



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Pre-session working group

Forty-eighth session

17 January - 4 February 2011

List of issues and questions with regard to the consideration of periodic reports

Belarus

The pre-session working group examined the seventh periodic report of Belarus (CEDAW/C/BLR/7).

General

1. Please provide detailed information on the process of preparing the seventh periodic report and in particular on the nature and extent of the participation of non-governmental and women's organizations. Moreover, please indicate what measures have been taken to improve cooperation of the authorities with non-governmental organizations, to enable the establishment and operation of women's non-governmental organizations, as well as to encourage and facilitate the active participation of civil society in the full implementation of the Convention and the promotion of women's human rights, as recommended by the Committee in its previous concluding observations (A/59/38, part one, para. 344).

2. The report contains limited statistical data disaggregated by sex on the situation of women in areas covered by the Convention. Please provide information on the status of data collection and analysis in the country in general, and to what extent such data collection takes place, on a sex-disaggregated basis as well as on the basis of age, urban and rural areas and other relevant factors. Please indicate how the State party intends to improve the collection of data disaggregated by sex pertaining to the areas of the Convention.

Constitutional, legislative and institutional framework

3. In its previous concluding observations (*ibid.* part one, paras. 334 and 336) the Committee encouraged the State party to adopt a law on gender equality that includes a definition of direct and indirect discrimination against

women in conformity with article 1 of the Convention. Please indicate whether the State party foresees the prompt adoption of a provision prohibiting discrimination against women in its legislation. Please explain the obstacles that persist for the adoption of a comprehensive law on gender equality and the measures taken to overcome them.

4. Please indicate whether the State party has drafted any legislation providing sanctions for infringing provisions on gender equality, contained inter alia in the Marriage and Family Code, the Labour Code and the Civil Code, including against private institutions and individuals in the case of violation of their anti-discrimination provisions. What sanctions have been incorporated into national law in order to punish any person engaged in any kind of discriminatory practices, whether in the private or public sphere? If there are such sanctions please refer to court cases where they have been imposed.

5. Please indicate how many complaints have been received and how many cases have been brought before the courts or other bodies since the consideration of the previous report. How were they decided? Have any special remedies or avenues of redress, such as a specialized court, or a commission or other quasi-judicial entity, been developed to enable women to pursue their rights? If so, please indicate how effective these have been. What measures are being taken to raise the awareness of women and encourage them to seek redress against discrimination? Please specify whether any training on the Convention and its Optional Protocol has been provided to the legal profession in order to raise its awareness on these issues.

6. Please indicate the process of monitoring and assessment of the impact of the laws and policies adopted towards achieving equality between men and women, in particular the National Plans of Action on Gender Equality for 2001-2005 and for 2008-2010, the framework Plan for the Continuing Education of Children and Youth and amendments to the Family and Labour Codes. Please provide information on what tangible quantitative and qualitative changes these laws and plans have brought about in the areas covered by the Convention.

7. In its previous concluding observations (A/59/38, part one, para. 338), the Committee recommended that the State party ensure a holistic approach to all policies and programmes devoted to achieving equality between women and men, as well as introduce gender training and the creation of focal points in public institutions. Please provide information on steps taken in the implementation of this recommendation.

National machinery

8. Please describe measures that have been taken in order to increase visibility, decision-making power, as well as human and financial resources of the National Council on Gender Policy (ibid., part one, para. 346). What is the current gender composition of the Council, what are its main responsibilities and what is its role in enhancing coordination among the existing mechanisms at the national and local levels for the advancement of women and the promotion of gender equality? Please indicate the status of the representatives of women's organizations within the National Council on Gender Policy.

Temporary special measures

9. With reference to article 4 of the Convention, the report (CEDAW/C/BLR/7, paras. 108-121) indicates that the National Plan of Action 2001-2005 “helped to ensure equal opportunities for both sexes in Belarus”. However, the report is silent about concrete temporary special measures adopted to achieve substantive (de facto) equality of women and men. Please indicate whether there is a legal basis for the adoption of temporary special measures as recommended in the Committee’s general recommendation No. 25, if such temporary special measures have been taken or are envisaged and, if so, provide information on their impact.

Stereotypes

10. The report (CEDAW/C/BLR/7, paras. 137-149) mentions considerable efforts made by the State party to eradicate stereotyped attitudes regarding the roles of women and men in private and public life. Please indicate whether an assessment of the various initiatives undertaken has been carried out to identify their impact as well as the most persistent obstacles in this regard. What efforts have been made to address stereotyped attitudes towards women experiencing multiple forms of discrimination on the grounds of their ethnicity, age, disability or other characteristics? Have any temporary special measures been introduced or envisaged in this regard?

11. Could you clarify what is meant by the notion of “positive stereotypes” (ibid., paras. 145 and 258) and explain to what extent the creation of museums on Motherhood and awarding prizes to women having raised more than five children (ibid., paras. 161 and 162) is aimed at eliminating stereotypes and encouraging equal sharing of responsibilities between men and women? In its previous concluding observations (A/59/38, part one, para. 339), the Committee expressed concern that society tends to place responsibility for child-rearing primarily on women, and indicated that such stereotypes undermine women’s social status and are an obstacle to the full implementation of the Convention. Please indicate steps taken to encourage men to share family responsibilities.

12. Please provide further information on the preparation of gender-sensitive textbooks and teaching materials by the National Education Institute (CEDAW/C/BLR/7, para. 156). Please provide details on the content of the Programme on Developing the National Education System for 2006-2010, especially on the progress in updating the content of education, educational and methodological support (ibid., para. 242).

Violence against women

13. The Committee, in its previous concluding observations, called upon the State party to enact the draft law on the prevention and suppression of domestic violence and to ensure that violence against women is prosecuted and punished with the required seriousness and speed (A/59/38, part one, para. 348). Please provide information on the measures taken in order to implement this recommendation. In this connection, please provide information on measures taken to criminalize violence against women, including domestic violence and marital rape, as a specific offence under national law.

14. The report indicates (CEDAW/C/BLR/7, para. 529) that criminal cases related to domestic violence can be initiated solely on the basis of a complaint by the victim. Please indicate under what circumstances the Public Prosecutor can initiate an investigation and prosecution without an official complaint. Are there any mechanisms, such as protection orders, protecting women who file a complaint against the perpetrator?

15. Please provide information on concrete measures taken by the State party to investigate and prosecute all instances of violence against women, whether it occurs in the home, the workplace, the community or society, to prosecute and punish perpetrators, and grant adequate reparation and support to victims. Moreover, please provide statistical data on complaints relating to violence against women and on the related investigations, prosecutions and penal sanctions as well as on any reparation provided to victims.

16. The report is silent regarding re-adaptation and rehabilitation programmes for women victims of violence. Please provide details on the measures taken or envisaged to address this issue. What efforts have been made to ensure the allocation of adequate resources within the government budget for activities related to the elimination of violence against women, including resources for the implementation of the various initiatives and plans of action as listed in the report (*ibid.*, paras. 523-550)? As recommended by the Committee in its previous concluding observations (A/59/38, part one, para. 348), please provide further details on training and awareness-raising campaigns directed at the police and other law-enforcement officials, the judiciary, health-care providers, the media, public educators and social workers to combat and prevent violence against women.

Trafficking and exploitation of prostitution

17. As recommended by the Committee in its previous concluding observations (*ibid.*, part one, para. 350), please provide information on socio-economic programmes that have been established in order to eliminate women's vulnerability to traffickers and ensure that women can adequately provide for their needs. Are there laws and policies in place to protect women and young girls from agencies which are essentially engaged in trafficking? Are there laws and policies in place related to marriage agencies, specifically those involved in arranging marriages with foreign nationals?

18. Please provide further information on rehabilitation and re-adaptation measures offered to victims of trafficking. Please indicate the attitude adopted by society toward these victims and what programmes have been established in order to facilitate their reintegration and to avoid stigmatization. As proposed by the Special Rapporteur on trafficking in persons, especially in women and children, in the report on the mission to Belarus (A/HRC/14/32/Add.2), please indicate what steps have been taken in order to establish a Special Fund for compensation of victims of trafficking.

19. In the previous concluding observations, the Committee recommended the State party to ensure more severe punishment of traffickers, as well as to conduct training for border police and law-enforcement officials (*ibid.*, part one, para. 350). Please indicate what measures were taken in this respect.

20. Are there any programmes in place to reintegrate victims of sexual exploitation into society, including through job training, legal assistance, provision of confidential healthcare and psychosocial counselling, and if so,

what resources are being allocated for this purpose? Are there specific social programmes for those women involved in prostitution who would wish to leave it? Are there specific health programmes, including programmes focused on the care and prevention of HIV/AIDS?

Participation in political and public life

21. Although indicating that improvements in the representation of women have been achieved, especially in the judiciary and local councils, the report mentions that in 2007, only 18 per cent of the leadership posts in the republican administrative structure were held by women (CEDAW/C/BLR/7, para. 49), only four women have the rank of ambassador (*ibid.*, para. 231) and that the representation of Belarusian women in international organizations remains low (*ibid.*, para. 232). Please indicate concrete measures adopted to increase the representation of women in all areas of public life, particularly at high levels of decision-making through, *inter alia*, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25 and as recommended by the Committee in its previous concluding observations (A/59/38, part one, para. 358).

22. Please provide information on measures taken to remove the limitations imposed on the activities of (women's) non-governmental organizations.

Employment

23. With reference to the recommendation contained in the previous concluding observations (*ibid.*, part one, para. 352) and to the State party's indication that women have a much higher average level of education than men and yet they work in the lowest paid professions and sectors of industry (CEDAW/C/BLR/7, para. 53), as well as the persistent pay gap between women and men (*ibid.*, para. 315), please indicate steps taken to ensure equal opportunities for women and men in the labour market and in particular to narrow and close the pay gap and eliminate occupational segregation, through, *inter alia*, the adoption of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25.

Health

24. Despite the decline in the absolute number of abortions by almost half, abortion remains the main method of birth control (*ibid.*, paras. 372 and 373). Please indicate what action the State party is taking to raise awareness of, and provide wide access to, contraceptive methods, particularly in rural areas, and whether all methods of contraception are free of charge and accessible to both women and men, including adolescent girls and boys.

25. Please indicate what measures have been introduced to increase public awareness of the risk and effects of sexually transmitted diseases, particularly HIV/AIDS? Have any of these measures been aimed specifically at women and girls?

26. According to the report (*ibid.*, para. 23), one of the major demographic problems is a high mortality rate, mainly in the working-age population. Please provide statistical data disaggregated by sex on the main causes of

deaths. Please provide information on measures taken to reduce alcoholism and tobacco consumption among women.

Minority women and disadvantaged groups of women

27. While providing detailed information and data on migrants, the report is silent regarding the economic, employment, education and health situation of minority women, rural women, women with disabilities, and older women. Please provide the above-mentioned information, as requested by the Committee in its previous concluding observations (A/59/38, part one, para. 360).

28. Please indicate whether the asylum legislation of Belarus provides that gender-related persecution is considered a legitimate ground for the recognition of refugee status. Please indicate also whether the law on citizenship makes it possible for married refugee women to obtain Belarusian citizenship without having to renounce their previous citizenship.

Women in prisons

29. In paragraph 72 of its report on its mission to Belarus in August 2004 (E/CN.4/2005/6/Add.3), the Working Group on Arbitrary Detention noticed that women are kept in the same pre-trial facilities as male detainees, in separate cells, but still under the supervision of male guards, which leads to the violation of their right to privacy and other rights. Moreover, the female detention centres are too restrictive in respect of communication with the outside world, including the children of the female detainees. Please indicate measures taken or envisaged to remedy this situation.

Amendment to article 20, paragraph 1

30. Please describe progress made towards the acceptance of the amendment to article 20, paragraph 1, of the Convention, concerning the meeting time of the Committee.
