

## National Human Rights Index

<https://index.belhelcom.org>

2021

### The right to health:

Expert Commentary

**The score: 4.6**

#### Including scores by component:

- General principles - 4.3
- Maternal, child and reproductive health - 5.0
- Healthy natural and workplace environments - 4.6
- Disease prevention- 4.7
- Medical and nursing care in case of illness - 4.3

For a description of the baseline right-to-health situation, see the commentary to the 2019 assessment. In assessing the right-to-health situation in 2021, the Index experts gave lower scores than in 2020. The experts' position is explained in more detail below.

#### General principles

According to experts, the number of functioning health and medical care facilities, goods and services, and related programs is worse in 2021 than it was in 2020. Despite the fact that the number of such institutions is, in general, at a sufficient level, many of them are not equipped with the necessary number of qualified specialists<sup>1</sup>, necessary equipment and medicines meeting the needs of various social groups, such as people with disabilities, pregnant women, people of different religious and cultural views.

In 2021, no effective measures to improve the situation of COVID-19 were noted by experts. On the contrary, in 2021 the methods used by the state in the fight against COVID-19 had a negative impact on the provision of timely and quality medical care to people with chronic and serious diseases. For example, cancer patients often did not have access to appropriate specialists due to hospitals being repurposed for COVID-19. Diagnostics and routine operations were not performed in time, which, according to experts, had an impact on the increased mortality rate among such patients.

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<sup>1</sup> <https://www.currenttime.tv/a/net-vrachey-i-mest-v-bolnitsah-net-doveriya-vaktsine-vlasti-belarusi-poltora-goda-ne-mogut-pobedit-koronavirus/31493793.html>; <https://reform.by/266321-po-bolnice-umiraet-15-chelovek-v-den-mediki-o-realnoj-situacii-s-kovidom-v-belarusi>



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The experts noted that most of the repurposed hospitals were in regional centers<sup>2</sup>. In other cities, medical care was at a fairly basic level. However, in December 2021 the Ministry of Health reported that repurposed facilities were gradually returning to normal operations<sup>3</sup>. In the context of the pandemic, it became clear that hospitals and polyclinics in Belarus were not sufficient to enable people to exercise their right to health, not only in the COVID-19 pandemic, but also in general.

According to the COVID-19 severity index (evaluating the severity of governmental actions against the pandemic), maintained by Oxford University, Belarus had one of the weakest positions as of December 30, 2021 (16.44 out of 100)<sup>4</sup>, despite having an average score as late as the summer of 2021. The decline began after August 31, 2021.

The situation with accessibility to health care facilities (both physical and economic) was unchanged from 2020.

Access to medicines was hindered in 2021 against the background of the adoption of Western sanctions against the Republic of Belarus. Compared with 2020, access to medical services decreased because of the outflow of personnel, which began in August 2020.

Of the positive changes, experts noted that in 2021 the program to combat COVID-19, funded by the Global Fund, began to be implemented. Mobile units started operating and were sent to the regions, including rural areas, where tests for viral load were taken from people living with HIV.

At the same time, because of the campaign against the civil society, initiated by the state in 2021, the majority of the non-governmental and human rights organizations were forced to liquidate<sup>5</sup>, which had an impact on the access of vulnerable groups to information, including that regarding health issues. People began to apply less to officially liquidated public organizations for fear of facing repression from the state.

According to some experts, the state does not encourage people to ask for help in raising funds for expensive medications for children with serious congenital genetic diseases, even though it is unable to provide such medications and appropriate medical assistance and care itself. Information about such patients and their numbers, as well as their needs, is glossed over.

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<sup>2</sup> <https://news.zerkalo.io/life/3411.html>

<sup>3</sup> <https://www.belta.by/society/view/v-belarusi-bolnitsy-prodolzhajut-vozvraschatsja-k-obychnomu-rezhimu-raboty-473217-2021/>

<sup>4</sup> [COVID-19 Stringency Index, Aug 30, 2021 \(ourworldindata.org\)](https://ourworldindata.org/covid-19-stringency-index-aug-30-2021)

<sup>5</sup> According to Lawtrend, since July 2021 the Belarusian authorities have liquidated more than 300 non-profit organizations, regardless of the nature of their activities (cultural, educational, human rights, social, charitable, etc.). Official grounds for liquidation included non-statutory activities, receiving two warnings from the Ministry of Justice within a year, or failure to carry out entrepreneurial activities for 24 months. The liquidation was not applied to pro-governmental NGOs. About 200 other civil society organizations decided to close down. <https://www.lawtrend.org/liquidation-nko>



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In 2021, the practice of not providing medical care to the detained and imprisoned, especially those detained on politically motivated charges or serving sentences on politically motivated sentences, became entrenched. For example, on May 21st, 2021, in Shklov colony No 17, died political prisoner Vitold Ashurok, 50, a civic activist from Berezovka; as per official version from cardiac arrest<sup>6</sup>. Because of inadequate detention conditions, some prisoners are forced to use hunger strikes as a last resort.

The situation of health facilities, goods and services and their compliance with the principles of medical ethics and cultural criteria, requirements for gender and life style, as well as the preservation of confidentiality and the improvement of the health of the persons concerned in 2021, according to experts, has not changed significantly. In 2021 the Regulation "On the order of functioning and use of the centralized health information system" was approved, one of the purposes of which is the development of e-health, conversion of medical services into electronic form, collection, accumulation, storage of information on the health status of patients, etc.<sup>7</sup> The work of the health system was also harmonized with the legislation on personal data adopted in the country<sup>8,9</sup>. A Regulation was approved that regulates the specifics of health care via telemedicine, according to which the remote interaction of medical workers among themselves, with patients or other persons will be ensured.<sup>10</sup>

In 2021, according to experts, the situation with human resources worsened: with medical workers who expressed their disagreement (in one form or another) with the current regime, starting in August 2020, massively refused to renew their labor contracts, fired them, and created obstacles to employment in private medical centers. In 2021 the legislation was amended to increase for medical workers the norm of additional hours (1800 hours in excess of the established norm (rate) per year. Previously this norm was 900 hours), which, according to experts, indicates a desperate attempt by the state to close the problem of a shortage of qualified workers by current employees. According to experts, there is a shortage of physicians both in the capital and in the regions. The remaining doctors are working at full stretch. The total workload per doctor has increased. According to experts, this "legalized" overwork has significantly affected the quality of medical care provided, although formally patients received medical care (were able to get an appointment with a doctor, get a treatment appointment, etc.). According to experts, the qualifications of current medical workers are in great doubt. As an illustration, the experts cited the example of recruiting medical staff at the Republican Research and Practice Centre of Traumatology and Orthopedics even without work experience. The state seem to be not concerned about the quality of care; the most important thing is that it is provided formally. In 2021, for example, medical students received the right to make home visits to patients, write sick notes and prescriptions, and prescribe treatment.

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<sup>6</sup> <https://spring96.org/ru/news/104065>

<sup>7</sup> <https://pravo.by/novosti/novosti-pravo-by/2021/may/63458/>

<sup>8</sup> <https://pravo.by/novosti/novosti-pravo-by/2021/july/65178/>

<sup>9</sup> <https://pravo.by/novosti/novosti-pravo-by/2021/july/65148/>

<sup>10</sup> <https://pravo.by/novosti/novosti-pravo-by/2021/july/65173/>



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In 2021, there was a persistent supply disruption of drugs for the treatment of cancer. Because of this, for example, chemotherapy regimens were being changed because the necessary drugs were not purchased.

The equipment in medical institutions is worn out and is not serviced in a timely manner. Things that, according to the standards, should be used once, are in practice used 15 times. Compared to 2020, the situation with sanitary and epidemiological rules and norms and their compliance has not changed.

### **Maternal, Child and Reproductive Health**

In 2021, according to experts, the situation with ensuring reduction of stillbirth and child mortality, healthy child development, including measures to improve the quality of maternal and child health, sexual and reproductive health services, including access to family planning programs, prenatal and postnatal care, emergency obstetric services and access to information and resources necessary to take action in accordance with this information has not changed significantly.

In 2021, on the one hand, the challenges noted in previous years continued with the implementation of a comprehensive national strategy to promote women's right to health throughout their lives, which covers interventions to prevent and treat women's diseases, and policies to ensure access to a full range of high-quality and accessible health services, including sexual and reproductive health.

However, on the other hand, the year 2021 is characterized by positive changes. Thus, in 2021 the government launched a state program of IVF, under which in 2021 the state provides a free IVF attempt to infertile couples, in which both spouses are citizens of Belarus and the age of the wife is not over 40 years. Thus, in 2021, 884 couples underwent IVF treatment at public expense, in more than 30% of cases - with positive results.<sup>11</sup> Also the fight against COVID-19 and the use of computed tomography (CT) to detect the disease had a positive impact on the early detection of tumors in the breast and adrenal gland area. Medical facilities across the country began to be equipped with CT scanners. In January 2021 a new state program "Health of the People and Demographic Security" for 2021-2025 was adopted<sup>12</sup>, in which both women's and men's reproductive health are paid quite a lot of attention.

In 2021, according to experts, the situation with the national policy on children's health has not changed significantly. The problems identified in the commentary to the 2020 right to health assessment remained the same.

As noted earlier, the shortage of personnel increased in 2021, and the state conducted a mass "purge" of medical personnel from dissenters. For example, the Republican Scientific and Practical Center "Mother and Child" was essentially left without cardiologists in 2021, which, according to experts, had a negative impact on medical care for children. Among positive changes, the experts noted that in 2021 subprogram 1 "Family and Childhood" was approved within the state program "Health of the People and Demographic Security" for 2021-2025. At the end of November 2021, the results of the joint project of UNICEF and the Ministry of Health of Belarus aimed at the prevention of childhood disability were

<sup>11</sup> <https://news.zerkalo.io/life/14276.html?c>

<sup>12</sup> <https://etalonline.by/document/?regnum=c22100028>



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summarized. As a result of the project, 20,398 children under the age of three received free assistance at early intervention centers, and the severity of children's disabilities decreased by 3%<sup>13</sup>. As of December 2021 there were 37 early intervention centers in the country, five of them based at children's homes.

The situation with adolescents, a healthy and supportive environment that guarantees them the opportunity to participate in making decisions about their health, form the skills necessary for life, acquire the necessary information, receive advice, and choose their way of life, worsened in 2021, according to experts. In a wave of repression against NGOs and human rights organizations, youth organizations were shut down, affecting youth representation and participation in health decisions, as well as access to relevant information. Experts have also negatively assessed the practice of publicly detaining students and teachers for civic engagement at school in front of others, which has negatively affected students' mental health and sense of safety.

### Healthy natural and workplace environments

Compared to 2020, the situation in terms of providing an adequate supply of safe drinking water and basic sanitation has not changed significantly. On the one hand, in 2021 there were no cases of targeted water cut-offs, as was the case in 2020 in Novaya Borovaya in Minsk<sup>14</sup>. On the other hand, the practice of not providing access to clean and safe water, as well as to basic sanitation, continued in places of detention.

In 2021, according to experts, there is still a lack of high-quality and effective national policy to prevent and reduce exposure of the population to harmful substances, such as radiation and hazardous chemicals, or other detrimental environmental conditions. The problems of 2020 were not solved in 2021, on the contrary, the situation worsened. For example, a battery plant near Brest was put into operation. This plant has been under construction since 2018, causing a wave of discontent among residents of Brest and nearby villages, because from the very beginning, construction did not comply with environmental standards and potentially threatened the health of people living near the plant. Despite the results of the expertise, which confirmed these problems, protests of residents, and the promise of Lukashenka to hold a referendum on the construction of the plant in 2020, the expertise was declared "invalid", the plant was continued to be built, and in March 2021, it was put into operation.<sup>15</sup> Moreover, due to the compulsory liquidation of many environmental NGOs, the possibility to influence the state decisions and defend the interests of people, including the challenge the legality of the commissioning of the Brest battery factory, disappeared.

<sup>13</sup> <https://www.belta.by/society/view/tjazhest-detskoj-invalidnosti-snizilas-na-3-itogi-sovmestnogo-proekta-junisef-i-minzdrava-belarusi-473581-2021>

<sup>14</sup> <https://belsat.eu/ru/news/gryaznye-no-ne-slomlennye-zhiteli-novoj-borovoj-ne-veryat-v-obychnoe-otklyuchenie-vody/>

<sup>15</sup> <https://sputnik.by/20200928/Akkumulyatornyy-zavod-pod-Brestom-reshili-prodolzhit-stroit-1045779341.html>; <https://www.dw.com/ru/vmesto-referenduma-v-breste-gotovjatsja-zapustit-akkumuljatornyj-zavod/a-56776006>



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In 2021, mass deforestation for export took place<sup>16</sup>. The Belarusian nuclear power plant continued to operate, despite mass reports of violations during its commissioning.

In 2021 the situation worsened with the most reasonable measures to eliminate the causes of health hazards in the work environment. Safety measures are not observed at production facilities, occupational injuries are widespread, and working conditions, for example, at Belaruskali, according to experts' reports, do not meet standards. Personal protective equipment for medical workers was not provided in the required quantity, putting their lives and health at risk. Masking was abolished, endangering society as a whole and workers in catering and public transportation in particular. Occupational injuries were silenced or recorded as nonproductive. Due to legal default and an ineffectively functioning judicial system, people have been essentially deprived of the possibility to seek compensation through the courts in the event of an occupational injury.

Sanctions imposed on Belarus in response to massive human rights violations contributed to the worsening situation of an adequate supply of food and adequate nutrition.

### Disease Prevention

In 2021, equal and timely access to basic preventive, curative, and rehabilitative health services and health information was hampered by staffing shortages, the COVID-19 pandemic, and its aftermath. In 2021, routine medical care, screening examinations, screening activities, rehabilitation care, physical therapy procedures, and manipulations requiring day-care units were suspended. The Ministry of Health noted that in the current epidemiological situation "it is necessary to set priorities".<sup>17</sup>

The situation with state measures (or lack thereof) to prevent alcohol abuse and consumption of tobacco, drugs and other harmful substances, including providing access to information about healthy lifestyles and nutrition, worsened in 2021. Statistics on alcohol and tobacco consumption, although published by the National Statistical Committee of the Republic of Belarus (Belstat), are difficult to trust, according to experts, due to their monopoly on research and statistical data collection. Access to information about healthy lifestyles is limited due to the forced liquidation of public organizations. It is also difficult to rehabilitate people suffering from alcohol or other addictions due to the absence of organizations that engaged in such activities, essentially instead of the state. The state, in turn, did not actually work with the topic, turning a blind eye to addicts, their needs and rights, including their health. Instead of providing effective psychological assistance, the state places such people in "medical-labor dispensary", using their labor for free.

In 2021, due to the liquidation of public and human rights organizations, including those working with HIV-positive people and reproductive health in general, access to quality information for people has become difficult. The state is formally conducting education in this area. According to experts, such

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<sup>16</sup> <https://www.dw.com/ru/poteri-bezvozvratny-chno-jeksperty-govorjat-o-vyrubke-lesov-v-belarusi/a-58648870>

<sup>17</sup> <https://www.belta.by/society/view/minzdrav-prokomentiroval-priostanovku-planovoj-medpomoschi-465085-2021/>



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education is subject to censorship through the prism of "traditional values", where, for example, abortion is perceived not as a woman's right, but as a sin.

The situation with the development and effective application of measures to combat infectious diseases, compared to 2020, according to experts, has worsened. In 2021, the state has still not established a supply of diverse and effective vaccines against COVID-19. The list of vaccines against COVID-19 was essentially limited to a choice of two, of which only one (the Chinese VeroCell) was recommended by WHO. Consequently, a person had no choice which vaccine to use. The Ministry of Health did not actually perform its functions as a specialized body of state administration, obeying any instructions from the current head of state, who obviously is not an expert in medicine. For example, since October 9, 2021, wearing masks and keeping social distance in public places became mandatory in Belarus, but on October 19, Lukashenko spoke out against the introduction of the mandatory mask regime in the country, and it was cancelled the next day<sup>18</sup>.

According to experts, the situation with regular screening programs worsened in 2021. This is caused, first of all, by a shortage of employees who could conduct such examinations. On the other hand, the proliferation of CT scanners, as mentioned above, has had a positive effect on detecting tumors at early stages.

### Medical and nursing care in case of illness

The situation with national physical and mental health policies in 2021 has not changed significantly. As the experts noted, the policy is there, but it is not effective. The law "On the Rights of Persons with Disabilities and their Social Integration" prepared to implement the Convention on the Rights of Persons with Disabilities did not come into force in 2021, although according to the text of the draft law, parts of it must have come into force on 1 January 2021. This draft law was passed by the House of Representatives in the first reading on 4 June 2020 and is now being prepared for its second reading.<sup>19</sup> However, according to experts, the content of this law does not fully comply with international standards.

The situation with the system of emergency medical care for accidents, epidemics, and similar health incidents, according to experts, has not changed significantly.

In 2021, the massive shortage of specialists, the lack of qualified doctors, both in the capital and in the regions, had a negative impact on the effectiveness of the implementation of treatment for common diseases and injuries, primarily at the local level.

Due to the sanctions against the Republic of Belarus, some imported medicines became unavailable in 2021. Decree No. 116 of the Ministry of Health of October 29, 2021, established a list of strategically important medicines, including medicines for the treatment of diabetes, wounds and ulcers, antiseptics

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<sup>18</sup> [https://primepress.by/news/ekonomika/lukashenko\\_vystupil\\_protiv\\_vvedeniya\\_obyazatelnogo\\_masochnogo\\_rezhima\\_v\\_belarusi-38831/](https://primepress.by/news/ekonomika/lukashenko_vystupil_protiv_vvedeniya_obyazatelnogo_masochnogo_rezhima_v_belarusi-38831/)

<sup>19</sup> <http://www.house.gov.by/ru/zakony-ru/view/o-pravax-invalidov-i-ix-sotsialnoj-integratsii-771/>



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and disinfectants, anesthetics, antidepressants and some others<sup>20</sup>. Experts note the limitations in access to effective medications.

The laws "On Psychological Assistance" and "On Psychiatric Assistance" contain discriminatory norms. The practice of forced hospitalization is still widespread in Belarus. According to experts, the rights and freedoms of people with mental illnesses are restricted, and not always justifiably so. There is information that in 2020-2021 some anti-regime activists were placed in psychiatric institutions. Detention conditions in these institutions, especially in the regions, do not meet international standards.

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<sup>20</sup> <https://pravo.by/document/?guid=12551&p0=W22137323&p1=1>



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