and opinions statement in March.

On the 4th April, it was reported that Ministry of justice of the Republic of Belarus bore written preventions of The BNF Party, United civil party and The Movement “For Freedom” for organization Freedom Day 25th March 2017. Some participants of peaceful meetings were subject to a few administrative arrests that went one by one.

For example, well-known video blogger Maxim Filippovich from Gomel had been serving two sentences (5 and 7 days) for participation in so-called “protest action of social dependents” in the temporary detention facility. After his release up, he was blamed again to 7 days of arrest. In such a manner, he had been conducting to conclusions more of month. Maksim Viniarski received two arrests at a time: for 10 days and for 8 days; Leanid Kulakou received the greatest arrest on duration that was possible - 25 days.

In May the participants of meeting and processions from initiative “National congress of Belarus” were subject to fines and arrests on 1st May in Minsk. The actions took place in Gomel, Brest, Mahiliou, Baranavichy in this day and ended by the activists' detention.

In the summer protest activity decreased and together with it the amount of infringements of right to peaceful meeting. Nevertheless, the governments reacted by fines and arrests to each case of statements: there were punished participants to picket of solidarity with the figurants of “patriots' act” (The White Legion), picket against execution of joint Belarusian and Russian military doctrines “The West-2017”, the actions “March of disturbed Belarusians 2.0”, and other activists acts.

On information of the Human Rights Center "Viasna", the judges submitted no less than 425 resolutions on article 23.34 the Code of Administrative Offences (for participation or the organisation of peaceful meetings) in 2017.

The judges submitted no less than 126 (from them 94 were for suppression of statements in Freedom Day 25th March 2017) cases to accountability the participants of peaceful meetings (or preventive arrest of activists) on article 17.1 the Code of Administrative Offences. It could be small-sized hooliganism to false interpretation of the employees of internal affairs agencies or no less than 8 - on article 23.4 as insubordination to the police officers. There are no accurate information how accountability was issued up for still at least 42 participants of peaceful meetings. In such a manner, more than 600 administrative cases were fixed for implementation right to peaceful meeting in 2017. The court chose an administrative arrest as the disciplinary measures in more than 250 cases.

Also the government restricted freedom of expression which was implemented by other means. For example, seven protocols for publication in the weekly of Belarusians in Poland "Niva" were composed to Uladzimir Lapcevich in Mahiliou. The police had been sighting the offense in his actions - illegal manufacturing of media production.

Mikalaj Miakshyla was punished for attempting inscription "Satan," a sculpture of Lenin in Lida, disproportionately severely: he was subjected to beatings during the arrest, had been in prison no sufficient grounds more than two months before the trial and he was executed by a court sentence a year restraint of liberty.

More year Belorussian authors of a few Russian information resources have contained under guard – Jury Paulaviec - assistant professor in BSUIR, the former security Dzmitry Alimkin and editor of the journal "New economy" Siarhej Shyptenka. All they are accused on 3rd part of section 130 Crimes Act. Its name is "Kindling of racial, national or religious animosity accomplished by the group of persons". Besides Jury Paulaviec and Siarhej Shyptenka was charge at illegal entrepreneurial activity (1st part of section 233 Crimes Act). All involved in this case are threatened 12 years of deliverance freedom. The defense criticizes quality of proofs given by prosecution and it refers to implementation of one's fundamental laws guaranteed which are ensure by the Constitution and international commitments of Belarus in human rights branch. Earlier, the 1st November 2017, The Belarusian Association of Journalists (BAJ), The National Human Rights Public Association "Belarusian Helsinki Committee", the Human Rights Center "Viasna" and other organisations acted with joint statement. They encouraged the government of Belarus to provide open back judicial proceedings the criminal case at conformity with the principles of fair judicial analysis. And they wanted to introduce international standards in the branch of protect freedom of speech and opinions statement.

### **Infringement of the unification freedom**

The human rights activists note absence of progress to provision freedom of the association that government should do. Still activities of unregistered public associations are banned under the criminal threat, including those is prohibited which are controlled by lawful purposes. At the same time, the registration of public associations is controlled totally by the Ministry of Justice and local governments of Justice. registration of public associations which have political or rights defender purposes, hinder even small-sized, easily recoverable, and even invented oversights to drawing up of documents.

During year historian and educational social associations "Khajsy", cultural and educational associations "The youth of renaissance", Christian social movement and other were refused at registration by the governments.

Progress to create of regulatory framework is absent. But it can be favorable for receipt of the non-profit associations to legal financing of its activity. Contravention of prohibitions and restrictions can take administrative and criminal responsibility

because Constitution and international commitments of Belarus in the branch of supplying of the associations freedom considered it inadmissible.

### **Infringements of social and economic rights**

In 2017 infringement of social and economic rights of the country citizens was provided with the beginning of action Presidential Edict #3 “On prevention of social dependents”. During the establishment of Edict #3 was criticized by the part of human rights community and independent trade unions in 2016. It was inconsistent with Constitution of Republic of Belarus and international norms in human rights branch.

The Edict #3 norm was received Special critics by human rights community. It provide opportunity of application administrative arrest to the citizens who do not have opportunity to pay collection or try to avoid payments which was entered by The Edict #3. Human rights organizations regarded this norms as forced hard labor and infringement of the appropriate Convention of The International Labour Organization (ILO) and part of provisions of The International Covenant on Civil and Political Rights (ICCPR).

During 2017 at Belarus had continued practice of application some traditional forms of forced hard labor, for example, forcing citizens to free work on “community work day” or forcing to clean the farms with agricultural productions or another types. Human rights community, independent trade unions, as well as international organisations, such as The International Labour Organization (ILO) and The Committee on Economic, Social and Cultural Rights (CESCR) persistently called Belarus governments to decline application of forced hard labour and to lead norms the legislation to conformity from international standards in human rights branch which contain the elements of forced hard labor.

During year big resonance was caused by the cases of mass attraction the “workers” to clean the farms with agricultural productions. They were the students of university and the workers of state-owned enterprise. And in all that cases events were organised by directions of local governments. It had brightly expressed mobilization character as a view of economic development to the region. Such work carried binding character for employers and administrations the universities that directed their workers and students to clean the farms with agricultural productions.

The prime example is the mobilization of the workers of state-owned enterprise and the students of university to clean flax on a few areas of Gomel region. Publications this situation emerged in some independent mass media, but the local newspaper “Gomel Spring” was got order to support and help cleaning flax by local chairmen’s

Uladzimir Dvornik and Piatro Kirychenka. Attempts of human rights community to pay attention of the office of public prosecutor to illegality of this event do not give benefits, as in other resembling cases.

#### **4. STATE OF STUDENTS' RIGHTS IN BELARUS IN 2017**

In May 2015 there was a conference of Ministers of Education of European Higher Education Area (EHEA) in Yerevan that made a decision of accepting Belarusian's application to join the Bologna process. However, participants noted that on a number of parameters of the Belarusian higher education system does not fully meet the criteria of the EHEA. As a result, there was designed a Roadmap of higher education reform, according to which the Republic of Belarus has taken the responsibility for its implementation until 2018.

The Roadmap does not include a radical changing of higher education in Belarus. Its purpose is to improve the national higher education through the introduction of advanced achievements and international standards in the field of organizational structure, management, communication with the labor market, international cooperation, and many other aspects of the operation. Carrying out the aspects of the Road Map will allow the higher education system of the Republic of Belarus successfully adapt to what is happening in the modern world of change.

Reforms are being carried out slowly because the Belarusian side does not have enough desire to implement the Roadmap in full, especially items including academic freedom and students' participation in decision-making at the university level because the changes in this area can really hurt higher education system of the Republic Belarus.

By the middle of 2017 the Ministry of Education was to analyze national legislation and to submit proposals to the Belarusian Parliament to take measures to incorporate the principles of the Great Charter of Universities and the Council of Europe Recommendation Rec / CM (2012) 7 in respect of the State's responsibility for ensuring academic freedom and institutional autonomy.

Also by mid-2016 the authorities of Belarus were to develop a plan of legislative measures and educational policies aimed at ensuring the rights of students and teachers on the free establishment of organizations and their registration. According to the schedule by the middle of 2017 all necessary legislative measures should be put into practice. According to Yerevan's communiqué, Belarus has committed itself to support and protect the students and teachers in their rights to academic freedom and to ensure their participation as full partners in the management of autonomous higher education institutions.

However, on the contrary to the obligations of Belarus human rights organizations recorded strengthening of academic repression against students. The Polish government was forced to renew the K. Kalinouski scholarship programs to support

students that are being repressed in Belarus. This program, which was established in 2006, has been reprofiled in 2016 on the purpose of deepening the qualifications of graduates of the Belarusian universities. However, the strengthening of academic repression in Belarusian universities forced the Polish side to return to the provision of scholarships for Belarusian students expelled from Belarusian universities for political reasons to continue their studies in Polish universities.

In July 2017 at the training program K. Kalinouski aid 17 repressed students received the applications. On September 4, 2017 the Belarusian human rights organizations Council confirmed that the first 15 candidates for K. Kalinouski Scholarship got the status of academic repression victims.

### **Excluding for taking part in mass protests.**

This spring 6 students from Belarusian universities were expelled because of their social activity. Spring excludings related primarily to the protesting shares "social nondependents" that were held in the country in February and March.

The official reason for exclusion in most cases was the "absence while classes" and "failure to fulfill the student's responsibility." In fact, the young were punished for their citizenship and social and political activism.

The direction of the universities has expelled at least 6 activists from the beginning of 2017:

Jury Lukashevich - the leader of "Youth of BNF", 1st year student of the historical faculty of BSU. The administration did not like the fact that the guy participated in the defense of Kurapaty. In March, during the week he was given just two written reprimands for being absent while classes and on the basis of this let him leave the university. The university's management claimed that the exclusion does not relate to his political views. The reason is the academic failure and truancy. Activist pleaded for the restoration, but he got a refusal to get the opportunity to return to the faculty.

Kryscijan Shynkievich was a 2nd year student in BSPU. On March 25, he was detained in the office of "Viasna" during a briefing on the eve of monitoring the action of the Day of Freedom. On March 26 he was detained again during a protest on Kastychnickaja Square. He spent a night in Akrescina. The man was judged for disorderly conduct and fined. After his release Kryscijan learned that the order for his dismissal was signed on the eve of the Day of Freedom. The reason was the "failure to fulfill the student's responsibility." The boy also complained about the unlawful exclusion, but did not achieve any justice.

In Mahiliou Elena Kisiel, a final year girl from MSU named after Kuliashou, was expelled for taking part in the march of "social non-dependents". The girl was arrested on March, 15 and she was to pay a fine. A few days later she was called to the dean's office to "educational conversation." A few days later she was given a rebuke for missing classes.

Arciom Kavaliou studied at the 2nd year of the Brest State University on socio-pedagogical faculty. May 24 on the eve of " the Day of Freedom" dean said to Arciom, that if he would miss the class on Saturday, he will be expelled. The dean also called his mother, and warned that if he was noticed at the meeting, he would be expelled then. On March 25 he came to his classes, after that in his spare time went to Minsk to hand over some things to his caught brother. Despite the fact that he carried out the dean's commission, On March 27 dean wrote a complaint to the rector's office, which was the reason for his exclusion.

Ihar Nelipovich – an ex-student of the Brest State University named after Pushkin. The guy studied the history department at the specialty "archeology". Being is participant of an anarchist group, he was given a fine of 230 rubles for participating in the "march of social non-dependents" on March, 5. After that, a several times he was called on a conversation in the dean's office, and in a boarding school came representatives of the administration and the police. On March 16 Ihar was expelled on the 2 basis: for an administrative offense, and 30 hours of absence. According to the boy, many of his classmates were absent for up to 300 hours without negative results.

Mikalaj Logvinau, an activist of the "Youth of BNF", student of Minsk State Polytechnic College. Mikalaj was caught in the capital on March, 14. There was made a protocol on him for "disordering the order of organizing and holding mass events" and taken to the Pershamajski district court, where a judge Anastasija Papko punished him with a fine of 5 basic units. On July 11, he was expelled from the college with numerous violations.

### **Pressure for participation in political and civil society organizations, protests**

During 2017 there were about 20 cases when activists in colleges and universities were not deducted directly for their activity in the public and political organizations, but were intimidated and psychologically affected (threatened with exclusion, forced to leave the communities in social networks, etc.). This situation was observed throughout Belarus.

In particular, there may be noted some kind of pressure on the 2 activists of the "BNF Youth", that were first detained by the police and got a fine, but then came under pressure from the administration of Minsk State Polytechnic College at the BNTU: Mikita Krasakucki and Mikalaj Logvinau. As a result, Mikalaj Logvinau was expelled from college in July 2017.

Aliaksej Markevich (graduated from Novogrudok State Agricultural College), also an activist of the "Youth of BNF", before March, 25 received an administrative arrest. After that, in his workplace (work distribution) he was threatened that he will be fired and he will have to pay a fine. As a result, the guy stayed to work in the same place.

It is a widely known case that in Grodno State professional electrotechnical College named after I.Shchasnaha on March 13 students was forced to sign a document that they are acquainted with the Law of the Republic of Belarus "On mass events" and promise not to participate in any public actions that disrupt public order. On March 16th students of the Belarusian State University of Culture and Arts were sent SMS with warnings about the march on March 25, which contained such information as "expulsion from the university without the right of recovery, automatic status" restricted to travel abroad."

### **Distribution of the graduates and forced labor**

Up to now, the situation remains tense with the distribution of graduates of Belarusian schools. In fact, 80% of calls to legal advice "Student Council" are connected with issues of distribution or redistribution. Administration of educational institutions are actively and deliberately violate every year allocation procedure in order to fulfill the plans that they had to line ministries.

According to the Constitution, citizens of the Republic of Belarus are guaranteed the right to work as the worthiest means of an individual's self-affirmation, that is, the right to choose a profession, type of occupation and work according to their inclinations, abilities, education, training and response to societal needs, as well as healthy and safe working conditions. Furthermore, guaranteed access to free general secondary and professional education. College Degree and Higher Education available for all according to the capabilities of a particular person. On a competitive basis everyone can have free appropriate education in the public schools.

At the same time, the Education Code of the Republic of Belarus on Education establishes the concept of distribution as a procedure for "determining the place of graduate work, carried out by the state educational institution or in the cases established by the Government of the Republic of Belarus, state authorities for the

purpose of social protection of graduates meet the needs of branches of economy and social sphere in professionals, workers, and employees."

Distribution is used by the government as a method of mobilizing and using labor for purposes of economic development of the country and separate regions without any voluntary participation of young professionals. That "must to be done" work on the distribution of seats is carried out under penalty, which acts as a claim for compensation of the funds spent on students' education.

Although in theory such system is not necessarily in contrast to the international law of human rights, the conditions in which there is a distribution and employment of young specialists in Belarus, leading to disruption of both economic and social as well as civil and political rights. The current system is discrimination, since, except in cases provided by law, leads to the fact that people do not have the means to pay for their education.

Sometimes the distribution system leads to curious cases. For example, on April 6 the information about the plan of distribution the graduates of Belarusian National Technical University in 2017 with a degree in "Architecture", according to which the administration of universities planned to distribute five graduates of architects for the position of a policeman in the Pershamajski District Police Department of Minsk.

In addition, there is a common practice of sending students to work on picking up vegetables or other crops. For example, the Executive Committee has issued an order "On the general help to" Gomellinen " so that teachers, students, fleet workers were sent to collect linen by hand in Karma, Buda-Koshaliova and Chachersk districts in the Gomel region, which did not have enough time to clean linen until October, 31.

### **Elections to local councils**

On 14<sup>th</sup> November 2017 the election campaign to the local councils was launched in Belarus. The elections will be held on 18<sup>th</sup> February 2018. As we know from past experience, during the electoral campaigns administration of educational institutions and the GO "Belarusian Republican Youth Union" are trying to actively recruit students to campaign for pro-governmental candidates. Students are usually promised a leave of absence from classes or financial compensation.

For example, in November closed chat correspondence between students of Economy faculty of BSU was revealed. The posts suggest that students were actively invited to participate in pre-election pickets on the nomination of individual candidates. Moreover, according to the correspondence, they were supposed to take

part in a demonstration as members of initiative groups. This case is a flagrant violation, as any kind of activity of political subjects is prohibited in educational institutions.

## 5. RECOMMENDATIONS

Recommendations to the Belarusian authorities:

- to take effective measures to ensure proper protection of human rights and the rights of students in the framework of the implementation of international obligations;
- to stop the persecution of students in connection with the exercise of the rights and freedoms guaranteed by the Constitution and international obligations in the field of human rights;
- to cancel the decision to expel a student from school as punishment for their civil or political activity and to abandon this practice;
- to amend the law "On Mass Events" in order to bring it into line with international standards, that, in particular, ensure that any restrictions must be proportionate and not create unjustified obstacles to the realization of the right to freedom of assembly;
- to stop the practice of arbitrary arrests and the imposition of heavy fines for participating in unauthorized by the government public events;
- to repeal the Article 193.1 of the Criminal Code and make other changes to the law "On public associations" and other laws regulating the activities of NGOs;
- to be aligned with international standards, legislation and law enforcement practice in the field of freedom of speech, assembly, expression and association with the assistance of international experts and representatives of Belarusian civil society;
- to ensure equality of both official languages in public institutions, including through the publication of legislative acts not only in Russian, but also in the Belarusian language.

Recommendations to the international community and international institutions:

- to keep the issue of human rights and the rights of Belarusian students in the focus of attention while building international relations between Belarus and other countries, international associations and international institutions;
- international institutions should develop and adhere to the plans of action for the implementation of the Road Map of higher education reforming in Belarus, containing qualitative indicators;
- to continue engaging representatives of Belarusian student organizations as an important participant in the dialogue on the implementation of the Road Map of higher education reforming in Belarus;
- promote the establishment and development of platforms for interaction between the authorities and student community of Belarus.