



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

Twenty-second session

Summary record of the 460th meeting

Held at Headquarters, New York, on Friday, 28 January 2000, at 10.30 a.m.

Chairperson: Ms. González

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The meeting was called to order at 10.40 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Third periodic report of Belarus
(CEDAW/C/BLR/3)

1. *At the invitation of the Chairperson, Ms. Sergeeva, Ms. Chutkova and Mr. Sychou (Belarus) took places at the Committee table.*

2. **Ms. Sergeeva** (Belarus), introducing the third periodic report of Belarus (CEDAW/C/BLR/3), said that her Government saw the Convention on the Elimination of All Forms of Discrimination against Women not only as an international bill of women's rights, but also as a programme of action for ensuring women's enjoyment of those rights. In line with her Government's commitment to achieving equality between men and women in all spheres of life, Belarus had acceded to a number of United Nations conventions, as well as signing such international instruments as the Beijing Declaration and Platform for Action. It would shortly become a signatory of the Optional Protocol to the Convention.

3. Women, who constituted 53 per cent of the population of Belarus, had been particularly hard hit during the transition period and faced a host of problems: poverty, unemployment, lack of representation in the Government and legislative bodies, worsening health indicators, reduction of life expectancy and increased prevalence of anti-social behaviour, including domestic violence.

4. Her Government was addressing those problems through a range of plans and programmes. The National Plan of Action to Improve the Situation of Women for the Period 1996-2000 was based on the recommendations contained in the Beijing Declaration and Platform for Action. Its strategies included revising existing legislation to take account of the gender aspect, raising awareness among women of their rights and the mechanisms for their protection and incorporating courses on gender issues in the curriculums of higher education institutions.

5. The national programme "Women of the Republic of Belarus", adopted in 1996, was intended to address the most acute problems faced by women during the transition period. It had four main objectives:

improving women's position in the labour market; increasing their participation in decision-making; strengthening the family; and enabling women to adapt to the new social and economic conditions. The implementation of the programme was monitored at the national level by the Ministry of Social Welfare and the Council of Ministers and at the regional and local levels by coordinating committees consisting of experts in such fields as law, health and education. It had been proposed that a biennial report on the situation of women in Belarus should be submitted to the President.

6. Despite her Government's efforts, women's advancement was being impeded by inadequate resources for the implementation of the national women's policy, ineffectiveness of the enforcement mechanisms, delays in the establishment of the national women's machinery and the low professional level of its staff, persistence of stereotypes with respect to the social roles of men and women and backwardness of civil society.

7. Turning to the legal framework supporting women's rights, she said that the Republic's domestic legislation contained no provisions that discriminated against women and, in accordance with the Constitution, all persons were equal before the law and entitled without discrimination to equal protection of their rights and legitimate interests.

8. Among the most important developments with respect to the process of legislative reform initiated by her Government had been the adoption of a new Marriage and Family Code, which had entered into force in September 1999. The Code regulated the conclusion of marriage contracts and custody agreements, amended the procedures for the dissolution of marriage and introduced the concepts of the single-parent family, the adopted family and the large family.

9. In addition, a new Labour Code had come into effect on 1 January 2000. Existing labour legislation was based on a philosophy of protecting women, which found its expression in such terms as "assistance to women" and "benefits for working women". A further benefit introduced under the new Code was the granting of an extra day's leave each week to mothers of large families, single mothers with two or more children, including widows and divorcees, and mothers of disabled children, which was remunerated on the basis of the average daily wage. Although it recognized that the benefit would not raise the ability of eligible

women to compete in the labour market, her Government considered it to be justified as a means of enabling women to combine work with raising a family. However, some women's groups argued that the philosophy of protecting women would serve only to perpetuate inequality, unless it was made clear that the benefits available to working women were temporary measures.

10. Few men had taken advantage of new legislation that entitled them, along with women, to take a leave of absence in order to care for a young child. The new measure reflected a general trend towards replacing benefits for women with a system of guarantees for working parents while retaining special measures for women directly linked with the performance of reproductive functions.

11. The new Criminal Code, which would enter into force in July 2000, would go further than any previous legislation in ensuring equality between men and women and eliminating discrimination both direct and indirect. It established the principle of criminal responsibility for violation of the rights of citizens on grounds of sex, race, language, religion, national or social origin, property or occupation. It also contained new provisions on trafficking in women and sexual exploitation of women.

12. With respect to employment, she said that women constituted 51.4 per cent of the labour force. The pattern of female employment was shifting, with the number of women working in manufacturing declining. While working women were often highly qualified, their average pay was only 84.9 per cent of that of men. Because of the reduction of incomes in real terms, women's salaries were crucial for their families' survival. Yet, the labour market was contracting, and women accounted for 64.2 per cent of all unemployed persons. The mismatch between the vocational qualifications of unemployed persons and the pattern of vacancies had more marked negative consequences for women than for men. Women raising children, disabled women, female graduates lacking work experience and women approaching retirement age were at the greatest disadvantage in finding employment.

13. Addressing the needs of unemployed women was a priority. Indeed, the resources allocated to the State Job Creation Fund had increased more than tenfold between 1996 and 1999. In order to provide employment for vulnerable categories of women,

quotas had been established in certain professions. Women now represented 60 per cent of persons receiving training or retraining. Correspondence courses and evening classes with flexible schedules were offered for unemployed women raising children. In order to reflect the changing labour market, educational institutions were providing training in such new professions and specialties as marketing, management, auditing, banking, taxation, environmental protection and social work. Her Government was also promoting self-employment as a means of reducing female unemployment.

14. Many enterprises, faced with economic difficulties, had cut investment in modernization of machinery and in updating working conditions. As a result, more than 21 per cent of female employees worked in dangerous or harsh conditions. The problem was exacerbated by the increase in the number of workers employed in privately-owned enterprises. In accordance with the national programme "Women of the Republic of Belarus", the Labour Inspection Committee was continuously monitoring compliance with labour legislation and rules governing women's employment. In addition, studies were being undertaken to determine the incidence of injury and occupational illnesses among women workers with a view to improving conditions of employment. The number of lawsuits brought before the courts by pregnant women or mothers of small children who had been wrongfully dismissed was increasing. Half had been decided in favour of the women, with a further third being settled out of court.

15. Rural women were at a disadvantage compared with urban women because of difficult living and working conditions and lack of access to services. Of the 12.4 per cent of all women employed in agriculture, most performed unskilled manual labour. Government efforts were aimed at improving the technical base in the agricultural sector and at improving the standard of living in rural areas.

16. Equality of rights and opportunities for men and women assumed equal representation in Government and decision-making posts, as called for in articles 7 and 8 of the Convention. However, only 14 per cent of the members of the Chamber of Deputies were women, with only one woman Minister and two ambassadors. There had been a gradual increase in the number of women in the court system and in leadership posts in government, with significant gains in female

employment in local government bodies. As part of the national plan to implement the Beijing Platform for Action, efforts were being made to improve that gender balance through training of women managers.

17. The economic transition and reform in Belarus had adversely affected family life. Because of its concern about the situation of families, the Government had raised the income level for eligibility for subsidies to families with young children, large families and families with disabled children and offered free school supplies and lunches to families with school-age children; the number of families receiving such subsidies had doubled.

18. Economic pressures had caused an increase in the breakdown and instability of families. In response the Government was paying special attention to its family policy and was providing more social and support services to children and families in difficulty through its "Children of Belarus" programme. A bill on social services was currently under consideration by Parliament. Delivery of such services was limited by available resources, however, so that the decision to open an office of UNICEF in the country had been very welcome.

19. Although men and women had equal rights and responsibilities in marriage under law, traditional stereotypes of their roles persisted. Another area of concern was the situation of the elderly and the need for an effective way to provide them with social services and health care.

20. In signing the Final Document at the Beijing Conference, Belarus had made a commitment to address the problem of violence against women. It had already taken steps to prevent violence and had opened a women's crisis centre in Minsk to provide psychological and legal counselling for victims; similar centres were planned for all the regions of the country. The Young Women's Christian Association (YWCA), with funding from UNIFEM, was conducting a pilot project and study of violence against women. Belarus had participated in a number of international efforts to raise awareness of the problem which had led to lively discussion in the press. Furthermore, laws against prostitution rings and trafficking in women had recently been passed.

21. The decline in standards of living had affected women's health, and a major focus of the Government health policy was to safeguard women's reproductive

health by providing prenatal and maternity care. It also addressed the reproductive health problems resulting from the Chernobyl disaster. In fact, about 10 per cent of the State budget each year went to mitigate its consequences, which necessarily affected the Government's capacity to fund other social programmes.

22. The implementation of government policies addressing gender imbalances had required the establishment of national mechanisms notwithstanding limited financial and human resources. The main organs were the Commission on Social Issues of the Council of Ministers, the Administration for Family and Gender Issues of the Ministry of Social Welfare and the Office of Social and Cultural Policies of the Council of Ministers. It was encouraging to note that the number of people working in the social services sector had more than doubled since 1998.

23. In response to social change in Belarus, a new movement of women's organizations and non-governmental organizations had developed. They had taken part in many of the activities for the advancement of women, thanks to funding provided by the United Nations. The closer partnership between women's organizations and Government organs was having a positive effect on activities to raise the status of women, and joint execution of a number of projects was planned. Input from women's non-governmental organizations was an important element in the implementation of international commitments by State institutions. Of course, the final responsibility for the welfare of women, children and the family lay with the State; it must provide the financial resources, political will and national mechanisms to carry out the social policy affecting those groups.

24. A programme of gender education had been developed and courses in women's studies were being offered at the Belarus State University and other prestigious institutions of higher learning. A study entitled "Women of Belarus through the Mirror of the Times" was being conducted under the auspices of the UNDP Women in Development Programme. A number of conferences, seminars and round tables on the status of women had been held at the national and local levels and the issue had been widely discussed in the media. An important element in the implementation of gender policy in Belarus had been the close cooperation between the Government and the United Nations office, which had led to the design of a new project

referred to as “Strengthening the Centre for Gender Information and Policy of the Ministry of Social Welfare” which began in January 1998.

25. She concluded by conceding that although the legal framework for gender equality had been established in Belarus, much remained to be done to see that the spirit of the laws became reality in the workplace, the family and society. Efforts to ensure equal rights and opportunity for women were an essential part of the transition period.

26. **Ms. Schöpp-Schilling** said that the report of Belarus, the written replies to the list of issues and questions, and the delegation’s oral introduction together gave a clear picture of the advances made by that country in observance of women’s rights, and the obstacles it faced in that endeavour. In future reports an attempt should be made to analyse the impact of the measures the Government had taken.

27. Although the Committee recognized the great difficulties faced by Belarus, and applauded the Government for taking legislative and other measures on behalf of women, it was concerned about the social context in which women sought to raise their status. Only in an open and responsible democratic society could women express their views and achieve the rights to which they were entitled, and it behoved the Government of Belarus to create such a society. It had made some progress by creating a national machinery for women’s advancement, in particular the Administration of Family and Gender Issues, the Centre for Gender Information and Policy, and a network of regional and local bodies, and for developing the National Plan of Action. The incorporation of human rights studies and gender studies into educational curriculums was also noteworthy.

28. She was justifiably concerned about the underemployment of educated women. On the other hand, the Government was to be commended for taking legislative and administrative measures to combat violence against women, for recognizing the rise in poverty, especially among older women, single women with children and disabled women, and for providing screening services for pregnant women to detect health problems caused by the Chernobyl accident.

29. Some areas that called for improvement did not require large financial outlays. It would be useful to know whether the registration process for non-

governmental organizations in fact impeded women’s activism, and whether the Government had considered the development of affirmative action legislation to increase the participation of women in all fields of economic activity. Unfortunately, the Government’s welfare-style approach to the human rights of women, which viewed women as mothers and members of families, and failed to address the dual role of men and women in the family, perpetuated stereotypes. Mother’s Day holidays and motherhood awards similarly communicated the wrong message about women; instead the focus should be on empowering women as individuals rather than stressing their role as mothers. In that regard, she would like to know whether gender education in Belarus still emphasized a welfare approach, how gender training was implemented, and whether gender training was provided to teachers.

30. The new anti-discrimination legislation, although laudable reflected less than a full understanding of article 1 of the Convention. It would be useful to know whether the Government planned to enact labour legislation incorporating both intentional and unintentional discrimination and whether it planned to educate the public in the meaning of those terms. She also wondered whether the Government was aware that the disparity between wages paid in the female and male labour sectors constituted unintentional discrimination.

31. She wanted to know the specific goals of the National Plan of Action. Since the United Nations Development Programme (UNDP) was supporting the national mechanisms benefiting women, it would be useful to know what plans the Government had for financing those institutions once that funding had been withdrawn. In addition, she would like to know whether the budget allocation for unemployed women adequately reflected the disproportionately high number of such women. She inquired further about the employment possibilities available to women trained in traditional female occupations. She wondered whether in its efforts to support women’s entrepreneurship, the Government had established easy access to credit for women and tax incentives for the development of enterprises by women.

32. She would also like to know how many older women and single mothers lived below the poverty line and how the latter managed when their unemployment compensation expired. More information would be

useful on the targets of the Government's efforts to alleviate poverty.

33. **Ms. Ferrer** said she was gratified by the importance the Government of Belarus attached to the implementation of the Convention, and commended it for describing both achievements and difficulties. The report and the written replies to the list of issues and questions acknowledged the importance of working to eliminate inequality, and recognized that one of the principal obstacles was the slow movement of the national mechanisms for the promotion of women and the low professional competence of staff. It would be useful to know how the Government planned to strengthen those mechanisms, whether it intended to provide training for staff, and what measures it was taking to improve communications both within the network of implementation agents and with other areas of the Government working on women's issues.

34. As the report indicated, the status of Belarusian women had regressed. It was disturbing to learn that women were being displaced to sectors of the economy that received lower pay, and that men were taking over jobs traditionally associated with women commanding higher wages. The National Plan of Action sought to reduce unemployment for women, but unfortunately, it was emphasizing such traditional work as sewing, dressmaking, and hairdressing. The Government should carefully consider preparing women for more highly-paid jobs.

35. **Ms. Manalo** inquired how the Government was mainstreaming gender into its national institutional structure, in particular, in relation to the twelve critical areas of concern of the Beijing Platform for Action. She would like to know what government resources were allocated for the national mechanisms benefiting women. It was important to note that the Convention emphasized the advancement of the status of women as individuals in all public and private spheres of life, rather than merely their role as members of the family.

36. The National Plan of Action, which would terminate in 2000, appeared to focus primarily on protectionist measures. She urged the Government to consider changing the Plan's underlying philosophy in order to better promote women's empowerment and enjoyment of their rights under the Convention.

37. She was also concerned at the lack of adequate measures to address the problem of prostitution and trafficking in women, the absence of a policy to

increase the number of women appointed to high-level posts, the lack of statistics on human immunodeficiency virus and acquired immunodeficiency syndrome (HIV/AIDS) and the need to determine the extent to which the Government's family planning programme benefited women.

38. **Ms. Sergeeva** (Belarus) said that owing to the low level of production in Belarus, the Government had found it necessary to focus on social service programmes in order to guarantee a minimum standard of living and to safeguard the human rights of the individual. It hoped to expand those programmes in the future.

39. **Ms. Chutkova** (Belarus) said that the National Plan of Action was a major step towards implementation of the Beijing Platform for Action within a framework of social protection. Increasing numbers of specialist posts were being created at the State and local levels in the areas of, inter alia, education, health and justice. In an effort to improve the qualifications of those specialists, the Ministry of Social Welfare organized seminars, conferences and, with United Nations support, an annual two-week training course. The specialists' salaries were covered by the State budget under the item on funding for Government Ministry bodies.

40. During the period 2000-2005, the Ministry of Social Welfare planned to ensure consideration of the situation of women in the parliament and to establish a separate body, perhaps a commission, responsible for the promotion of women's rights. Since United Nations Development Programme (UNDP) funding for the project "Support for the Activity of the Centre for Gender Information and Policy" would end in 2000, the Government planned to establish a similar centre for public information under the Ministry for Social Welfare.

41. **Ms. Sergeeva** (Belarus) said that trafficking in women and prostitution was primarily a consequence of the transition to a market economy, which had been accompanied by rising inflation, the loss of jobs and other economic problems. In 1999, an anti-vice group had been created. While prostitution was an administrative rather than a criminal offence, the number of women punished for such offences had increased significantly between 1998 and 1999. Moreover, the Criminal Code included sanctions for certain offences related to prostitution and trafficking

in women and girls, and the new draft criminal code, if adopted, would criminalize additional offences. The Government was also attempting to cope with the problem of the rape and seduction of minors, which was covered by the Criminal Code.

42. At the international level, the Government was working with neighbouring countries, particularly Germany, to address the problem. A database on trafficking in women was being compiled and, in 1999, the Ministries of Foreign Affairs and the Ministries of Culture of Belarus, Germany and Latvia had met to discuss the problem of trafficking in the border regions.

43. **Ms. Chutkova** (Belarus) said that in the past, the authorities had been somewhat unwilling to recognize the problem of trafficking in women but that greater attention had been paid to it during the past three years; for example, in 1999, an international seminar on trafficking in women had been held in Warsaw with the participation of non-governmental organizations. No information on the number of women victims was available, in part because the authorities responsible for the border region did not provide a breakdown of those figures. However, a number of Western European Governments had been asked to provide data on the number of women brought before the courts on such offences, and in March 2000 a joint seminar on the problem would be held with the participation of government and non-governmental organizations of Belarus, the Netherlands, Moldova and Russia.

44. She said that the population of Belarus was ageing and the birth rate was declining. As at 1998, one inhabitant in five was of retirement age. Both rural and urban populations were affected; the fact that a third of all rural dwellers were retired placed a heavy burden on the economically active population.

45. While it was true that the registration process required of non-governmental organizations was a difficult one, the majority of applicants, including groups such as trade unions and political parties with a platform of opposition to the Government, had successfully completed those formalities.

46. **Mr. Sychou** (Belarus) said that as a State with an economy in transition, Belarus did not always meet the criteria of eligibility for United Nations programmes of assistance. In some cases, owing to a lack of donor support, the Government had been obliged to resort to a modality of national execution and to cover the

salaries of the Organization's officials from its own budget at an annual cost of US\$ 400,000.

47. In the wake of the Chernobyl disaster, the Government was committed to implementing programmes to guarantee the nation's future by providing assistance to women and children affected by nuclear fallout through programmes implemented jointly with the United Nations Children's Fund (UNICEF) and other international institutions and with the participation of State and local authorities.

The meeting rose at 1 p.m.