



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
7 March 2022

Original: English
English, French and Spanish only

Committee on the Elimination of Discrimination against Women

List of issues and questions prior to the submission of the ninth periodic report of Belarus*

General

1. Please provide information and statistics, disaggregated by sex, age, nationality, disability, ethnicity, geographical location and socioeconomic background, on the current situation of women in the State party, to enable monitoring of the implementation of the Convention. In accordance with the State party's obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, as well as in the light of the Committee's previous concluding observations (para. 41 (b)),¹ please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and the promotion of substantive equality between women and men, including with regard to the specific areas covered in the present document.

Women and peace and security

2. In line with its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations and with Security Council resolution [1325 \(2000\)](#) and subsequent resolutions on women and peace and security, in particular with regard to the extraterritorial obligations of States parties, please inform the Committee whether the State party has a national action plan for the implementation of Security Council resolution [1325 \(2000\)](#), or on any steps taken or envisaged to adopt such a plan. In the context of the State party's support to the military hostilities against Ukraine by the Russian Federation (Human Rights Council resolution [49/1](#), of 4 March 2022) and its involvement in this unlawful use of force (General Assembly resolution [ES-11/1](#), "Aggression against Ukraine", of 2 March 2022), please outline any measures taken to:

* Adopted by the pre-sessional working group on 2 March 2022.

¹ Unless otherwise indicated, paragraph numbers refer to the Committee's concluding observations on the eighth periodic report of the State party ([CEDAW/C/BLR/CO/8](#)).



(a) Cease its support to the military hostilities against Ukraine by the Russian Federation, abide by its international obligation not to target civilian populations, including women and girls, in accordance with the applicable rules of international humanitarian law and international human rights law, and refrain from providing support to any further military hostilities that would expose more women and girls to violations of their rights under the Convention;

(b) Uphold the human rights of women and girls under the Convention, and ensure, in particular, that they are not exposed to the risk of sexual and gender-based violence;

(c) Ensure the full, equal and meaningful participation of women in peace negotiations taking place on the territory of the State party and in the prevention, management and resolution of the military attack by the Russian Federation against Ukraine, and their involvement in all efforts to maintain and promote peace and security.

Women's rights and gender equality in relation to the pandemic and recovery efforts

3. In line with the Committee's guidance note on the obligations of States parties to the Convention in the context of the coronavirus disease (COVID-19) pandemic, issued on 22 April 2020, please indicate measures implemented by the State party to redress long-standing inequalities between women and men and to give a new impetus to the implementation of gender equality by placing women at the centre of the recovery as a strategic priority for sustainable change, in line with the Sustainable Development Goals; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in situations of conflict or other humanitarian emergencies; and to ensure that, in the context of lockdown measures, whether partial or total, and in post-crisis recovery plans, women and girls are not relegated to stereotypical gender roles. Please indicate the measures put in place to ensure that all COVID-19 crisis response and recovery efforts, including the recovery and resilience plan: (a) address and are aimed at effectively preventing gender-based violence against women and girls; (b) guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery, in particular in the design and implementation of recovery programmes; and (c) are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit the access for women and girls, including those belonging to disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services, and protection from gender-based violence.

Legislative framework

4. Please outline any steps taken to conduct a thorough gender analysis of all laws in the State party in order to identify those that are in conflict with the Convention, with a view to harmonizing them with the Convention, and institutionalize such an analysis for all draft laws. Please also indicate whether the State party envisages adopting specific gender equality legislation and, if so, within what time frame.

Definition of discrimination

5. In the light of the Committee's previous concluding observations (para. 9), as well as in accordance with articles 1 and 2 of the Convention, please provide information on specific measures taken to introduce a comprehensive definition of discrimination against women that encompasses direct and indirect discrimination and discrimination in the public and private spheres by State and non-State actors, ensure its effective implementation through appropriate enforcement mechanisms and sanctions and provide statistical data on any related court decisions.

Access to justice

6. With reference to the Committee's previous concluding observations (para. 11), please describe any concrete initiatives that have been undertaken to increase access for women and girls to free legal aid, to waive court costs for women without sufficient means, to eliminate all other barriers to women's access to justice, and to raise awareness among women about legal remedies and legal complaint mechanisms available to them, especially to those human rights defenders incarcerated during and after civil unrests after the presidential election in 2020. Please also explain which safeguards and measures are in place to ensure the independence and gender sensitivity of the judiciary, including by providing capacity-building on the Convention to judges, law enforcement officials and all other relevant professionals, as well as the application of fair trial guarantees, in particular in trials against women participating in peaceful assemblies and in the context of sanitary measures related to the COVID-19 pandemic, which are implemented by courts.

National machinery for the advancement of women

7. In the light of the Committee's previous concluding observations (para. 13), please indicate the steps taken to:

(a) Establish a centralized national machinery for the advancement of women with a clearly defined mandate and responsibilities, and provide the aforementioned machinery with adequate human, financial and technical resources that would enable it to coordinate and effectively promote gender equality and gender mainstreaming, including by implementing the National Action Plan on Gender Equality for 2021–2025; please provide information on collaboration of civil society and women's non-governmental organizations in the implementation of the National Action Plan;

(b) Increase the capacity of existing institutions on gender equality, such as the National Council on Gender Policy of the Council of Ministers, and ensure an increased focus on gender equality and specific areas of violations of women's rights, in particular those concerning cultural, civil and political rights;

(c) Systematically collect and analyse statistical data, in particular on the situation of marginalized groups of women, and conduct gender impact assessments of legislation, policies, budgets and activities of the national women's machinery.

National human rights institution

8. With reference to the Committee's previous concluding observations (para. 15), please explain the steps taken to establish an independent national human rights institution with a broad mandate to promote and protect women's rights and gender equality in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and indicate whether consultations with civil society organizations are taking place or are planned.

Women human rights defenders and civil society

9. Recalling the Committee's previous recommendations (para. 17), please inform the Committee about the steps taken to:

(a) Increase the protection of women human rights defenders and civil society representatives from enforced disappearance, use of force, torture and ill-treatment, arbitrary arrests, detentions, or threats thereof and other forms of pressure and intimidation, in particular gender-based threats and violence;

(b) Investigate, in a prompt, impartial, thorough, effective, credible and transparent manner, any such cases of violations committed against female participants in peaceful assemblies, and those detained consequently, and against all other women and girls who defend human rights, including women's rights, are active in the political sphere and/or exercise their legitimate human rights, including the rights to freedom of assembly, association and expression, in particular following the presidential elections in 2020 and the national referendum on 27 February 2022;

(c) Ensure that women activists who face criminal or administrative charges in those contexts have access to justice and are guaranteed a fair trial, including access to a lawyer and a transparent process, that perpetrators are held accountable and that women arbitrarily detained or sentenced on political grounds are released immediately and unconditionally and that victims receive redress and remedy;

(d) Prevent arbitrary measures against women activists, including by ensuring a prompt and independent judicial review of any decisions to deprive persons of their parental rights or to institutionalize them;

(e) Ensure that non-governmental organizations, especially those promoting and protecting human rights and women's rights, can be established and operate without undue restrictions, and that exercising political freedoms does not fall under criminal responsibilities enshrined in the Criminal Code, in particular articles 193 and 361;

(f) Ensure a conducive environment for women journalists and other women who work in media to conduct their professional activities free of pressure and intimidation, and prevent, investigate, prosecute and sentence any cases of reprisals.

10. Please provide statistical data on intimidation and reprisals against women human rights defenders, including the types of sentences imposed on the perpetrators and information on the reparations, rehabilitation services and compensation provided to victims before and after the last presidential elections. Please also provide detailed information on any liquidations of civil society organizations that engage in the protection and promotion of women's rights, and the legal basis and reasons therefore. Please indicate what steps are being taken to reopen civic space in the State party and to rebuild trust by civil society organizations and women human rights defenders in the protection of their rights to freedom of assembly and freedom of expression.

Temporary special measures

11. In the light of the Committee's previous concluding observations (para. 19), please provide information on concrete action taken to adopt prescriptive temporary special measures, including quotas, as stipulated in article 4 (1) of the Convention and in line with the Committee's general recommendation No. 25 (2004) on temporary special measures, in all areas under the Convention in which women, including rural women and women with disabilities, are underrepresented or disadvantaged, in particular in appointed positions in the national and local administration and in the foreign service. Please describe any awareness-raising

campaigns conducted to promote understanding of the importance and non-discriminatory nature of temporary special measures.

Gender stereotypes

12. With reference to the Committee's previous recommendations (para. 21), please provide information on:

(a) Strategies, programmes and public awareness-raising initiatives in place to counteract discriminatory stereotypes, concerning the roles and responsibilities of women and men in the family and in society, especially in the labour market, and any support provided to civil society organizations undertaking such initiatives;

(b) Measures taken to enhance positive and non-stereotypical portrayals of women in the media and in advertisements, including by implementing the prohibition of unethical advertisement, enshrined in article 26 of Act No. 225-Z on advertising;

(c) Efforts made to analyse and address gender-based stereotypes as a root cause of gender-based violence against women.

Gender-based violence against women

13. In line with the Committee's previous recommendations (para. 23), please indicate the steps taken by the State party to:

(a) Criminalize all forms of gender-based violence against women, including domestic violence and marital rape, and ensure accountability of perpetrators and redress for victims;

(b) Protect women and girls who are victims of gender-based violence against women, including by ensuring that the oral consent of a victim is sufficient for the issuance of a restraining order, and that domestic violence and the perceived social risk associated with it cannot be a basis for depriving women, who are subjected to such violence, of their parental rights;

(c) Protect other vulnerable groups of women and girls, such as women living with HIV/AIDS and children, including girls, subjected to corporal punishment;

(d) Encourage women who are victims of domestic violence to report it, ensure victim-centred services, such as a counselling hotline and services targeting the specific needs of women with disabilities and women living with HIV/AIDS, and the availability of crisis rooms and shelters, including for long-term stays;

(e) Provide training programmes on combating gender-based violence against women to members of the judiciary and the police and to monitor and evaluate the outcomes;

(f) Support civil society organizations that combat gender-based violence against women and provide assistance to victims;

(g) Collect, analyse and disseminate disaggregated data on gender-based violence against women, including domestic violence, and eliminate its root causes.

Trafficking and exploitation of prostitution

14. With reference to the Committee's previous concluding observations (paras. 25 and 27) and its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, please outline the measures taken to:

(a) Enforce anti-trafficking legislation, ensure the investigation, prosecution and punishment of perpetrators of trafficking and exploitation of women in prostitution and strengthen coordination to implement related programmes, including

by addressing the root causes of trafficking and exploitation of women in prostitution, such as by improving the economic situation of women and girls;

(b) Remove the administrative liability (fines and arrest) of women exploited in prostitution and prohibit the disclosure of any related information by the authorities to third parties;

(c) Take effective measures to address and reduce the demand for commercial sex;

(d) Offer alternative income-generating opportunities to enable women exploited in prostitution to leave prostitution.

Participation in political and public life

15. Referring to the Committee's previous concluding observations (para. 29), please explain the steps taken to accelerate gender parity in political and public life at all levels, in particular the Government, the Parliament, and higher levels of public administration. Please also provide information on the adoption and implementation of targeted measures, including quotas and political leadership training and campaign financing for women candidates and preferential recruitment of women, in line with the Committee's general recommendation No. 23 (1997) on women in political and public life. Please provide information on campaigns to raise awareness among politicians and decision makers about the importance of women's participation in political and public life, especially in decision-making positions, in the light of the prevalence of discriminatory gender stereotypes, including in political discourse, and reported cases of harassment of women in politics.

Education

16. In line with the Committee's previous concluding observations (para. 31), please provide detailed information on the measures taken to:

(a) Revise teaching material to eliminate gender stereotyping, and to institute mandatory training for teaching staff at all levels of education on gender issues and sensitivity;

(b) Eliminate traditional stereotypes and structural barriers that may deter girls and women from choosing traditionally male-dominated fields of study, such as science, technology, engineering and mathematics and information and communications technology, and eliminate gender segregation in classes on technical work and service work, respectively;

(c) Ensure equal opportunities for women and men to become admitted to institutions offering tertiary education;

(d) Ensure access to quality education for women and girls, including women and girls with disabilities and belonging to other marginalized groups, and provide statistical data on any girls being out of school and measures taken to reintegrate them.

Employment

17. With reference to the Committee's previous concluding observations (para. 33), please specify what measures have been taken to:

(a) End the practice of forced labour in all its forms for women and girls, including the so-called "subotniks";

(b) Adapt legislative measures to ensure respect for the principle of equal pay for work of equal value, take practical steps to eliminate the gender pay gap, address

horizontal and vertical segregation in the labour market and increase the access of women to decision-making positions;

- (c) Equalize the retirement age between women and men;
- (d) Eliminate any prohibition of specific professions for women;
- (e) Prevent gender-based discrimination in recruitment processes and in the workplace and strengthen accountability mechanisms;
- (f) Increase incentives for men to exercise their right to paternity leave or leave to care for a child under the age of 3 years under articles 185 and 186 of the Labour Code of 26 July 1999 and develop programmes aimed at encouraging women and men to share parental responsibilities, including with regard to the increased care responsibility of women owing to the COVID-19 pandemic, and ensure the availability of day care centres for children of all ages in all parts of the State party;
- (g) Amend legislation to ensure that punitive measures introduced through the Presidential Decree No. 3 of 2015 on Preventing Social Dependency does not apply to parents who are outside the labour market because they care for children;
- (h) Ratify relevant international treaties and conventions.

Sexual harassment in the workplace

18. Referring to the Committee's previous concluding observations (para. 35), please provide information on the measures taken to adopt legislation defining, prohibiting and preventing sexual harassment in the workplace. Please also describe any complaint mechanisms in place and the steps taken to ensure that cases are brought to court, shifting the burden of proof in favour of the victim and ensuring that victims are protected from dismissal and other forms of retribution.

Health

19. With reference to the Committee's previous concluding observations (para. 37), please provide information on the measures taken to:

- (a) Ensure that all women and girls have affordable access to modern contraceptive methods and are provided with age-appropriate information and education on sexual and reproductive health and rights;
- (b) Ensure that women and girls can freely decide about abortions without unwanted interference by religious organizations or recommendations by doctors in favour of abortions that are based on stereotypes against disadvantaged groups of women;
- (c) Undertake systematic awareness-raising among women about the importance of regular medical examinations to facilitate the early detection of breast and cervical cancer and to ensure that women have sufficient access to screening facilities and other preventive measures, such as HPV vaccines;
- (d) Ensure the availability of skilled health care personnel and of sufficient places in obstetric departments.

Economic and social benefits

20. In line with the Committee's previous concluding observations (para. 39), please describe the steps taken to:

- (a) Recognize unpaid care work performed by women in the family towards pension entitlements and social benefits and any other measures taken to ensure at

least the minimum subsistence level for older women, in particular for women negatively affected by the pension reform;

- (b) Facilitate access to credit for women entrepreneurs.

Women in detention

21. In line with the Committee's previous concluding observations (para. 45), please describe what steps have been taken to ensure that:

- (a) Detention conditions are fully compliant with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty;

- (b) Torture, ill-treatment and other forms of physical and psychological pressure, including gender-based violence, and threats thereof, to which women in detention are reportedly subjected, are strictly prohibited; and that any cases are investigated and prosecuted and that sentences, commensurate with the gravity of the crime, are imposed on perpetrators;

- (c) The number of female staff in prisons is increased and that male staff receive training on women's rights and gender sensitivity;

- (d) Women detainees subjected to labour are entitled to the minimum wage, and that detention centres have adequate sanitary and health-care conditions;

- (e) Women in detention have confidential and effective access to independent judicial and other complaint procedures, including under the Detention Procedure and Conditions Act, that monitoring and mechanisms for oversight are in place and that human rights organizations can monitor the human rights situation in prisons;

- (f) Women in detention have equal access to free legal aid and the right to private communication with counsel.

Refugee, asylum-seeking and migrant women

22. Please provide information on the measures taken to protect and promote the rights of refugee, asylum seeking and migrant women and girls, in particular those who are currently located at the Belarussian-Polish border, in line with the State party's obligations under international human rights law and refugee law. Please provide information on measures taken to ensure that all refugee, asylum-seeking and migrant women and girls have access to food, clean water, shelter and medical assistance, are protected from violations of their rights, including gender-based violence against women, ill-treatment and restrictions on their freedom of movement, and that any violations are investigated, prosecuted and perpetrators adequately sentenced.

Disadvantaged groups of women

23. In line with the Committee's previous concluding observations (paras. 41, 43 and 47), please provide information on the measures taken to:

- (a) Address unemployment affecting rural women, in particular mothers, the gender pay gap in the agricultural sector, and the limited availability of childcare facilities in rural areas;

- (b) Adopt legislative and policy measures to increase the protection of women and girls with disabilities;

(c) Adequately combat discrimination, harassment and violence against lesbian, bisexual, transgender and intersex persons, and ensure that every crime against them is promptly investigated, prosecuted and adequately punished, including if the perpetrator is a member of the security forces.

Marriage and family relations

24. Referring to the Committee's previous concluding observations (para. 49), please provide information on:

(a) The measures taken to adopt the legal amendments necessary to ensure the rights of women to marital property and their economic rights both during marriage and following its dissolution, including in cases of domestic violence and with regard to women in de facto unions, and of children born from such unions;

(b) Any cases of girls married before the age of 18 years.

Additional information

25. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and any other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous periodic report in 2016. Such measures may include recent laws, developments, plans and programmes, recent ratifications of human rights instruments or any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised herein, the State party will be expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.
