

# **Monitoring report**

**on**

## **Students' Academic Freedom Violation in Higher Education Institutions in Belarus**

**(September – October 2014)**

Independent Belarusian Bologna Committee  
YUG “Studentska Rada”  
International Consortium “EuroBelarus”

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## **Introduction**

The students' academic freedom violation monitoring (Monitoring) aims to receive up-to-date and real information on the situation with Belarus Higher Education Institutions adherence to fundamental students rights and their academic freedom within the framework of cooperation between Belarusian Independent Bologna Committee, Youth Union Group "Studentska Rada" and International Consortium "EuroBelarus".

This monitoring is conducted by students with Observer status at their respective Higher Education Institutions. The information was also obtained from the media sources as well as directly from students through emails.

The main goal is to receive full and trustworthy information on situations with students' academic freedom violations as well as on the situation with respect of other students' rights.

The particular attention was paid to:

- violation of academic rights and freedom, civil and political rights, human rights;
- higher education legislation breach as well as other legally binding acts including internal university ones;
- discrimination based on race, political views, religion, gender, etc.

This report is the second stage of such monitoring and was conducted in September – October 2014 and includes those violations that were not presented and described in the first stage report (January – May 2014).

The special questionnaire consisting of 8 chapters was developed to be able to receive as detailed as possible information.

## **Monitoring results**

The following Higher Education Institutions participated in this process:

1. Management Academy under the President of the Republic of Belarus (MAuPRB)
2. Belarusian State Medical University (BSMU)
3. Belarusian State Technological University (BSTU)
4. Belarusian State University (BSU) – law and international relations faculties
5. Belarusian State University for Informatics and Radioelectronics (BSUI&R)
6. Belarusian State Economic University (BSEU)
7. Belarusian Institute of Jurisprudence (BIJ)
8. Brest State University named after A.S.Pushkin(BrST)
9. Vitebsk State Veterinary Academy (VSVA)
10. Higher State College of Communication (HSCC)
11. Gomel State Technical University named after P.O.Sukhoy (GSTechU)
12. Gomel State University named after Frantsysk Skoryna (GSU)
13. Grodno State Medical University (GrSMU)
14. Grodno State University named after Yanka Kupala (GrSU)
15. Minsk State Linguistics University (MSLU)
16. Mogilev State University named after A.A.Kuleshov (MgSU)

### **Restriction on freedom of movement**

In accordance with the Republic of Belarus law on “Combating human trafficking’ (art. 17), all pupils studying in Belarusian educational establishments and wishing to travel for study abroad, to participate in sports cultural and other events during the academic year must obtain the permission from Educational organization head in writing. In relations to students, university Rector must approve such travels.

This procedure clearly violates the fundamental students academic rights and freedom as well as undermine their constitutional rights for free movements within and outside of the country (art. 30 of the Constitution of the Republic of Belarus).

As it follows from monitoring findings, Belarusian higher education institutions do not have any internal binding acts that regulates students travel abroad. On the other hand, in majority of the universities, its administration insists that any study travel during the academic year is prohibited. Such position is reasoned by the facts that any travel interrupts educational process coherency and influences students' learning outcomes in negative way. This may sounds logical if at the same time, university administration easily sends students for agricultural work during their fall semester, forced them to participate in different scheduled by the authorities events, etc. The study travels abroad to the western countries are also not welcomed in comparison to similar trips to Russia and/or Kazakhstan.

In case of unauthorized travel abroad (on their own decision), students could be punished in a different ways:

- note or reprimand (MAuPRB);
- access denial to pre-exams session and to exams (BIJ).

However, GSU observer pointed out that any punishment could be soften or withdrawn pending the students relations with the university administration. The following facts play an important role in whether to persecute students and/or prohibit travel abroad or not:

- Students personality – has a positive image, satisfactory grades, follows the 'correct' ideology. In the opposite – if students have conflicts with the university administration and 'unapproved and incorrect' political views, the reaction is to come.
- Study/event topic  
The university do not welcome study abroad on the subjects such as democracy, human rights, civil society, etc but they favor the attendance of trainings/seminars/courses on public speech, oratory and other.
- Location  
The study travels abroad to the western countries are also not welcomed in comparison to similar trips to Russia and/or Kazakhstan. During the monitoring in BrSU, students within Erasmus Mundus Program were not allowed to undertake their study. Some of those who already left were asked

to return under threat to be expelled from the home university. There is no internal regulations that consider participation in this program as a part of study process when credits (grades) could be transferred against the home university program. In reality, students must complete their exams session upon return, which totals to 5-12 subjects within 1-2 weeks period of time in order to be able to transfer to next year or next semester.

Such approach forces students to leave without any prior notice and take a risk. This reconfirms that Belarusian students deprived their fundamental rights – freedom of movement on a regular basis.

### **Restrictions on the right to participate in university management**

Right to participate in university management is fundamental academic right. Its violation could show in:

- ✓ Falsification during student self-governing bodies election and representatives to university administration election
- ✓ Candidate appointments for election to students self-governance and university management
- ✓ Violating norms on a number of students representatives at the University/faculty Councils
- ✓ Unjustified restrictions on students self-governing bodies powers and rights.

During this monitoring, we specifically looked into 3 aspects associated with university management and student self-governance.

#### ➤ Statute

University Statute is one of the main regulatory documents governing relations between students and university administration. Based on international standards in higher education statutes are open internal and external visitors, students and faculty and could be found on the university website. Unfortunately,

only 5 Belarusian universities have the link to their statutes on the university official websites. Some of the universities post only excerpts from it while other don't do it at all.

### ➤ University Council

In Belarusian universities, Rector has an ultimate power in decision making and administrative matter while the Council plays only formal role and doesn't have any power to influence any decisions. The Council's members list is also posted on the university website including faculty and students. In accordance with law, number of students representatives in the University Council can't be less than 25% of total number of members. The monitoring goal was to identify a real university Council composition including the number of students as well as the members list availability on official university informational resources.

As a result, only one university – BSU- has its Council members list posted on the website although it dates back to January 2013. The number of students among Council members is 10 out of total number of 97 members, which doesn't correspond with required 25%.

Some other university post just general information about its governing bodies while the others don't post any information at all. Observers noted that in many cases there is no information about Council's activities at all as well as the Council's election procedures are not transparent and mostly unavailable.

This confirms once again that universities are not autonomous in its decision making and don't have a wide students' community representation in its Council, which means that students are not involved and can't influence any of decision making at the university level.

### ➤ Students Council

Students Council is main self-governing organ whose aim is to assist in and defend students rights, participate in university management and influence the decision making related to study process, programs content, ect.

The monitoring result show that Students Council is in place in all participated universities. Each university has either University/faculties Councils

or both. In spite of its presence, the Councils are powerless, can't influence any decision making and fully participate in university management. The only exception is the organization of students' leisure activities where they are allowed to make decisions.

Observers noted that the Councils election procedure is not described anywhere and not available through official informational channels. In most cases the Council members candidates are nominated and then approved by the university administration. This means that this process is totally controlled and has a formal character. The university set the date and time for elections while the group leaders, union representatives and Belarusian Republican Youth Union (BRYU) representatives elect approved in advance candidates. For example, in BSU Students Council members are elected from the group of students with GPA no lower than 8.00 (on 11.00 point scale grading system), who being recommended by study groups representatives and approved in advance by the faculties administration.

### **Restriction on accommodation rights**

In accordance with Educational Code p.p.1.12 and 1.13 of the art. 31 student has a right for accommodation in dormitory or compensation for rental fee in case the university isn't able to provide dormitory accommodation. In reality, it is hard to exercise the latter to the fact that universities don't compensate rental fee in full at all or do it selectively at a very low level that doesn't cover a 1/10 of apartment rental price. Besides, corruption unofficial reports surround the dormitory places allocation in many universities. The process of dormitory space allocation is not transparent and left at the administration discretion. Students and their governing bodies are not involved in this and can't influence the decision.

Students in the dormitory face strict living in rules and can be punished for its violations:

- “standard” note, eviction notice, force labour (free work at the dormitory [sort of community service] without any agreement from student's side);
- duty at the dormitory kitchen or at the security check point;
- forced activities attendance.

Majority of observers also pointed out that dormitory administration can conduct living rooms 'search' at any time and without prior notice. If they discover any items broken but the guilty person isn't identified then all tenants have to pay for repair.

There are also cases when students were evicted for taking part in NGOs activities and openly expressing their civil position.

As a rule, students must return to the dormitory by midnight and can't leave till 6 am although in some universities this curfew last from 11 pm till 7 am.

To sum up, students right for accommodation is violated and used as a manipulative instrument to keep control of their opinions and social positions.

### **Students pursuit for civil society activities**

There are a large number of cases where students are punished or threatened for openly expressing their civil position through interviews, publications and making a public statements. The university administration uses its power in threatening these students by eviction from dormitory, expulsion from the university, administrative notes, etc. In addition to this, they apply 'double punishment' for participation in unlawful public events, for example, the expulsion from university often used against those students who already received an administrative penalty in accordance with the court verdict.

During the monitoring we documented cases where students were put under extreme pressure for participating in NGOs activities including in those organized by officially registered in Belarus ones. In majority of the universities, where the monitoring took place, students are invited for special talks on inadmissibility of participating in public events that, from the university's point of view, are 'dangerous' and 'unreliable' namely the ones organized by the Belarusian NGOs. A number of students also went through such talks with KGB representatives within the university walls.

In addition to this, two cases appeared when students were expelled from the university for their active civil society position – Andrey Tempura and Stanislav Bully, both are "Youth Front" activists. We also notes that students who took part

in signature collection processes organized by Agency for Regional Development “Dzedzichy” came under extreme pressure.

Publicly active students also face difficulties with the job placement upon graduation (They receive assignments by force. It is mostly related to those who study on state funded places).

However, we found out that not all organizations are black listed by the universities administration. There are a few exceptions and one of them is BRYU. Monitoring showed that BRYU members have some privileges at the universities such as free tickets, ‘no punishment’ for missed classes, etc. In addition to existing ones at the university level, BRYU would like to suggest to the government to introduce privileges at the state level. Its 1st secretary, Igor Buzovskiy, announced this on the 9th of October meeting of BRSU activists at BSU Journalism Institute. He noted that the organization prepared the address to the government where they would like to suggest that employers hiring BRYU members should be exempt from paying 34% employer contribution to Social Security Fund. Mr. Buzovsky believes: “This will be the way to stimulate employers to hire young specialists”. On the other hand, some questions arose: Why did 1<sup>st</sup> secretary have in mind only BRYU members but allowed himself to speak from entire Belarusian youth community? and Why will BRYU members will have all privileges in applying for jobs while others won’t?

All these remain unclear and without any clarification. This once again proves that students are discriminated for the their public views and activities.

## **Forced Labour**

During the monitoring we looked into issues related to students use as a cheap and free labour to perform different work mainly in the agricultural sector at harvest time. In accordance with Belarusian Constitution (art. 41) “...forced labour is prohibited excluding works and/or services based on court verdicts, emergency situations and martial law.” Such labour is also condemned by the International acts and specifically listed as unacceptable in Universal Declaration of Human Rights and International Labour Organization Convention.

In spite of the legal prohibition of forced labour, universities take different approach to this and to promoting and motivating to do so.

Students' involvement as free work force in the agricultural work is considered the 'events of the year'. University administration doesn't hide this fact and officially report on the number of students participated in it. In 2014, over 4,500 students and pupils took part in harvesting in Mogilev region. In Vetebksk region, at about 500 students of VSVA were involved in agricultural work.

Mogilev State University Vice-Rector for education, Vladimir Yasev said "As a rule, we involve in agricultural work students of 2<sup>nd</sup> and 3<sup>rd</sup> year of study. All classes are canceled and we consider such work as part of their community service and education. If student's health doesn't permit him/her to participate, they provide medical prove and work at the university administration offices or on territory improvement instead. There is no negative reaction to this unless provoked." During first 2 weeks of September at about 100 students went for agricultural work. The special timetable was set to enable each of 9 faculties' students to participate in this event. However, Vice-Rector wasn't able to answer question on how much students earned during that period of time but stated that the university will receive supplies for its canteen at net price thus "... food will cost less for all students."

Universities located in Minsk do not participate in it for a long time already and students' involvement in agricultural work is common for the regions.

Observers also kept documenting a rising number of cases when BSU (IRD), MSLU students were forced to work free of charge or at extremely low pay rate during the World Hokey Cup and, in particular. The forced attendance of different events also doesn't bring a positive experience into students' life.

Thus, all mentioned above once again confirm that Belarus use cheap and, in some cases, free of charge students labour instead of promoting real volunteers movement as it happens in other countries.

### **Educational Programs content selection/freedom of research**

Based on monitoring results and observers findings Belarusian students, as a rule, can't influence the study subjects selections, to form individual study program, in spite of the fact that they are offered such option as well as a number of electives, which in reality proves to be a pure formality and is not followed by.

In research, students face similar situation when they are not able to choose topics themselves and can only select among those that university considers

‘reliable’. Such cases were discovered at MAuPRB, BSTU, GSU, GrSMU simply because observers found themselves in this situation.

We also can consider as freedom of choice limitation in relations to MA programs where students must obtain the recommendation letter from Faculty Council if she/he decides to continue education upon completing BA. This limitation is valid only for those who don’t take a gap year. Otherwise, such recommendations are not requested.

This shows the continuous violation of students academic freedom in Belarus.

### **Job Assignment violations**

As we already mentioned in this report, job assignment is a forced work placement by the university choice for 2 years following the graduation and mainly valid for those who studied at state funded places. Such forced placements violate citizen rights for work and freedom of profession choice as well as contradict to the Constitution in terms of guaranteed rights to receive education free of charge.

Besides violation of fundamental rights, university administration breaches norms and procedure that regulate the job assignment.

During the monitoring we looked into the following aspects of this process:

1. *Information availability on job assignment process on the university website and informational board*

The universities must publish all available information on job assignment on the universities’ websites and informational boards based on the existing legal framework. Majority of the universities supply its students with such information. In addition to this, some of them organize meetings on this matters but unfortunately, the administration representatives are not able to provide informative answers due to the fact that they don’t have

them.

2. *Employers list availability on the university website and informational board*

The university is obliged to inform students about available work places. Observers provided different information on whether this is observed: BSU and GrSMU post such information on their informational resources while majority displays such information only on the faculties informational boards before preliminary placement and during the final stage of this process. MSLU and GrSU do not provide such information at all while BSTU display the list only after the job placement is completed.

3. *Job assignment by individual requests*

Individual request is employers' confirmation on readiness to accept particular students on described position. This option is limited but available especially when 'state order' is fulfilled. On the other hand, MSLU observer stated that students don't have problems in choosing their employer. Universities also don't take into account any existing job assignment privileges such as graduation without mandatory job assignment. There is unconfirmed information that Ministry of Education prohibited issuing diplomas without job assignment for any student who studied on state funded places. In case of violation, the university could be penalized. It is unknown what it may result in.

As we already noted, job assignment is used as pressure instrument against youth activist who are not favored by the university administration.

## **Other violations**

What we brought to your attention doesn't constitute full list of students' academic rights and freedom violations in Belarusian higher education. One of the other important issues that was mentioned in this report briefly, is quality of education. It has been already discussed at different levels lately but none dared to ask what students think about it.

Majority of observers pointed out that no opinion poll on the quality of higher education is conducted at their universities. BSTU observer participated in one poll during his entire study of 5 years. In MAuPRB, this process was completed but results remain unknown to students and faculty. Nobody observed any significant changes in educational process or study programs content change after completing the process and processing the information.

In order to increase the quality of education in European countries, universities conduct annual faculty competition identifying the best faculty in their field as well as at the university. Belarus didn't adopt this procedure as motivating element for faculty yet in full. In some Belarusian university similar events happen but their outcomes are not available for large audiences while MAuPRB and GrSMU introduced this competition where students can select the best faculty by completing anonymous questionnaire.

It proves that Belarusian higher education has a lot to learn and introduce into its educational process in order to bring quality of education at international level.

## **Conclusion**

To sum the monitoring results up, we are positive that Belarusian students remain under continuous pressure from the university administration side for their civil position and expressing it openly.

University administration puts unjustified restrictions when exercising fundamental human rights, freedom for associations, freedom of movement,

right to participate in university management, information access, etc. as well as continuously applies unlawful punishments.

Students are unaware about their rights and how to defend them, where to seek assistance and how to exercise their rights due to the lack of information and general fear.

We are positive that under such circumstances of constant fundamental academic rights and freedom violations, no positive changes in legal educational framework, Belarusian higher education will remain on the outskirts of European academic community. This may lead to another rejection of state application on accession to Bologna in 2015.