

## National Human Rights Index

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2023

### Right to Social Security:

Expert Commentary

<b>The score:</b>	<b>4,5</b>	
<i>Including scores by component:</i>		
• Existence of an effective social security system	3,5	-0,1
• Support for the unemployed and persons incapable of working	4	
• Support for families, children, the elderly and persons with disabilities	5,9	

A description of the baseline situation regarding the realization of the right to social security can be found in the 2019 commentary. Assessing the situation in the field of the right to social security in 2023, the Index experts gave lower scores than in 2022. **Among the main reasons:**

- deterioration of social support for vulnerable groups due to the mass liquidation of CSOs that provided additional support;
- creation by the authorities of new vulnerable groups that are not provided with assistance but, on the contrary, are burdened with additional obligations (so-called “parasites”; people released from prison and convicted on political grounds; people who lost their jobs for political reasons, etc.)

#### • Existence of an effective social security system

The social security system in Belarus did not undergo any significant changes in 2023. In 2023, a draft law “On Amendments to Laws on Social Services and Social Benefits”<sup>1</sup> was developed. It was adopted on December 13, 2023, and its main provisions will enter into force on July 1, 2024. According to experts, the provisions of the new law (in themselves, in isolation from the political context) are aimed

<sup>1</sup> <https://pravo.by/document/?guid=12551&p0=H12300318>, <https://www.belta.by/society/view/zakonoproekt-po-voprosam-sotsobsluzhivaniya-vo-vtorom-chtenii-deputaty-rassmotrjat-na-ocherednoj-sessii-586963-2023/>, <https://news.zerkalo.io/economics/56724.html> The criteria for recognizing a person as being in a difficult life situation and, accordingly, providing them with social services have been adjusted, a long-term care system is being introduced, remote services are being provided, the names of nursing homes are being changed to “social boarding houses,” the state’s obligation to provide transportation to social service institutions is being established, and new financing standards are being introduced—budget planning norms for social service expenditures (the minimum level of necessary state expenditures on social services is being determined).



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at further positive changes in the social security system and have the potential for positive development of the system. However, the effect of this law will be delayed, as it requires the development of infrastructure, the adoption of secondary legislation, and organizational measures for its implementation. However, experts take into account the complex political situation in the country, which hinders the effective implementation of this law.

At the same time, there have been no positive changes in practice: the state has not indexed benefits in a situation of rising inflation, has manipulated social deductions from income tax<sup>2</sup>, and has abolished value added tax exemptions for social goods (e.g., medicines and medical devices).

Experts also noted the deterioration of social centers and crisis rooms due to the lack of independent civil society organizations in the country that could monitor and provide additional protection for the rights of the most vulnerable groups. In 2023, queues and problems with access to social institutions for persons with disabilities and older persons persisted. New sanitary standards were introduced for such institutions<sup>3</sup>, as well as licensing for non-state entities providing residential social services to older persons and persons with disabilities<sup>4</sup>.

In terms of the criterion that the social security system covers all persons, the situation has deteriorated. Experts noted the rigidity of the system: the authorities did not respond to the emergence of new vulnerable groups. Representatives of such groups “fall out” of the social security system, while the state’s actions only contributed to the emergence of new vulnerable groups, created barriers to access to social services, and paid even less attention to such persons in 2023. For example, experts included the following groups formed “thanks” to the state: citizens released from prison and convicted on political grounds, citizens who lost their jobs for political reasons, their families, elderly parents of persons who left the country, citizens abroad, citizens not engaged in the economy (so-called “social parasites”).

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<sup>2</sup> Since 2023, the term “anniversary dates of individuals” has been defined in the Tax Code (TC). Income received in honor of anniversary dates is exempt from income tax. Thus, the anniversary date of an individual taxpayer is understood to be the date on which the taxpayer reaches the age of 40 or more, corresponding to the number of years that is a multiple of ten (40, 50, 60, and so on). Previously, organizations determined the dates recognized as anniversaries independently. Now, anniversary dates that differ from those established by the Tax Code are not used for the application of social benefits (exemptions) for income tax.

From 2023, a maximum annual amount of benefits has also been introduced for social income received from trade unions, trade union associations, and members of such organizations. Income tax exemption applies to such income in an amount not exceeding 1,200 rubles from each trade union organization or association of trade unions during a calendar year.

<sup>3</sup>

[https://minzdrav.gov.by/upload/lcfiles/text\\_tnpa/%D0%BF%D0%BE%D1%81%D1%82%D0%B0%D0%BD%D0%BE%D0%B2%D0%BB%D0%B5%D0%BD%D0%B8%D0%B5\\_%D0%9C%D0%97\\_2023\\_23\\_%D0%A1%D0%9D%D0%B8%D0%9F.pdf](https://minzdrav.gov.by/upload/lcfiles/text_tnpa/%D0%BF%D0%BE%D1%81%D1%82%D0%B0%D0%BD%D0%BE%D0%B2%D0%BB%D0%B5%D0%BD%D0%B8%D0%B5_%D0%9C%D0%97_2023_23_%D0%A1%D0%9D%D0%B8%D0%9F.pdf)

<sup>4</sup> <https://pravo.by/novosti/obshchestvenno-politicheskie-i-v-oblasti-prava/2023/december/76287/>

The experts also noted an increase in compulsory payments in the education system (payments for kindergarten services, meals, textbooks) without considering the financial capabilities of families, which indicates insufficient attention by the state to this category of citizens.

It has become even more difficult for Belarusian citizens abroad to receive social benefits. The state has taken targeted discriminatory measures against citizens who have left Belarus, including in the area of social security. For example, in September 2023, the so-called “passport decree” was adopted, which made it impossible for Belarusian citizens living abroad to carry out a number of administrative procedures at the consulate in their place of residence. In other words, it is impossible to exchange a passport or extend its validity abroad, or to issue a power of attorney<sup>5</sup>. This measure has affected not only political but also social rights, as it is now impossible to obtain a passport for newborn children abroad, which excludes such children from the social security system (if their parents cannot return to Belarus).

In terms of the size of benefits, experts noted a deterioration in 2023: the trend continued whereby the real size of social payments decreased, while the increases introduced by the state did not cover inflation. Real pensions in 2023 increased in monthly terms only in May, August, and September. In the remaining months of 2023 (January-October), real pensions declined. The most significant decline was in February, when they fell by 1.2% compared to January<sup>6</sup>. In addition, the elimination of non-state trade unions also eliminated sources of additional financial social assistance.

In 2023, the average amount of targeted social assistance in the form of monthly social benefits was 113.88 Belarusian rubles (about 35 USD as of December 31, 2023) per month per person, and one-time social benefits were 188.37 Belarusian rubles (about 59 USD as of December 31, 2023). (about 59 USD as of December 31, 2023)<sup>7</sup>. As of August 1, 2023, the allowance for the care of the first child under the age of 3 was 651.35 Belarusian rubles (about 205 USD as of December 31, 2023)<sup>8</sup>. The allowance for a disabled child over 3 years of age from certain categories of families is 257.45 Belarusian rubles (about 81 USD as of December 31, 2023). When converted into currency, these figures decreased compared to 2022.

The social security system has not changed in terms of promotion and awareness. According to experts, the system is difficult for ordinary people to understand, while the actions of the state complicate the system and make it less accessible to citizens.

#### ● Support for the unemployed and disabled

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<sup>5</sup> <https://www.belhelcom.org/en/node/1937>, <https://rada.vision/zayavlenie-koordinacionnogo-soveta-v-svyazi-s-besprecedentnoj-diskriminaciej-rezhimom-grazhdan-belarusi-za-rubezhom>, <https://www.dw.com/ru/ukaz-lukashenko-o-pasportah-cto-delat-belorusam-za-granicej/a-66737905>

<sup>6</sup> <https://news.zerkalo.io/economics/55371.html>

<sup>7</sup> <https://www.mintrud.gov.by/ru/razmer-gasp-ru>

<sup>8</sup> <https://mintrud.gov.by/ru/news-ru/view/s-1-avgusta-2023-goda-uvelichivajutsja-razmery-posobija-po-uxodu-za-rebenkom-v-vozraste-do-3-let-7300-2023/>



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In 2023, changes were made to the procedure for granting temporary disability and maternity (sickness) benefits<sup>9</sup>. One of the changes—an increase in the period for which average daily earnings are calculated (from 6 to 18 months)—actually led to a decrease in the average sum and, as a result, an overall reduction in the amount of benefits.

Experts also noted changes in the social security system for orphaned children after they reach the age of majority. In 2023, the standards for providing housing for such children deteriorated, and benefits for such citizens in terms of distribution were also abolished. Orphans retained priority rights to places in dormitories when enrolling in universities and vocational schools, and the relevant benefits and material assistance continued to be paid, but they were also poorly indexed in 2023.

In addition, in 2023, the duration of sanatorium and resort treatment and rehabilitation was reduced<sup>10</sup>. Among other changes in the field of health improvement, children of unemployed persons who do not contribute to the state social insurance fund were granted the right to a subsidized vacation (previously, children of such persons were not entitled to a vacation). There is also now a right to discounted sanatorium and resort treatment for children of workers (military personnel, civil servants, students) who are on parental leave until their children reach the age of 3. In addition, the categories of children eligible for free health improvement in educational and health centers have been reduced<sup>11</sup>.

Experts also noted difficulties in obtaining benefits in the event of the loss of a breadwinner abroad, due to the fact that in 2023 such benefits began to be transferred to bank cards of the Belkart system. As a result, in order to receive such benefits, it is necessary to obtain the appropriate card. This, in turn,

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<sup>9</sup> <https://pravo.by/document/?guid=12551&p0=C22300877>

The minimum amount of sick leave is now calculated based on the minimum wage (MW), previously it was calculated based on 50% of the minimum subsistence budget. The amount of sick leave for citizens who have worked for 10 years or more is increasing. The average daily earnings used to calculate sick leave are increasing. Sick leave will only be granted at the main place of work, taking into account earnings from all employers. The right to sick leave will be determined on the condition of incapacity for work at all places of work. The list of cases in which benefits will be granted to part-time workers has been expanded.

The procedure for calculating earnings when granting maternity benefits to female workers who were on childcare leave for children under 3 years of age during the calculation period and worked for less than 6 calendar months during that period has been clarified. For them, earnings for each full calendar month of the calculation period will be taken into account in an amount not exceeding the average wage of workers in the republic for the corresponding month, regardless of the length of working hours. That is, regardless of whether the employee worked full-time or part-time, her earnings for each full calendar month of the calculation period will be limited to the average wage for the corresponding month.

<sup>10</sup> <https://pravo.by/novosti/novosti-pravo-by/2023/june/74616/>

The frequency of allocation of vouchers for categories of citizens has also been established:

working persons (employees) are provided with sanatorium-resort treatment no more than once every four years; unemployed veterans of labor and disabled persons of group III – no more than once every three years

<sup>11</sup> <https://pravo.by/document/?guid=12551&p0=C22300636>

means that citizens must travel to Belarus, which is not always possible (and powers of attorney issued abroad are not accepted).

The practice of “manual” management of the social security system also continued. For example, experts noted the ongoing situation in which the MRECs decide on the establishment of disability based not on objective factors, but on the economic capabilities of a particular district, city, etc. In such circumstances, MRECs have increasingly resorted to using the concept of “unemployable group,” thereby manipulating the concept of “ability to work,” which is the only criterion that can be used to artificially influence the degree of disability.

### • **Support for families, children, the elderly and persons with disabilities**

Experts noted a deterioration in the provision of assistance to families, primarily due to tighter controls on the receipt of benefits for children under the age of 3 abroad. The Ministry of Labor has issued recommendations to employers to monitor the departure of workers abroad. There are also plans to retroactively withdraw sick pay for the entire period of sick leave if it is discovered that the employee crossed the border.

The gradual and continuing negative trend in the health care sector has contributed to the deterioration of the situation regarding the social rights of mothers and children. Experts have noted that the quality of the work of perinatal nurses has deteriorated due to a shortage of qualified personnel, and access to foreign medicines has been reduced (they are being replaced by domestic medicines that do not have the expected effect). In addition, young mothers and single mothers have no access to free psychological assistance due to the closure of relevant civil society organizations.

In terms of equality in retirement, the situation has tended to deteriorate. Age inequality in retirement between men and women persisted. The problem of pension traps was not eliminated in 2023. Experts also noted a trend toward a widening gap in the size of pensions awarded to former employees of the “security” sector and all other persons. The authorities did not disclose statistics on important aspects related to pension provision, making it increasingly impossible to conduct an independent expert assessment of the real situation in the pension sector. Experts also cited specific cases where attempts were made to deprive citizens who had previously held high positions in the state apparatus and participated in protests of their pensions for special merits.



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