Concerns: IBFAN-GIFA Report on the state of infant feeding in Belarus

Dear Members of the Committee on the Convention on the Rights of the Child,

Unfortunately we have not received a report concerning the state of infant feeding in Belarus as there is no IBFAN group in this country. The information we do have concerns:

1) **General data**

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<td>Annual number of births (in thousands)</td>
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<td>Infant mortality rate (under 1 year)- per 1000 born alive</td>
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<td>Neonatal mortality rate - per 1000 born alive</td>
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<td>Maternal mortality ratio</td>
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*Source: State of the World Children, UNICEF, 2010*

2) **Breastfeeding and infant nutrition situation**

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<th>% of children with low birth weight</th>
<th>4% (2003-2008)</th>
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<td>Early initiation of breastfeeding</td>
<td>21% (2003-2008)</td>
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<td>Exclusive breastfeeding (&gt; 6 months)</td>
<td>9% (2003-2008)</td>
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<td>Breastfeeding with complementary food (6-9 months)</td>
<td>38% (2003-2008)</td>
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<td>Still breastfeeding (20-23 months)</td>
<td>4% (2003-2008)</td>
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*Source: State of the World Children, UNICEF, 2010*

3) **Legislation related to the International Code of Marketing of Breast-milk Substitutes** and subsequent relevant World Health Assembly resolutions.
Belarus does not have a marketing code though a draft is presently under study. It is thus poorly ranked by the International Code Documentation Centre in its document *State of the Code by Country* (2009). The fact that preliminary steps towards legislating have been undertaken could indicate the State’s intention to move ahead, though this could take years. **It would therefore be important the State be encouraged to finalise the text, adopt it and implement it.**

*Source: ICDC, State of the Code by Country, 2009*

4) **Baby-Friendly Hospital Initiative (BFHI)**

In 2002, only 4 hospitals were certified BFH. We have no indication concerning the total number of maternities in the country.

*Source: UNICEF, 2002*

On the other hand, another source indicates that more than a third of births now occur in designated ‘baby-friendly’ hospitals; an additional 27% of babies are born in ‘baby-friendly’ clinics. These facilities emphasize safe deliveries and promote exclusive breastfeeding. However, as we have seen above concerning rates of exclusive breastfeeding, there is still a lot of work to be done to increase these from the very low 9%.

5) **Maternity protection at work**

Overall, maternity protection provisions make for strong maternity protection legislation. It is important to note that Belarus ratified ILO Convention No. 183 (2000) in 2004.

**Maternity leave**

**Scope**

- All women workers are covered by legislation, including unemployed women.

**Duration**

- Maternity leave is of 70 calendar days for prenatal leave and 56 calendar days for postnatal leave (126 days or 18 weeks).
- For women who live (work) in zones with a level of radioactive contamination, 90 calendar days prenatal and 70 days postnatal maternity leave are granted (160 days).
- In case of complicated confinement and/or multiple births, maternity leave for 70 calendar days pre- and postnatal each (140 days).

**Related types of leave**

**Adoption leave**

- Persons who adopt a child or who are appointed as guardians for a child under 3 months are entitled to 70 calendar days counted from the day of adoption or placing under guardianship.

**Parental leave**

- Working mother or father or other relative of the child to whom the custody of the child has been assigned is entitled to leave until the child reaches 3 years of age.

**Paternity leave**

- There is no paternity leave.

**Part-time work**

- Working mother or father or other relative to whom custody of the child has been assigned.
• Part-time work may be requested until the child is 3 years of age. The reduced working time has to be less than half of the normal monthly working time. The person keeps the right to monthly states allowances.

Cash benefits
Maternity leave benefits
• Paid to women who are insured and have paid contributions into the State social insurance system. In addition, some categories of female workers are also included.
• Maternity benefits shall be paid on the basis of a medical certificate.
• Rate of maternity benefits is 100% of the average salary and not less than 50% of the minimum per capita subsistence wage.
• Maternity benefits are paid from the budget of the state social insurance.

Other leave benefits
• Parental leave: Rate is 80% of the minimum subsistence wage paid by the state social insurance fund.
• Adoption leave: rates equivalent to maternity benefits and parental leave benefits, paid by the state social insurance fund.

Medical benefits
Pre-natal, childbirth and post-natal care
• A pregnant woman is granted medical examination during and after confinement, as well as medical and disease prevention assistance and medical care of a newborn child.
• The state guarantees food for pregnant women, breast-feeding mothers, and children below 3.

Health protection
• Women who are pregnant, on postnatal leave or whose children are under 3 cannot work overtime or during nights.
• With a medical certificate, women who are pregnant or have a child under 1,5 years, shall be transferred to easier non hazardous work, at same wages as previous job.
• Women cannot be employed in work with harmful working conditions, underground work, arduous work and other as listed and approved by the Government of Republic of Belarus.

Anti-discrimination measures
• Everyone shall have equal opportunities to realize his/her labour rights.
• No one can be constrained in his/her labour rights and freedoms or get any advantages on the grounds of sex or other factors not relevant to the professional qualities of the employee.
• It is illegal to refuse to employ women because of pregnancy or because they have children.
• Employers must write to a person who was refused employment about reasons of refusal.

Protection from discriminatory dismissal
• It is forbidden to dismiss a woman who is pregnant, with a child under 3, a single woman with a child under 14, or with a handicapped child under 18, except if enterprise is liquidated.
• Persons on maternity leave, partially paid leave or additional unpaid leave for child-care are entitled to preserve their workplace (position) and salary.

Breastfeeding breaks
• Besides the regular daily breaks, a woman whose child is under 3 is entitled to additional breaks of at least 30 minutes every 3 hours for feeding her child. Women who have two or more children under 3 are entitled to one hour break every 3 hours.
• Breaks for feeding children are included in the working hours and are paid.


6) HIV AIDS and breastfeeding

The spread of HIV/AIDS is a major concern in Belarus but we have no information concerning policies related to HIV+ breastfeeding mothers.

7) Possible recommendations

• Develop a comprehensive breastfeeding policy including provisions for a Breastfeeding Committee, a Monitoring Committee, training on infant and young child feeding, information regarding HIV transmission.
• Press for the final drafting and adoption of the law on marketing of breastmilk substitutes – as well as for its implementation and monitoring.
• Make efforts to continue developing the Baby-friendly Hospital Initiative that seems to have made steps forward in recent years but needs to be strengthened.

We thank you for your assistance and understanding, and hope that it will be possible to bring up, during the country review, the issues of health and nutrition of babies and young children, as well as those relating to legislation protecting breastfeeding.

Yours sincerely,

Elaine Petitat-Côté
Human Rights Programme Officer