

Your ref. No. 000 of May 24, 2019

Confidential
Minsk City Executive Committee,
8 Nezavisimosti Avenue, 220030,
Minsk, Republic of Belarus

From Ye.P. Mashonskaya,
Representative of N. Cheropoulos,
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Complaint against the actions of the administration of the State Educational
Establishment "Sanatorium Kindergarten No. 480 of the City of Minsk" and the
teacher-psychologist operating in the establishment

I, Yelena Mashonskaya, am a representative of Nikolas Cheropoulos, a Swedish citizen and father of two girls studying at the State Educational Establishment "Sanatorium Kindergarten No. 480 of the City of Minsk", Anthoula Anthie Cheropoulou, born on June 08, 2012, and Alexandra Cheropoulou, born on April 01, 2015.

More than a month ago, on April 1 and 2, 2019, Nikolas Cheropoulos, his translator and I, as his official representative, visited the State Educational Establishment "Sanatorium Kindergarten No. 480" in order to hold a conversation with the teacher-psychologist of this institution Olga Anatolyevna Adrianova.

Both conversations took place in the office of the head of the establishment and in her presence. At the request of the psychologist, Nikolas Cheropoulos provided the letter with a written request to diagnose the condition of his daughters in the form of conversations, games and other acceptable ways, indicating that he was extremely concerned about the psychological state of his daughters, which he observed at the last meeting. Nikolas Cheropoulos gave this written request during the visit on April 2, 2019 in the presence of all the persons mentioned above.

According to Law of the Republic of Belarus No. 153-3 of July 01, 2010 "On Provision of Psychological Counseling" (hereinafter - the Law on Psychological Counseling):

- The goals of providing psychological counseling are: the prevention of psychological problems; resolution of psychological problems; overcoming the consequences of crisis situations;

- psychological counseling is provided to citizens with their consent, and to minors under fourteen (also with the consent of one of the legal representatives) (Article 18).

Nikolas Cheropoulos is the father and legal representative of his daughters. His parental rights are not limited by any state bodies, there are no court orders restricting or denying his parental rights. The reason for his concern about the psychological state of his children is the fact that in 2017 Liudmila Trafimovich (mother) abducted the girls from their place of permanent residence of the Kingdom of Sweden and took them to Belarus. The girls were pulled out of the familiar environment in which they were born, grew up, visited educational institutions and communicated with the Swedish-speaking community.

Accordingly, at his request in which he expressed concern about the psychological state of his children in the current situation and with his consent, the teacher-psychologist was supposed to diagnose the minors of Anthoula Anthie Cheropoulou (6 years old) and Alexandra Cheropoulou (4 years old).

According to the Law on Psychological Counseling, “the documentation of a psychologist on the provision of psychological counseling to a citizen is used only for official use. An extract from the psychologist’s documentation on the provision of psychological counseling to the citizen is available upon request of this citizen or his (or her) legal representative, except in cases where psychological counseling is provided anonymously. An extract from the psychologist’s documentation on the provision of psychological counseling to the citizen is provided in a form that can be understood by a person who does not possess special knowledge in the field of psychology (Article 15). Other instructions on the form of the extract, as well as the need for receiving it personally at the psychologist’s office, is not provided. This implies that the State Educational Establishment “Sanatorium Kindergarten No. 480 of the City of Minsk” does not have the right to require the personal presence of a citizen to transfer an extract to him or her, especially in the case when the citizen personally indicated the address for sending diagnostic results.

According to the legislation on appeals of citizens and legal entities, a teacher-psychologist, as an employee of a public institution (or the head of a public institution), is obliged to give an official response within a period not exceeding 15 calendar days. If the appeal requires verification or additional research within its framework, then the period is extended to 30 calendar days.

Based on the information received from Nikolas Cheropoulos, he still has not received an official answer to his appeal of April 02, 2019 on the issue of studying the psychological state of his daughters. On May 2, 2019 (a month later), an unsigned document came to him by e-mail, without a date and a seal stating that the survey would not be conducted. From the standpoint of the law, such a response is not official and not acceptable, moreover, it was sent with violation of the terms established by the legislation on appeals of citizens.

On May 03, 2019 Nikolas Cheropoulos sent an e-mail to the email address of the State Educational Establishment “Sanatorium Kindergarten No. 480 of the City of Minsk”, asking him to explain the refusal to diagnose the children.

In response to his second appeal dated May 03, 2019, an answer was received via e-mail on May 16, 2019 in the form of a Word document with an inserted picture signed by the head and certified by the seal of the State Educational Establishment “Sanatorium Kindergarten No. 480 of the City of Minsk”.

This document indicates the reasons for the refusal to conduct diagnostics, **which are not legally established grounds for this, and contains an unreasonable demand for a personal request to obtain information about the diagnostic examination of the children.**

In connection with the above, please:

instruct the State Educational Establishment “Sanatorium Kindergarten No. 480 of the City of Minsk” to diagnose Anthoula Anthie Cheropoulou, born on June 08, 2012, and Alexandra Cheropoulou, born on April 01, 2015, and send the corresponding results, as well as the results of previous surveys of the girls, to their legal representative Nikolas Cheropoulos.

Annex:

A copy of the response sent via e-mail to an e-mail dated May 03, 2019 on behalf of the Administration of the State Educational Institution “Sanatorium Kindergarten No. 480 of the City of Minsk”.

Yelena Mashonskaya,
Representative of N. Cheropoulos
according to the Power of Attorney

May 24, 2019