



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

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions prior to the submission of the eighth periodic report of Belarus\*

#### General

1. Please provide information and statistics, disaggregated by sex, on the current situation of women in the State party in all areas covered by the Convention. In the light of the Committee's previous concluding observations (CEDAW/C/BLR/CO/7, para. 2),<sup>1</sup> please indicate how the State party intends to improve the collection and analysis of such 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.

2. Please provide information on measures taken to ensure that women in the State party are aware of their rights according to the Convention and are able to invoke those rights, including through the lodging of complaints through the legal system when their rights have been violated. Please also provide information on cases brought before the courts on discrimination against women and the outcome of those cases, and indicate whether the Convention was invoked before the courts. Please provide information on efforts to give sufficient visibility to the Convention, its communication and inquiry procedures provided by the Optional Protocol and the Committee's general recommendations, in particular general recommendation No. 33 (2015) on women's access to justice, in order to make them an integral part of the training for judges, lawyers, prosecutors, police officers and other law enforcement officials.

#### Constitutional, legislative and institutional framework

3. With reference to the Committee's previous concluding observations (para. 11), please provide information on steps taken to introduce a specific law on gender equality or comprehensive anti-discrimination legislation, including a clear definition of discrimination against women, covering both direct and indirect discrimination

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*Note:* The present document is being circulated in English, French, Russian and Spanish only.

\* Adopted by the Committee at its sixty-second session (26 October-20 November 2015).

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations.



and prohibiting intersecting forms of discrimination against women. Please also provide information on whether a gender analysis was conducted to assess article 190 of the Criminal Code, article 14 of the Labour Code and recently adopted legislation and mainstream gender equality in State policy, and inform the Committee of the key outcomes.

#### **National machinery for the advancement of women**

4. Following the Committee's previous concluding observations (para. 15), please provide updated information on the current status and mandate, the financial, human and technical resources and the activities of the National Council on Gender Policy and the Department of Population, Gender and Family Policy of the Ministry of Labour and Social Welfare. Please also indicate whether the Department has the mandate and power to coordinate, monitor and evaluate government policies across all ministries at the national and local levels. Please provide information on whether the national action plan on gender equality is supported through targeted budget allocations and includes a monitoring system assessing its implementation. Please indicate whether the State party's national machinery for the advancement of women collaborates with civil society, including non-governmental organizations and associations of women's rights.

5. Please provide information on steps taken to establish an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), a women's rights ombudsman or any other specialized body with the authority to consider and issue opinions and make recommendations on complaints submitted by women alleging violations of their human rights, and about its competence to bring cases to court.

#### **Temporary special measures**

6. Please indicate whether any temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, have been adopted to accelerate the achievement of substantive equality of women and men. Please include information, including statistical data, on the inequalities that those measures are aimed at redressing and whether the measures are enforced and monitored, and on the results achieved.

#### **Stereotypes**

7. In its previous concluding observations (para. 17), the Committee reiterated its concern about the persistence of stereotypes concerning the roles and responsibilities of women and men in the family and in society and about reports that the media were portraying increasingly sexualized and commercialized images of women. Please provide information on the implementation and monitoring of measures taken since the consideration of the State party's previous report to counter stereotypical attitudes towards women and girls, including those who experience multiple forms of discrimination.

**Violence against women**

8. Following the Committee's previous concluding observations (para. 19) and the follow-up assessment ([CEDAW/C/BLR/CO/7/Add.1](#)), please provide information on the current status of the bill on prevention of domestic violence and additional information on its content, in particular whether it includes provisions relating to assistance, protection and compensation for victims. Please provide information on whether the provisions of the Criminal Code and the Criminal Procedure Code have been amended in order to criminalize marital rape and impose upon perpetrators appropriate penalties commensurate with the gravity of the crime. Please also indicate what measures have been taken to encourage women to report incidents of domestic and sexual violence.

9. According to article 31 of the Act on the Principles of Action to Prevent Offences, the order of protection prohibiting a perpetrator of domestic violence from locating, visiting or contacting the victim and requiring that the perpetrator temporarily move out of the residence shared with the victim is issued only with the written consent of the victim. Please provide information on whether the public prosecutor has a mandate to begin an ex officio prosecution in cases of domestic violence and issue protection orders without the consent of the victim. Please also provide information on measures taken to strengthen and further develop capacity-building tailored to judges, police officers and other law enforcement officials on violence against women and its causes and consequences. Please also indicate measures taken to apply alternative solutions to removing children from their mothers in dysfunctional families resulting from the abusive and irresponsible behaviour of fathers (para. 44).

**Trafficking and exploitation of prostitution**

10. With reference to the Committee's previous concluding observations (para. 21), please provide updated information on and indicate the content of the bill on countering trafficking in persons. The national report of the State party to the Human Rights Council indicates that the concept of "victim of human trafficking" has been incorporated into the legislation, and six constituent elements of trafficking in persons which render them criminally punishable have been defined (see [A/HRC/WG.6/22/BLR/1](#), paras. 138 and 139). Please provide detailed information on the content of the new provisions and indicate whether they are gender-sensitive. Please also provide information on measures taken to provide adequate assistance and protection to all victims of trafficking in persons and to increase the number of State-run shelters for victims, as well as on measures taken to improve the cooperation with and funding for non-governmental organizations that provide temporary shelter and rehabilitation and reintegration services for victims. Please provide information on measures taken to improve bilateral and regional cooperation to prevent women and girls from being trafficked, to ensure the protection of victims and to facilitate the prosecution of perpetrators.

11. Please provide information on the prevalence of prostitution in the State party and the legal framework that is applied to women involved in prostitution.

**Participation in political and public life**

12. Please provide updated information on the situation of women regarding their participation in political and public life, in particular in the National Assembly

(after the 2012 elections), the judiciary, the diplomatic service and in senior positions in the Government. Please provide information on specific measures, including temporary special measures, taken and programmes and civil service training implemented to promote the participation of women in political and public life, including recruiting, financially assisting and training women candidates, and indicate whether those measures include campaigns to raise awareness of the importance for society as a whole of the participation of women in decision-making and mechanisms for monitoring the impact of those measures. Please inform the Committee about the level of cooperation by the National Assembly with women's civil society organizations. Please also provide information on the level of women's participation in elections as voters.

13. In the light of the Committee's previous concluding observations (para. 25) and the follow-up assessment, please provide information on measures taken to ensure that complaints submitted by women about arbitrary arrests and detention, as well as cruel, inhuman and degrading treatment, in connection with the presidential elections of 2010 are promptly and effectively investigated, the public officials responsible for such acts are prosecuted and adequately punished and the victims obtain adequate compensation for any violations of their rights. Please also provide information on the cases of Irina Khalip, Natalia Radzina and Anastasia Polazhanko, as requested in the Committee's previous concluding observations and the follow-up assessment. Please provide information on measures taken to ensure adequate conditions and protection from violence and abuse for women in detention, in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

14. Please provide information on measures taken to lift the ban on activities of unregistered public associations (Law on Public Associations, art. 7, part 2) and decriminalize participation in such activities (Criminal Code, arts. 193 and 193.1). Please provide information on measures taken to review and amend registration procedures for public associations, including women's associations, and to create an enabling environment and ensure adequate funding opportunities for women's associations, including those advocating gender equality and promoting a women's human rights agenda.

### **Education**

15. Please provide information on measures taken to diversify academic and vocational choices for women and men and to encourage women and men to choose non-traditional fields of education and careers, and on measures taken to combat gender stereotypes at all levels of the education system. Please also provide information on whether any gender analysis and revision of educational materials were conducted and whether school curricula include age-appropriate education on sexual and reproductive health and rights. Please provide information on measures taken to strengthen women's positions in leadership roles in academic institutions and the progress achieved thus far.

### **Employment**

16. In the report submitted to the Human Rights Council, the State party acknowledges the persistence of the national average gender wage gap (women's earnings are 74 per cent of men's) (see [A/HRC/WG.6/22/BLR/1](#), para. 121). Please

provide information on any steps taken to ensure the principle of equal pay for work of equal value and on measures, including temporary special measures, taken to eliminate occupational segregation.

17. Following the Committee's previous concluding observations (paras. 31 and 33), please provide updated information on measures taken to adopt civil legislation defining, prohibiting and preventing sexual harassment in the workplace and shifting the burden of proof in favour of the victim. Please also provide information on measures taken to raise awareness about responsible fatherhood, men's participation in child-rearing and the equal sharing of domestic duties, as well as the awareness of employers and employees regarding flexible working arrangements.

### **Health**

18. Please provide information on the status of women's health, including sexual and reproductive health. Please also provide information on the prevalence of breast and cervical cancer and the measures taken to prevent those and other chronic non-communicable diseases that predominantly affect women, and on the percentage of the national budget allocated to combat those diseases. Please also indicate whether research has been conducted on the connection between the increase in oncological diseases and radiation in areas contaminated by the Chernobyl nuclear accident.

19. According to information before the Committee, the Ministry of Health in 2011 established a working group to develop a strategy on sexual and reproductive health. Please provide information on the current status and content of that strategy and the resources available for its implementation. Please also provide information on measures taken to address the high rate of abortion; to increase the accessibility, availability and affordability and raise awareness among women and girls of modern contraceptive methods and planning; and to facilitate access by women and girls to health services and reproductive health centres. Please also provide information on the health situation of women migrant workers, Roma women, older women, women with disabilities and women in detention.

20. Please indicate the HIV infection rate among women, including pregnant women, and whether treatment is available to all women living with HIV. Please also indicate whether the existing programmes to combat HIV and other sexually transmitted infections integrate a gender perspective, and provide information on initiatives undertaken to eliminate discrimination and stigma against women and girls living with HIV.

### **Rural women**

21. Please provide information and statistical data on the situation of rural women. Please provide information on any rural development strategy, including on how it incorporates a gender perspective and includes targeted support for rural women to increase their access to health, education, justice, employment, economic development initiatives and ownership of land, and promotes their participation in decision-making. Please also provide information on the extent to which rural women are aware of their rights under the Convention and whether there are information strategies to that effect in place.

**Disadvantaged groups of women**

22. With reference to the Committee's previous concluding observations (para. 41), please provide updated information and data on the human rights situation of older women, widows, migrant women, Roma women, women with disabilities, women belonging to minorities and lesbians with respect to education, employment, health-related issues and access to health services, as well as protection from violence.

23. In the light of the Committee's previous concluding observations (para. 39), please provide information on the measures, including temporary special measures, taken to improve the economic situation of women affected by poverty, female-headed households and women taking care of family members with disabilities or older family members. Please also provide information on measures taken to review and adjust the levels of social benefits to ensure an adequate standard of living for women and their families and ensure that all income generation and poverty alleviation programmes fully benefit women, according to their needs.

**Marriage and family relations**

24. The information before the Committee indicates that, in the event of divorce, marital property can be sold only if both spouses agree, including in cases of domestic violence. Please provide information regarding whether the provisions on the economic consequences of divorce for women, in particular on the division of property, are in line with the Committee's general recommendation No. 29 (2013) on article 16 of the Convention (economic consequences of marriage, family relations and their dissolution). Please provide information on the legislative measures taken or envisaged to protect the rights of women upon the dissolution of de facto unions. Please also provide information on whether gender-based violence against women in the domestic sphere is taken into consideration in judicial proceedings addressing children, such as child custody and visitation.

**Additional information**

25. Please provide detailed information on any new and relevant legislative, policy, administrative and other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous periodic report of the State party, in 2011. 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.