



**ANNEX II**

of the Commission Implementing Decision on the Special Measures in favour of the Republic of Belarus for 2019

**Action Document for EU – Belarus Legal Co-operation Programme**

**ANNUAL PROGRAMME**

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation and action programme/measure in the sense of Articles 2 and 3 of Regulation N° 236/2014.

<b>1. Title/basic act/ CRIS number</b>	Improvement of National Mechanisms for Achieving Sustainable Development Goals in Legal Sphere (EU – BY Legal Co-operation)	
	CRIS number: ENI/2019/042-031 financed under the European Neighbourhood Instrument	
<b>2. Zone benefiting from the action/location</b>	Belarus The action shall be carried out at the following location: Belarus countrywide	
<b>3. Programming document</b>	Not available (Special Measure)	
<b>4. Sustainable Development Goals (SDGs)</b>	SDG 5: Gender Equality SDG 10: Reduce inequality within and among countries SDG 16: Peace and Justice Strong Institutions	
<b>5. Sector of intervention/ thematic area</b>	Strengthening institutions and good governance	DEV. Assistance: YES
<b>6. Amounts concerned</b>	Total estimated cost: EUR 10,000,000.00 Total amount of European Union (EU) contribution EUR 10,000,000.00	
<b>7. Aid modality(ies) and implementation</b>	Project Modality <b>Indirect management</b> with 1) National Agency - GIZ (components 1, 2 and 3) 2) International Organisation - UNICEF (component 4)	

<b>modality(ies)</b>				
<b>8 a) DAC code(s)</b>	150 – Government and Civil Society 15110 - Public sector policy and administrative management (70%) 15130 - Legal and judicial development (30 %)			
<b>b) Main Delivery Channel</b>	1) 11004 - Other public entities in donor country : GIZ 2) 41122 – UNICEF – United Nations Children's Fund			
<b>9. Markers (from CRIS DAC form)</b>	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	X
	Aid to environment	X	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and Women’s and Girl’s Empowerment	<input type="checkbox"/>	X	<input type="checkbox"/>
	Trade Development	X	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	X	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity	X	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	X	<input type="checkbox"/>	<input type="checkbox"/>
<b>10. Global Public Goods and Challenges (GPGC) thematic flagships</b>	Chapter 4. Human Development, including decent work, social justice and culture			

## SUMMARY

Belarus is seeking to introduce changes to several parts of its legal sector in line with international commitments and including the Sustainable Development Goals, with the aim to better guarantee the rights of its citizens and improve the delivery of public services,

The proposed action foresees selected interventions in five areas working in collaboration with the Ministry of Justice, the National Centre for Legislation and Legal Research, the National Centre of Legal Information, the Institute for Retraining and Qualification of Judges, the National Center for Electronic Services, the Investigative Committee of the Republic of Belarus.

**Component 1** will support provision of citizen friendly administrative services by assisting citizen to have better access public services through legislative and administrative simplification and improvement of the provision of administrative services.

**Component 2** will support public consultation on legislation and legal issues by supporting the preparation of a stakeholder friendly platform of public consultation through improvement of legal and technical provisions of the newly set up consultation platform pravo.by.

**Component 3** will help to improve personal data protection through drafting of additional legislation in line with international standards, and the implementation of the provisions of the law, while reconciling the protection of personal data with the right to freedom of expression and information, including for journalistic purposes

**Component 4** will support the modernizing of juvenile justice by contributing to drafting of better legislation and its implementation to meet modern challenges related to child friendly criminal justice system through strengthening the alternative punishment mechanisms.

**Component 5** will support to fight against cybercrimes related to children by contributing to drafting of better legislation and the development of information mechanisms to prevent and respond to emerging challenges and criminal threats related to cyber communication.

The Action will be implemented by GIZ (Components 1, 2 and 3) and UNICEF (Components 4 and 5) in line with the regular policy dialogue between the EU and the Belarusian authorities.

## **1 CONTEXT ANALYSIS**

### **1.1 Context Description**

Belarus has pursued a gradual transition path, characterised by limited structural reforms. This has contributed to a comparatively stable development resulting in the country's upper middle-income status. Much of the real economy remains under control of the state, as the share of the private sector is growing slowly. To re-enforce the economy and achieve higher levels of economic growth, the country will need to increase direct foreign investment and improve access to global markets including EU. This entails substantial reforms and modification in economic legislation and regulatory enforcement in line with international standards. In general, it will require changes in the way judicial institutions are working, better ensuring of the rights of individual citizens and greater efficiency in delivery of administrative services. Sustainable economic development depends on good physical and regulatory infrastructure and a favourable fiscal environment. It requires optimal societal conditions including high quality social provisions and effective public participation and transparency in governance.

The proposed action is based on a combination of the profound sectoral assessment of juvenile justice done by UNICEF in 2017/18 and a wider institutional appraisal done at the end of 2018 by the EU. An important lesson learned is that in given circumstances for Belarus, it is very important to start working with individual rule of law institutions. The institutional appraisal mentioned earlier and subsequent dialogue have demonstrated genuine interest on the side of different institutions to modernize and reform legislation and bringing it in line with the European standards. As yet this is not a full-fledged sector reform, but it provides several openings to work towards the same. With the institutions coming forward, it is important form

the EU side that we are ready to work with them and that this contributes to a better justice system in the country.

The proposed action will widen and scale-up EU technical cooperation with the government of Belarus to enhance capacity for legal reforms, delivery of administrative services and to build effective, accountable and inclusive judicial institutions, encouraging to broader reforms in Rule of Law.

## 1.2 Policy Framework (Global, EU)

Belarus is a party to all major human rights treaties: International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, International Convention on Elimination of Racial Discrimination, Convention on Elimination of All Forms of Discrimination Against Women, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Convention on the Rights of the Child. In 2016 Belarus ratified Convention on the Rights of Persons with Disabilities.

Belarus passed **the second Universal Periodic Review (UPR)** cycle in May 2015. This cycle is distinguished by significant increase of the number of recommendations for all countries. The Republic of Belarus received a total of 259 recommendations and accepted 168 relating to the whole range of human rights obligations and took note of 91. The National Human Rights Action Plan contains specific activities for successful implementation of UPR recommendations. The Republic of Belarus' report consideration under the 3rd cycle of the UPR is scheduled in spring 2020.

Belarus actively engages on the implementation of **Sustainable Development Goals (SDGs)**<sup>1</sup>. The commitment towards SDGs is an integral part of the "National Sustainable Development Strategy 2030 (NSDS 2030). Achievements on the SDGs are reviewed at sector and regional levels and subject to regular reporting.

Furthermore, The Republic of Belarus has been a full-fledged member of the **Organisation for Security and Co-operation in Europe (OSCE)** since 1992. It is not a member of the **Council of Europe**, however there is a close cooperation. Belarus is involved as a member or observer in several Steering and Ad Hoc Committees<sup>2</sup> and it is actively seeking accession to the legal instruments of the Council of Europe. Moreover, it is an associated member the European Commission for Democracy through Law (Venice Commission) and it is a member of the Group of States against Corruption (GRECO).

In the absence of a framework agreement between the EU and the Republic of Belarus and while negotiations on EU-Belarus Partnership Priorities have not been concluded, the **EU's policy** towards Belarus is carried out in line with the 2016

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<sup>1</sup> See for example <http://un.mfa.gov.by/en/SDGsinBelarus/>

<sup>2</sup> Committees in the spheres of culture, heritage and landscape; on educational policy and practice; on youth; on World Anti-doping Agency; on sports; on combat human trafficking, on the Bern Convention).

Council Conclusions as well as the wider Eastern Partnership (EaP) policy framework.

Further to "20 deliverables for 2020", all components of the proposed action address to Deliverable number 2 (gender equality and non-discrimination). Moreover, the Component 1 addresses to Deliverable number 11 (Implementation of public administration reform). Components number 2 and 3 address to Deliverable number 9 (Rule of law and anti-corruption mechanisms). Component number 4 targets at Deliverables number 9 (Rule of law and anti-corruption mechanisms), number 10 (Implementation of key judicial reforms) and number 12 (Security). Component number 5 addresses to Deliverables number 9 (Rule of law and anti-corruption mechanisms) and 12 (Security).

Envisaged activities under this action assist Belarus in further steps necessary to comply with its commitments in respect of universal freedoms and human rights. Collaboration with the main judicial institutions provides to deepen and consolidate understanding and dialogue which is essential to sustain an improved political relationship.

The European Commission supports public administration reform (PAR) efforts in Eastern Partnership area. This support is in line with the Principles of Public Administration, which have been developed by OECD/SIGMA in close cooperation with the European Commission. The current programme will be co-ordinated with SIGMA.

These principles define what good governance entails in practice and they outline the main requirements for a well-functioning administration. The principles focus on those areas of government work, which should apply in a uniform matter across public administration institutions: Policy development and coordination; Public service and human resources management; Accountability; Service delivery; and Public financial management. The Principles also define the expectations for the strategic framework for PAR. The principles are derived from international standards and requirements, as well as good practices in the EU Member States and/or OECD countries.

Under the area of policy development and coordination, the principles encompass the better regulation approach, which is a key priority also for the EU level. The better regulation approach aims to ensure that policies and legislation are "*... prepared, implemented and reviewed in an open, transparent manner, informed by the best available evidence and backed up by involving stakeholders*".

The EU remains committed through regular meetings in the EU-Belarus Coordination Group and EU-Belarus Human Rights Dialogue to cooperate with Belarus to enhance democratic governance and to develop the responsiveness of the institutions to the citizen's needs.

### **1.3 Public Policy Analysis of the partner country/region**

**The National Sustainable Development Strategy 2030** (NSDS 2030) of Belarus recognises the need to strengthen the rule of law and the promotion of human rights as necessary prerequisites to achieve sustainable human development and eradicate extreme poverty. In essence, the reforms related to the judiciary in Belarus are complex. They involve multiple policies, frequently uncoordinated programmes, institutions and stakeholders that require changes in infrastructure, human and financial resources, as well as enhancement of capacity building.

The NSDS 2030 promotes efficient public administration as a key factor in sustainable socio-economic development and in reaching a high position in the global economic competition. More specifically, the strategy foresees a set of measures to ensure transparency and openness of the activities of the Governmental bodies. The NSDS 2030 mentions organization of public discussions on important draft laws; publication of all planned and adopted legal acts in the media; development of the feedback technology to enable an open dialogue with civil society; and development of a system of public monitoring and evaluation of the state apparatus are therefore envisaged. Generally speaking the NSDS 2030 expresses Belarus' aim to increase and improve mechanisms to facilitate interaction between the state, society and businesses. The SDGs 16 (Peace, Justice and Strong Institutions) and 10 (reduced inequality) are notably well promoted in the NSDS 2030, because strong institutions and well-being citizens are key to economic growth and prosperity.

Moreover, on 24 October 2016, the Council of Ministers adopted the "Interagency Action Plan 2016-2019" (also known as **National Human Rights Action Plan – NHRAP**) as the key instrument to implement recommendations of the Universal Periodic Review. The NHRAP underpins the process of domestic reform and legislative amendments. It has specific provisions to strengthen Juvenile Justice, mediation and alternative methods of dispute resolution (provisions 40, 41, 44, 45, 52).

#### 1.4 Stakeholder analysis

Building on EU experiences from earlier smaller interventions seeking to support reforms in the rule of law sector, several institutions were identified that confirmed an interest in technical collaboration in specific areas. In the absence of a comprehensive national reform programme, this approach provides for an alternative to scale up interventions, improve mutual understanding and build confidence.

Principal interlocutor of the action is the **Ministry of Justice (MoJ)**<sup>3</sup>. In this position MoJ ensures co-ordination between the national stakeholders and ensures national consensus over the overall project approach. In addition, MoJ acts as primary beneficiary and interlocutor in the component dealing with the provision of administrative services for citizens through "single window" system. For all other

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<sup>3</sup> Official website: <https://minjust.gov.by/en/>

components MoJ acts as co-beneficiary, thus ensuring the coherence and synergies of the programme.

**Ministry for Foreign Affairs (MFA)** is a stakeholder in the project due to its role as main interlocutor in EU – Belarus relationship. It is also the lead institution for implementation and monitoring of the National Human Rights Action Plan. MFA is foreseen to have monitoring and supporting role in this project and be part of the Project Steering Committee.

**The National Centre for Legislation and Legal Research (NCLLR)**<sup>4</sup> is operating under the direct supervision of the Presidential Administration. The NCLLR as an implicit part of the ‘centre of governance’ prepares drafts of legal normative acts and accompanies the process of adoption ensuring quality and coherence in legislation. In addition it provides methodical guidance in rule-making, carries out research studies in the field of law as well as the training of legal researchers. NCLLR is interested to co-operate with EU in the development of legal and regulatory environment of data protection. Since October 2018 the NCLLR is collaborating with UNICEF to review and construct a new concept legal framework for restorative justice and justice for children.

**The National Centre of Legal Information (NCLI)**,<sup>5</sup> is operating under the direct supervision of the Presidential Administration. The NCLI has been tasked with providing full, valid and timely information; increasing the level of legal awareness of the society; and developing and improving of the single state system of legal information. The NCLI is seeking to co-operate in several fields such as facilitating access to quality information and legal assistance for vulnerable people (people living in rural areas, socially disadvantaged people, elderly people, visually impaired persons, children and adolescents); and to promote further development of an electronic public consultation platform of draft legal acts and Children's Legal website.

**The Institute for Retraining and Qualification of Judges**<sup>6</sup>, which is part of the Belarusian State University, is mandated to provide training and educational activities for judges, prosecutors and other legal professionals in the country, organized in Minsk according to pre-established annual work plans. It is foreseen that the Institute would act as co-beneficiary and implementing partner for the components 3, 4 and 5, ensuring the provision of the project related training.

**The National Center for Electronic Services (NCES)**<sup>7</sup> is a state enterprise serving as the infrastructure operator for interdepartmental information systems that form the backbone of e-governance in the Republic of Belarus. NCES has developed the Single state automated information system that is the interconnection platform for all state agencies. All agencies are in the process to be integrated to this system after

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<sup>4</sup> Official website: <http://center.gov.by/?lang=en>

<sup>5</sup> Official website: <http://law.by/>

<sup>6</sup> Official website: <http://lawinstitute.bsu.by/>

<sup>7</sup> Official website: <https://nces.by/>

audit and update of the IT infrastructure. For the above-mentioned role and competence it is of crucial importance that NCES will be co-beneficiary for components 1 and 2.

The **Investigative Committee of the Republic of Belarus**<sup>8</sup> is a unified and centralised system of state law enforcement agencies, which are the preliminary investigation agencies, exercising authority in the area of pre-trial criminal proceedings. It is foreseen that Investigative Committee would be co-beneficiary for the components 4 and 5, notably in training related events.

Whereas the action does not foresee direct financial support, close collaboration with civil society organisations will be sought under its different activities to promote transparency and oversight of legal process. **The representatives of the civil society such as** Belarusian Helsinki Committee<sup>9</sup>, the Legal Transformation Center (LawTrend)<sup>10</sup> and German Adult Education (DVV)<sup>11</sup> **are expected to be engaged in expert capacity** in the consultations between different project stakeholders.

## 1.5 Problem analysis/priority areas for support

Following a sectoral assessment of juvenile justice done by UNICEF in 2017/18, a wider institutional appraisal done at the end of 2018 by the EU there appears a genuine interest of selected institutions in the Rule of Law sector to benefit from EU best practices and standards. This is the case for the five components proposed under the programme. Working with individual rule of law entities, which are open for co-operation may encourage further (more comprehensive) reforms in the Rule of Law sector.

### *Simplification of provision of administrative services for citizens*

**The Decree of the President #202**<sup>12</sup>, adopted on 25 May 2018, urges taking measures on ensuring maximum consolidation of administrative procedures under the framework of one entry point (so called "Single window service"). In line with this Decree, "Single window services" are now being established in local executive and administrative bodies. In accordance the Decree #202 the Ministry of Justice is responsible for general coordination of issues regarding administrative procedures in our country. With the conceptual and organisational implications of Decree #202 being more challenging than expected, the Ministry of Justice is seeking external assistance.

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<sup>8</sup> Official website: <https://sk.gov.by/en>

<sup>9</sup> Official website: <https://www.belhelcom.org/en>

<sup>10</sup> Official website: <https://www.lawtrend.org/>

<sup>11</sup> Official website: <http://www.dvv-international.org.ua/belarus/?ver=1.11.2>

<sup>12</sup> Available on <http://pravo.by/document/?guid=3961&p0=P31800202> (in Russian only)



In view of facilitating the implementation of the Decree #202, the Ministry of Justice drafted Regulations #740<sup>13</sup> and #741<sup>14</sup> which were adopted by the Council of Ministers on 17 October 2018. These regulations task local governments to take measures on organization of “single window” services. In addition, these determine the list of those administrative procedures, which are executed via “single window” service (acceptance of applications and issuance of decisions) and the requirements with regard to physical appearance of the offices and its staff.

The implementation of the Regulations #740 and #741 is challenging at local level notably because, **there are currently several different instances providing administrative procedures.** In order to maximise the consolidation of the provision of administrative procedures in one place, as well as to increase the availability of administrative services for citizens, there is a **need to create multifunctional centres** for administrative procedures equipped with new facilities and combining all bodies authorised for the implementation of administrative procedures in one place. Design and introduction of the institutional set up of such centres is part of the programme.

**An additional challenge is the high number of current administrative procedures.** Before transferring these procedures into an electronic format, it is necessary to review actual need and required information processes and possibly simplify. **Inter-ministerial coordination needs to be strengthened especially with Ministry of Economy** that is responsible in the sphere of business services. **The current system lacks the capacity to process interconnected information** swiftly. The National Center for Electronic Services (NCES), which is a State Enterprise under the Administration of President, has developed the Single state automated information system (OAIS) that is the interconnection platform for all state agencies. All agencies are in different stage of the process to be integrated to this system after audit and update of the IT infrastructure.

#### *Development of an electronic public consultation platform of draft legal acts*

The Law “On Normative Legal Acts”<sup>15</sup> came into force on 1 February 2019. As an outcome the Legal Forum of Belarus ([www.forumpravo.by](http://www.forumpravo.by)) was established as the main state Internet resource for discussion of draft normative legal acts. This Internet website connects the state and citizens by providing access to draft legal acts, and also ensures feedback from the public about the effectiveness of the use of existing legislation.

While the Legal Forum of Belarus clearly responds to a demand with over 10,000 users registered, it has been facing growing conceptual and technical constraints. Significant improvements are needed to make it a full-fledged and easily publically accessible website. The interface needs to be much more user-friendly and expansion of the database is needed to include e-state communication between rule-making bodies (over 300) at the G2G level (Government-to-Government), and also between

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<sup>13</sup> Available on <http://pravo.by/document/?guid=3871&p0=C21800740> (in Russian only)

<sup>14</sup> Available on <http://pravo.by/document/?guid=3961&p0=C21800741> (in Russian only)

<sup>15</sup> Available on <http://pravo.by/document/?guid=3961&p0=H11800130> (in Russian only)

government bodies and citizens at the G2C level (Government-to-Citizen), as well as at the level of G2B (Government-to-Business).

### ***Data protection***

There is an urgent need to start working on the revision of the legal framework to ensure that citizens are able to protect their personal data. This urgency is underlined by the use of new technology in Belarus, and increased rates of cybercrime.

The legislation of the Republic of Belarus defines only general issues of personal data protection (without a clear mechanism for their implementation), and also superficially regulates certain areas in which personal data is used. This causes an incorrect and incomplete understanding of the essential and legal nature of personal data in Belarus. The country is yet to join the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.

Lawmakers and government agencies are the main actors governing personal data protection in the Republic of Belarus. There is no independent data protection authority in Belarus that controls the quality of data protection and guarantees the rights to individuals.

### ***Improvement of the access to justice for children and adolescents***

Belarus' judicial and legal systems, including the segments to work with children and adolescents, are based on the Soviet legacy and therefore struggles to keep pace with the modern international trends in Justice for Children and Adolescents. The main shortcoming of the justice system for children is its punitive nature, which stands in the way of upholding children's rights and addressing their needs.

It has been estimated that the number of Belarusian children having been in contact with the justice and administrative bodies in 2016 amounted to a number of 48 754. Many of them had limited or no access to child-friendly justice procedures. A strong punitive approach remains widespread in the justice system where diversion and probation services are undeveloped and legal aid, rehabilitation and resocialization services are mostly not accessible at local levels.

### ***Fight against cybercrimes related to children***

There is an increasing need to seek ways to protect children from cybercrimes. The legal framework for this is insufficient. Moreover, there is a lack of channels through which counselling work could be done. The Children's Legal Website<sup>16</sup> was developed 10 years ago and since then no major revisions have been done to substance or to technical solutions. Educational institutes could be instrumental channel for counselling.

**In the light of the above, it is proposed to support** the access and simplification of provision of administrative services for citizens, the development of an electronic public consultation platform of draft legal acts and legal and regulatory environment

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<sup>16</sup> [www.mir.pravo.by](http://www.mir.pravo.by)

of personal data protection, and the modernisation of the juvenile justice and fight against cybercrime related to children and adolescents. All mentioned actions would contribute directly to the implementation of the SDG 16 (Peace, justice and strong institutions). In addition, the action would contribute to SDG 5 (Gender Equality) from the angle that children are victims of the cybercrimes.

These actions would benefit all Belarusians: man and women; urban and rural. More in particular it allows for additional emphasis to improve the situations related to socially disadvantaged and elderly people, visually impaired persons, children and adolescents. Taking into account the specific benefit for the above-mentioned vulnerable groups, these actions also contribute to the implementation of the SDG 10 (reduced inequality).

## 2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures
1. Belarus demonstrates a decreasing level of willingness to co-operate with the EU in the field of enhancing democratic governance and to develop the responsiveness of the institutions to the citizen's needs.	L	1. While preparing this action, the EU seeks to maintain constant policy dialogue in the sector. In addition, the EU also seeks other forms (for example focussed TAIEX events, MOST visits) to ensure that co-operation between EU and Belarusian counterparts remains in place.
2. Inadequate resources (human, financial, administrative) of the Governmental agencies to engage in the programme	L	2. Re-enforce capacity development
3. Insufficient co-ordination between national stakeholders	L	3. To identify the main beneficiary for the project to take care of national co-ordination, legal assignment to act in this position (e.g. decree from the President or from the Government)
4. The programme results lack sustainability	M	4. As a principal all interventions identified respond to explicit demands from national institutions that will remain in lead of implementation of resulting change management measures

<p>5. Society's dissatisfaction decreases Government willingness to improve the administrative services for citizens</p>	<p>L</p>	<p>and also ensure its continuing funding from own budget. Given the apparent administrative strength of the public service, it is considered to be fully able to assimilate the technical advice and avoid substitution.</p>
<p>6. Lack of qualified and citizen-friendly personnel available to work in the new Administrative Centers</p>	<p>L</p>	<p>5. The aim of the project increases satisfaction of the citizens' vis-à-vis the Government service provision which as such works as a mitigating measure.</p>
<p>7. Overlapping projects and duplication of funding in this sector</p>	<p>L</p>	<p>6. Specific recruitment methodology to identify suitable candidates to be trained for these positions</p>
<p>8. Resistance on involvement of Civil Society in the project to increase transparency</p>	<p>M</p>	<p>7. Due to the limited number of donors such risk does not exist at the moment in Belarus; if other donors become interested and involved in the future, the EU initiates the respective donor co-ordination mechanism.</p> <p>8. Flexibility in the status of civil society staff involved as experts and ensuring high quality expertise and constructive approach from their side.</p>

**Assumptions**

- There is political will from both sides (EU and BY) to work in the identified areas as being of mutual interest and with minimum risks of the expected results to become controversial.
- The Government will allocate necessary resources (financial, human and administrative) to ensure effective implementation of the project on its behalf
- The national co-ordinator for the project is empowered to co-ordinate the action with relevant legal document
- The Government is prepared to ensure the transparency and openness of the public processes to further develop public administration in the interest of sustainable development, creating the foundation for the national ownership of the project and avoiding delays in completing national approval procedures.
- There is sufficient high-level political commitment from the Government and legislative level to ensure continuity of services regardless of changes within the key beneficiaries from the Belarusian side

- The project increases satisfaction of the citizens

### 3 LESSONS LEARNT AND COMPLEMENTARITY

#### 3.1 Lessons learnt

Following the adoption of the National Human Rights Action Plan (NHRAP) in 2016, a High-Level Advisory Group on the Rule of Law and Access to Justice was established. While the EU participated at senior level, it became evident that the government was reluctant to accept a donor driven exercise to promote reforms. For the government the NHRAP is an important tool to report its progress on implementation of human rights issues. It was not, however, a plan to initiate comprehensive reforms as understood by the UN and other international partners at the time of its launch. The experience has demonstrated the need for profound dialogue with individual judicial institutions and seeking commitments for collaboration on modernisation and reforms related to concrete issues. The identified interventions fall within the scope of the National Sustainable Development Strategy 2020 yet lack a sector programmatic approach.

The project ‘Promoting Democratization and Human Rights’ (ENI/2017/399-648) implemented through the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE-ODIHR) has demonstrated good results in the training of judges in collaboration with the Supreme Court and Institute for Re-training of Judges. UNICEF has been pursuing successful interventions to improve juvenile justice directly with the Ministry of Justice and related institutions. While highly pertinent and achieving good results, rule of law and human rights projects implemented through civil society organisations funded by the EU and other donors, have not been effective in collaborating with government institutions. An attempt to initiate an EU bilateral programme to promote direct policy related collaboration between the Government and civil society on governance issues, was unsuccessful after the Government declined implementation. It does not mean that the government is unwilling to work with civil society organisations but admits that more time and work is required to define and develop its role towards public participation and oversight.

Scaling-up efforts in the area of strengthening institutions and good governance in the EaP region continues to be top priority for the EU. Necessity for reforms in this sector has been also confirmed by the several international reports, such as those published by Freedom House<sup>17</sup>, World Justice Project<sup>18</sup> and the Heritage Foundation.<sup>19</sup> At the same time both the EU and Belarus have committed to the

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<sup>17</sup> Available at: <https://freedomhouse.org/report/freedom-world/2018/belarus>

<sup>18</sup> Available at: <http://data.worldjusticeproject.org/#groups/BLR>

<sup>19</sup> Available at: <https://www.heritage.org/index/country/belarus#rule-of-law>

implementation of Sustainable Development Goals (SDGs), which offers a window for opportunity for co-operation.

### 3.2 Complementarity, synergy and donor co-ordination

There are a number of **regional projects financed by the European Union**, financed under the Eastern Partnership initiative, relevant for the topic<sup>20</sup>. Most important are Partnership for Good Governance II, Support to the European Endowment for Democracy, TAIEX (Technical Assistance and Information Exchange) and SIGMA (Support for Improvement in Governance and Management).

There is limited international cooperation in the legal sector in Belarus. Among the **EU Member States** - Netherlands, Poland and Sweden work only through civil society organisations. Germany is also working directly with government agencies, providing expertise and training through the German Foundation for International Legal Cooperation (IRZ). **The US** works uniquely with civil society organisations and civic participation in decision- and policy-making at the local and national levels.

**UNICEF Belarus** is currently working with the National Center for Legislation and Legal Research (NCLLR) in the development of a legislative concept for amendments/developments for restorative justice practices for minors. The ongoing activities comprise both the legal drafting but also the establishment of an official working group that comprises representatives from across the government: Ministry of Justice, Ministry of Interior, State Committee, Ministry of Economy, General Prosecutor and Investigative Committee. Taking into account the key role that UNICEF plays in this sector at the moment, it is important to include it to the project.

Belarus participates in implementation of the **Council of Europe (CoE)** and the European Union Program “Partnership for Good Governance” (PGG), covering cooperation with the Eastern Partnership countries in 2015-2020 in various spheres (combating corruption, cybercrime, issues of judicial system, etc.). Under the first phase of PGG data protection issues were also targeted, and this has built important fundament for the work that programme in question will do. Under this Action close co-operation with CoE is envisaged to ensure synergies and efficient use of resources and expertise in these both EU funded programmes.

**Support to improvement of business related administrative procedures is being done** by the International Finance Corporation together with Ministry of Economy. During the first phase of the project (2014-2017) on-line repository and description was created. The second stage of the project (2018-2021) which is EU financed aims at creating on-line service delivery. In addition, the second phase promotes for adoption of a decree on administrative services for business that will allow develop and finalise IT product/fill the portal; audits and works with various ministries that

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<sup>20</sup> Description of the projects available on <https://www.euneighbours.eu/en/region/25/eu-in-action/projects/Ongoing?f%5B0%5D=topic%3A117&f%5B1%5D=country%3A84&page=0>

have disconnected databases and harmonise their IT structure that relates to business administrative services; creates a software template for administrative services.

Further to Component 5 (Cyber Crimes), the Action builds on the results that **UNODC, UNICEF and IOM** have achieved in 2015 – 2019 in the framework of the project "The Global Action to Prevent and Address Trafficking in persons and the Smuggling of Migrants (**GLO.ACT** – CRIS ref MIGR/2015/ 355-840). The project has worked closely with Belarusian Investigative Committee in order to fight against cybercrimes, notably related to sexual related offences for which girls are more targeted (80%) and tempting young men (60% of the victims) for illegal migration.

## 4 DESCRIPTION OF THE ACTION

### 4.1 Overall objective, specific objective(s), expected outputs and indicative activities

**The overall objective** is to strengthen capacity for reform in the functioning of rule of law institutions and the delivery of judicial services in Belarus in line with its commitments to the SDGs.

**The specific objectives** of the programme are:

- *Component 1: Support to provision of citizen friendly administrative services*  
To help citizen to better access public services through legislative and administrative simplification and improvement of the provision of administrative services.
- *Component 2: Support to public consultation on legislation and legal issues*  
To support the further development of stakeholder friendly platform of public consultation through improvement of legal and technical provisions of special consultation platform pravo.by.
- *Component 3: Support to data protection*  
To assist Belarusian citizens to protect their personal data through supporting the drafting of the proper legislation in the field of data protection in line with international standards, and the implementation of the provisions of the law.
- *Component 4: Support to modernizing of juvenile justice*  
To support modernizing of juvenile justice by contribution to drafting of better legislation and its implementation to meet modern challenges related to child friendly criminal justice system.
- *Component 5: Support to fight against cybercrimes related to children*  
To ensure proper legislation and information mechanisms to prevent and respond to modern challenges related to cybercrimes related to children.

## **The foreseen outputs (immediate results) are**

### Component 1:

- At least 3 – 5 pilot multifunctional centres established providing efficiently administrative services for citizens
- A number of administrative services have been either eliminated, merged or converted into online format. One of the deliverables of the assessment which is currently being done by EU hired experts is to propose adequate methodology for the analysis and simplification of administrative procedures which would be then implemented by this programme.
- Citizens in general and vulnerable groups in particular have better access to administrative services

### Component 2:

- To provide citizens including representation of both women and men as well as the interest groups, with the possibility to directly influence legislative drafting process

### Component 3:

- Legislative safeguards for protection personal and public data have been improved in line with international standards

### Component 4:

- Modernized legislation and practice concerning alternative punishment measures, restorative approaches working with children and establishment of appropriate rehabilitation and reintegration instruments, all contributing to the overall process of the humanisation of juvenile justice system.

### Component 5:

- Improved legislation and practise related to cybercrimes related to children

## **Foreseen activities are:**

### Component 1:

- Reviewing current administrative procedures in order to simplify them and eliminate unnecessary ones
- Defining administrative procedures which could provide on-line services and to convert existing procedures into electronic one
- Creation of a centre based "on single window service", establishing standards for recruitment of staff, establishing training programmes for the staff
- Dissemination of information and advice on accessing administrative services, as well as on the rights and obligations of users and the public institutions providing services (info on websites, leaflets, etc)
- Elaboration of specific mechanisms to take into account the special needs of vulnerable groups (rural people, socially disadvantaged, elderly people, disabled people including visually impaired, youth and children)

### Component 2:



- To develop further the existing online platform pravo.by to a more user-friendly format, to upgrade its technical capacities, to improve e-state communication between Belarusian rule-making bodies, on an interagency level, on a Government-to-citizen level, and on a Government-to-business level.
- Public awareness campaign to learn more about legislative drafting process and citizens participation into it, including the purpose of public engagement, what is the scope for their feedback and further course of proceeding of the draft.
- To elaborate specific mechanisms to take into account the special needs of vulnerable groups (rural people, socially disadvantaged people, elderly people, disabled people including visually impaired and youth)

### Component 3

- Providing advice and expertise in drafting the relevant legislation
- Establishment of a special body to be in charge of the administration of the legislation
- Training for different stakeholders for effective implementation of the new legislation with relevant Governmental training institutions.
- Public awareness campaigns to raise knowledge about data protection issues

### Component 4:

#### Activities:

- Reviewing and subsequently improving the existing legislation in line with the objective to humanise juvenile justice
- Modernisation of the existing punishment systems for children and adolescents including establishment of alternative punishment mechanisms, procedures and standards in practice and in line with international human rights standards
- Training of relevant stakeholders to implement the new mechanisms, procedures and standards

### Component 5:

- Reviewing and subsequently improving the existing legislation
- Training of governmental agencies for effective implementation of the new legislation
- Public information and education campaign for relevant stakeholders such as educational institutions, parents, youth and children

## **4.2 Intervention Logic**

### Component 1:

The establishment of a system to deliver more efficiently and citizens' friendly administrative service enables the Government to provide citizens with a better and more effective public service as they are entitled. This change eases the life of ordinary citizens, men and women, from rural and capital area, and in particular to those belonging to vulnerable groups. It improves transparency, eliminates possibilities for corruptive practices and increases the trust between the public and the government.

#### Component 2:

The further development of the existing online platform pravo.by improves the different stakeholders', and in particular citizens' of all walks of life, women and men as well as the interest groups, participation to the legislative drafting process. Advancing the level of public participation and quality of legislation increases the trust between public and the Government and ensures effectiveness of regulatory policies.

#### Component 3:

The improved legislation on data protection which provides safeguards for citizens and different entities enables proper data management in Belarus. Subsequently the personal data is properly protected in line with international standards, and public data is shared where appropriate.

#### Component 4:

The modernisation of the criminal justice system provides juveniles in conflict with law with more adequate types of punishment reducing chances of juveniles becoming automatically isolated from the society in penitentiary system. It seeks to turn the focus from sanction to reintegration into the society as normal citizens.

#### Component 5:

The improved legislation on cybercrimes related to children in line with international standards creates proper legal guarantees for protection of children rights and for them being prevented from harmful effects of cybercrimes.

### **4.3 Mainstreaming**

The action and its different components pays special attention to vulnerable groups: rural people, socially disadvantaged, elderly people, disabled people including visually impaired, youth and children. Furthermore, some of the named vulnerable groups are "double vulnerable", for example "rural women", "elderly women", "disabled child" etc.

### **4.4 Contribution to SDGs**

This intervention is relevant for the 2030 Agenda. It contributes primarily to the progressive achievement of SDGs 16 and 10. In addition, it contributes to achievement of SDG 5.

## **5 IMPLEMENTATION**

### **5.1 Financing agreement**

In order to implement this action, it is foreseen to conclude a financing agreement with the Republic of Belarus.

## 5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4 will be carried out and the corresponding contracts and agreements implemented, is 30 months from the date of entry into force of the financing agreement.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Decision and the relevant contracts and agreements.

## 5.3 Implementation modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures<sup>21</sup>.

### 5.3.1 *Indirect management with a Member State agency (Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH, GIZ)*

A part of this action may be implemented in indirect management with Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ). This implementation entails implementation of Component 1: Support to provision of administrative services, Component 2: Support to public consultation and Component 3: Support to data protection.

The envisaged entity has been selected using the following criteria: experience in administrative and legal reforms, capacity to manage larger and complex EU programmes, and ability to access and transfer EU experiences.

GIZ has a well-established track record in managing reform programmes on a global scale as well as in the Eastern Partnership region.

In Belarus GIZ has been working to support the establishment of democratic and rule-of-law structures since 2003. Currently 6 integrated specialists are working in the country. GIZ has an undisputable worldwide experience in advising in the field of administration, and law and justice. In addition GIZ has a recognised technical and financial management capacity to lead the reform processes.

For part of the programme GIZ will work in partnership with the German Foundation for International Legal Cooperation (IRZ), which has an extensive experience and knowledge in the field of international legal cooperation. In addition, IRZ has an impressive pool of experts having background in the German Federal Ministry of

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<sup>21</sup> [www.sanctionsmap.eu](http://www.sanctionsmap.eu) Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

Justice or in the Judicial Administrations of the Länder, or in professional associations such as the German Association of Judges, the German Insurance Association, the Federal German Bar Association, the German Bar Association, the Association of German Notaries, the Association of Judicial Officers and others.

If negotiations with the above-mentioned entrusted entity fail, that part of this action may be implemented in direct management in accordance with the implementation modalities identified in section 5.3.3.

### ***5.3.2 Indirect management with the United Nations International Children's Emergency Fund (UNICEF)***

A part of this action may be implemented in indirect management with the United Nations International Children's Emergency Fund (UNICEF). This implementation entails implementation of Component 4: Support to modernisation of juvenile justice and Component 5: Support to fight against cybercrimes related to children.

The envisaged entity has been selected using the following criteria: The objectives and final beneficiaries of the components 4 and 5 correspond to UNICEF's mandate and unique competency. The choice is further justified by the fact that the UNICEF in Belarus has a specific mandate to operate in the country on the basis of the Universal Declaration of Human Rights, the UN Convention on the Rights of the Child and the UN Convention on the Rights of Persons with Disabilities, as the basis for all efforts aimed at improving the well-being of children, adolescents and young people.

If negotiations with the above-mentioned entrusted entity fail, that part of this action may be implemented in direct management in accordance with the implementation modalities identified in section 5.3.3.

### ***5.3.3 Changes from indirect to direct management mode due to exceptional circumstances***

Alternative implementation modality in direct management through procurement contracts may replace the preferred implementation modality under indirect management described under sections 5.3.1 and 5.3.2 above where this preferred modality cannot be implemented due to circumstances outside of the Commission's control. In this way the objectives to be achieved by this implementation modality refer to supporting provision of citizen friendly administrative services; supporting public consultation on legislation and legal issues; helping to improve personal data protection; modernizing juvenile justice and supporting fight against cybercrimes. The selected service provider must have sufficient expertise, financial and management capacity to implement the programme, which are specified in the tender documentation.

## **5.4 Scope of geographical eligibility for procurement and grants**

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provision:

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

## 5.5 Indicative budget

	<b>EU contribution (in EUR)</b>	<b>Indicative third party contribution</b>
- Indirect management with an EU Member State agency (Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH, GIZ)	6 900 000	Tbd (GIZ explores the possibilities)
- Indirect management with the United Nations International Children's Emergency Fund (UNICEF)	2 900 000	N.A.
<b>Evaluation</b> (cf. section 5.9)	50 000	N.A.
<b>Audit/ Expenditure verification</b> (cf. section 5.10)		
<b>Communication and visibility</b> (cf. section 5.11)	150 000	N.A.
<b>Total</b>	10 000 000	tbd

## 5.6 Organisational set-up and responsibilities

As mentioned earlier it is foreseen that the **Ministry of Justice would be the main beneficiary** and will co-ordinate the action among Belarusian stakeholders. Thus, the Minister of Justice would also be the appropriate entity to sign the Financing Agreement between the European Union and Belarus concerning this action.

Moreover, the **Ministry of Justice would act as main beneficiary in the Component 1** (Support to provision of citizen friendly administrative services). **NCLI is foreseen to be the main beneficiary for the Component 2** (Support to public consultation). The **National Centre for Legislation and Legal Research (NCLLR)** is foreseen to be the main beneficiary for the Components 3 (Support to data protection), 4 (Support to modernisation of juvenile justice) and 5 (Support to fight against cybercrimes related to children).

Other beneficiaries and partners can be added to all above-mentioned components in the course of implementation as appropriate. For example the **Institute for**

**Retraining and Qualification of Judges**<sup>22</sup> which is mandated to provide training and educational activities for judges, prosecutors and other legal professionals in the country, and the **Investigative Committee of the Republic of Belarus**<sup>23</sup>, which is exercising authority in the area of pre-trial criminal proceedings, have expressed their keen interest to participate to different components of the action.

The implementation of the programme will be undertaken under the coordination of the EU Delegation to Belarus. A programme Steering Committee will be established to provide the strategic direction, monitor the achievement of the results under each individual project component and ensure efficient coordination of activities. The Steering Committee will be co-chaired by the EU Delegation to Belarus and the Ministry for Justice, and will include other stakeholders of the programme as will be decided at the first Steering Committee meeting.

## **5.7 Performance and Results monitoring and reporting**

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the Logframe matrix.

SDGs indicators and, if applicable, any jointly agreed indicators as for instance per Joint Programming document should be taken into account.

The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

## **5.8 Evaluation**

Having regard to the importance of the action, a mid-term and final evaluation will be carried out for this action or its components via independent consultants contracted by the Commission.

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<sup>22</sup> Official website: <http://lawinstitute.bsu.by/>

<sup>23</sup> Official website: <https://sk.gov.by/en>

Those will be carried out for problem solving and learning purposes, and in particular with respect to the intention to launch a second phase of the action.

The Commission shall inform the implementing partner at least one month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The financing of the evaluation shall be covered by another measure constituting a financing Decision.

## **5.9 Audit**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

It is foreseen that audit services may be contracted under a framework contract.

## **5.10 Communication and visibility**

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country (for instance, concerning the reforms supported through budget support), contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Requirements for European Union External Action (or any succeeding document) shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

It is foreseen that a contract for communication and visibility may be contracted under a framework contract.



**APPENDIX - INDICATIVE LOGFRAME MATRIX FOR IMPROVEMENT OF NATIONAL MECHANISMS FOR ACHIEVING SUSTAINABLE DEVELOPMENT GOALS IN LEGAL SPHERE (EU – BY LEGAL CO-OPERATION)**

	<b>Results chain: Main expected results (maximum 10)</b>	<b>Indicators (at least one indicator per expected result)</b>	<b>Sources of data</b>	<b>Assumptions</b>
<b>Impact (Overall Objective)</b>	The <b>overall objective</b> is to strengthen capacity for reform in the functioning of judicial institutions and the delivery of judicial services in Belarus in line with its commitments to the SDGs.	<p>The rule of law and the promotion of human rights are strengthened in line with the National Sustainable Development Strategy 2030</p> <p>Efficiency, transparency and accountability of the judicial services have improved vis-à-vis Belarusian citizens</p> <p>Belarus' progress in implementing the SDG 16 (Peace, justice and strong institutions), SDG 5 (Gender Equality) and SDG 10 (reduced inequality).</p>	<p>Data on Implementation of the National Strategy of Sustainable Development, Belarusian Statistical Committee data</p> <p>Surveys, official government reports, expert analysis</p> <p>Regularly reports on the SDGs implementation status in the country issued by the Government of Belarus</p>	<i>Not applicable</i>
<b>Outcome(s) (Specific Objective(s))</b>	<p><b>Component 1: Support to provision of citizen friendly administrative services</b></p> <p>To help citizen to better access public services through legislative and administrative</p>	Level of public satisfaction with administrative service delivery with respect to the principles of efficiency, transparency and accountability	Surveys, official government reports, expert analysis	The Government of Belarus is committed to improve its provision of

	simplification and improvement of the provision of administrative services.			administrative services and will provide sufficient resources to ensure the reform
	<p><b>Component 2: Support to public consultation on legislation and legal issues</b></p> <p>To support the preparation of stakeholder friendly platform of public consultation through improvement of legal and technical provisions of special consultation platform pravo.by.</p>	Proportion of legislative initiatives, policy developments, decision-making procedures and governance practices that involve public consultation	Mapping of public involvement in relevant legislative initiatives, policy developments, decision-making procedures and governance practices	The Government of Belarus is committed to improve the functioning of a public consultation procedure and will provide sufficient resources to ensure the reform
	<p><b>Component 3: Support to data protection</b></p> <p>To assist Belarusian citizens to protect their personal data through supporting the drafting of the proper legislation in the field of data protection in line with international standards, and the implementation of the provisions of the law.</p>	<p>Proportion of legislative initiatives, policy developments, decision-making procedures and governance practices that relate to data protection</p> <p>The data protection legislation meets the requirements set by the international Personal Data Protection Convention - “Convention 108” and Belarus would be able to adhere to it if there is political will for it</p>	National legislation, (pravo.by), official government reports, expert analysis notably as regards to fulfilment of international standards	The Government of Belarus is committed to improve the legislation in the field of data protection and will provide sufficient resources to ensure the reform
	<p><b>Component 4: Support to modernizing of juvenile justice</b></p> <p>To support modernizing of juvenile justicy by contribution to drafting of better legislation and its implementation to meet modern challenges related to child friendly criminal justice system through strengthening the alternative</p>	<p>Proportion of legislative initiatives, policy developments, decision-making procedures and governance practices that relate to modernizing of juvenile justice</p> <p>Number of juveniles convicted for imprisonment, number of juveniles guided for alternative methods for punishment, number of successful mediation</p>	National legislation, (pravo.by), official government reports, expert analysis, data from the statistical committee	The Government of Belarus is committed to modernise the legislation to juvenile justice and will provide sufficient resources

	punishment mechanisms.	processes		to ensure the reform  Initial results of the application of alternative methods of reconciliation are encouraging and thus feed the sustainability of the action
	<p><b>Component 5: Support to fight against cybercrimes related to children</b></p> <p>To ensure proper legislation and information mechanisms to prevent and respond to modern challenges related to cybercrimes related to children.</p>	<p>Proportion of legislative initiatives, policy developments, decision-making procedures and governance practices that relate to cybercrimes</p> <p>Proportion of functional information mechanisms related to cybercrimes</p> <p>Proportion of cybercrime victims</p>	National legislation, (pravo.by), official government reports, expert analysis, National Hotline statistics	<p>The Government of Belarus is committed to modernise the legislation to juvenile justice and will provide sufficient resources to ensure the reform</p> <p>Ministry of Education co-operates as information channel</p>
<b>Outputs</b>	<p><b>Component 1: Support to provision of citizen friendly administrative services</b></p> <p>- Reviewing current administrative procedures in order to simplify them and eliminate unnecessary ones</p> <p>- Defining administrative procedures which</p>	<p>- Total number of administrative procedures after elimination of unnecessary ones and merging similar ones</p> <p>- Number of administrative procedures converted to</p>	<p>Official government reports, project reports</p> <p>Official</p>	<p>The Government of Belarus has sufficient resources and technical skills to implement the revision work</p> <p>The Government of</p>

	<p>could provide on-line services and to convert existing procedures into electronic one</p> <p>- Creation of a centre based "on one window service", establishing standards for recruitment of staff, establishing training programmes for the staff</p> <p>- Dissemination of information and advice on accessing administrative services, as well as on the rights and obligations of users and the public institutions providing services (info on websites, leaflets, etc)</p> <p>- Elaboration of specific mechanisms to take into account the special needs of vulnerable groups (rural people, socially disadvantaged, elderly people, disabled people including visually impaired, youth and children)</p>	<p>online format</p> <p>- Number of "One window services" / at least 3 – 5 pilot multifunctional centres established providing efficiently administrative services for citizens</p> <p>- Recruitment policy and training programme for staff working for "One window services"</p> <p>- Actively implemented communication strategy</p> <p>- Number of users of "One window services" and online services</p> <p>- Citizens in general and vulnerable groups in particular have special attention in "One window services" and online versions of the administrative procedures</p>	<p>government reports, project reports</p> <p>Official government reports, project reports</p> <p>Media , surveys, official government reports, expert analysis</p> <p>User surveys, monitoring visits, official government reports, expert analysis</p>	<p>Belarus has sufficient resources and technical skills to implement the conversion work</p> <p>Existing centers have sufficient infrastructure to be converted to "One window service"</p> <p>Sufficient number of interested and quality candidates to work for centers</p> <p>Citizens are receptacle for information campaigns and interested trying new ways of using administrative services</p> <p>Technical problems minimal, not counteracting against information campaign</p> <p>Citizens and vulnerable groups are interested in trying new ways of acquiring administrative</p>
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				services
	<p><b>Component 2: Support to public consultation on legislation and legal issues</b></p> <ul style="list-style-type: none"> <li>- To improve the existing online platform pravo.by to a more user-friendly format, to upgrade its technical capacities, to improve e-state communication between Belarusian rule-making bodies, on an interagency level, on a Government-to-citizen level, and on a Government-to-business level.</li> <li>- Public awareness campaign to learn more about legislative drafting process and citizens participation into it</li> <li>- To elaborate specific mechanisms to take into account the special needs of vulnerable groups (rural people, socially disadvantaged people, elderly people, disabled people including visually impaired and youth)</li> </ul>	<ul style="list-style-type: none"> <li>- Well functioning bug free online platform for public consultation</li> <li>- Actively implemented communication strategy</li> <li>- Number of users of "One window services" and online services</li> <li>- Citizens in general and vulnerable groups in particular have special attention in Public consultation platform</li> </ul>	<p>Monitoring of on-line platform pravo.by, user surveys, expert analysis</p> <p>Media , surveys, official government reports, expert analysis</p> <p>User surveys, monitoring visits, official government reports, expert analysis</p>	<p>Public are interested and capable to contribute to the public consultation processes</p> <p>Citizens are receptacle for information campaign</p> <p>Citizens and vulnerable groups are interested and capable to contribute to the public consultation processes</p>
	<p><b>Component 3: Support to data protection</b></p> <ul style="list-style-type: none"> <li>- Drafting and adoption of new legislation</li> </ul>	<ul style="list-style-type: none"> <li>- New legislation drafted and adopted</li> </ul>	<p>National legislation, (pravo.by), official government reports, expert analysis</p>	<p>The Government of Belarus has sufficient resources and technical skills to implement the necessary legislative drafting</p>

	<ul style="list-style-type: none"> <li>- Establishment of a special body to be in charge of the administration of the legislation</li> <li>- Training for different stakeholders for effective implementation of the new legislation</li> <li>- Public awareness campaigns to raise knowledge about data protection issues</li> </ul>	<ul style="list-style-type: none"> <li>- New body established / roadmap leading to establishment actively being implemented</li> <li>- Stakeholders trained / training programme established and being actively implemented</li> <li>- Actively implemented communication strategy</li> </ul>	<ul style="list-style-type: none"> <li>- Official government reports, expert analysis</li> <li>Official government reports, project reports</li> <li>Media , surveys, official government reports, expert analysis</li> </ul>	<ul style="list-style-type: none"> <li>Adoption of the new legislation is not opposed by any entities</li> <li>There is necessary political will to establish new body</li> <li>Training programme is endorsed by senior management of the respective institutions and thus becomes obligatory for all relevant staff</li> <li>Citizens are receptacle for information campaign</li> </ul>
	<p><b>Component 4: Support to modernizing of juvenile justice</b></p> <ul style="list-style-type: none"> <li>- Reviewing and subsequently improving the existing legislation in line with the objective to humanise juvenile justice</li> <li>- Modernisation of the existing punishment systems for children and adolescents including</li> </ul>	<ul style="list-style-type: none"> <li>- Modernized legislation related to juvenile justice</li> <li>- Modernized practice related to restorative justice for children</li> </ul>	<ul style="list-style-type: none"> <li>National legislation, (pravo.by), official government reports, expert analysis</li> <li>- Official government reports,</li> </ul>	<ul style="list-style-type: none"> <li>The Government of Belarus has sufficient resources and technical skills to implement the necessary legislative drafting</li> <li>Adoption of the new legislation is</li> </ul>

	<p>establishment of alternative punishment mechanisms, procedures and standards, in practise and in line with international human rights standards.</p> <p>- Training of relevant stakeholders to implement the new mechanism, procedures and standards</p>	<p>- Alternative mechanisms established</p> <p>- Stakeholders trained / training programme established and being actively implemented</p>	<p>expert analysis</p> <p>Official government reports, project reports</p>	<p>not opposed by any entities</p> <p>There is necessary political will to establish alternative mechanisms</p> <p>Training programme is endorsed by senior management of the respective institutions thus becomes obligatory for all relevant staff</p>
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	<p><b>Component 5: Support to fight against cybercrimes related to children</b></p> <ul style="list-style-type: none"> <li>- Reviewing and subsequently improving the existing legislation</li> <li>- Training of governmental agencies for effective implementation of the new legislation</li> <li>- Public information and education campaign for relevant stakeholders such as educational institutions, parents, youth and children</li> </ul>	<ul style="list-style-type: none"> <li>- Improved legislation and practise related to cybercrimes related to children</li> <li>- Stakeholders trained / training programme established and being actively implemented</li> <li>- Actively implemented communication strategy</li> </ul>	<p>National legislation, (pravo.by), official government reports, expert analysis</p> <p>Official government reports, project reports</p> <p>Media , surveys, official government reports, expert analysis</p>	<p>The Government of Belarus has sufficient resources and technical skills to implement the necessary legislative drafting</p> <p>Training programme is endorsed by senior management of the respective institutions thus becomes obligatory for all relevant staff</p> <p>Citizens are receptacle for information campaign</p>
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