

Third periodic report

Belarus

(22nd session)

334. The Committee considered the third periodic report of Belarus (CEDAW/C/BLR/3) at its 460th and 461st meetings, on 28 January 2000 (see CEDAW/C/SR.460 and 461).

Introduction by the State party

335. The representative of Belarus noted that since the submission of the second periodic report in 1992, significant changes had occurred for women in Belarus in the context of economic and social transition. She emphasized the positive impact in Belarus of the outcome of the Fourth World Conference on Women and her country's elaboration and implementation of a national action plan for the period 1996-2000. She also noted the importance of implementing the Convention and other international documents and addressing issues of equality between women and men and indicated that the Government intended to sign the Optional Protocol to the Convention. Particular attention had been given to the areas of labour, decision-making, family and social protection, health, education, prevailing gender stereotypes and violence against women. Nonetheless, many obstacles related to the transition, and the insufficient understanding of gender issues by society had hampered efforts to achieve full equality between women and men and the implementation of the Convention.

336. Many legislative and policy changes had occurred and new alliances had been forged or strengthened between the Government, local authorities, the Parliament, women's groups, civil society and international organizations. Centres offering training and curricula in gender and women's studies had been created. The collection of gender-sensitive information and data had improved and numerous publications, awareness-raising campaigns and seminars had contributed to greater visibility and better understanding of gender equality issues by the public.

337. Violence against women had been recognized as a social problem. The 1997 Penal Code addressed violence against women in all its forms and included provisions relating to the protection of victims, witnesses and their families. In 1998, the first women's crisis centre had been established and awareness-raising campaigns, the provision of information and the publication of studies had been initiated. A forthcoming criminal code would strengthen regulations and penalties in cases of trafficking in persons, violations of equal rights of citizens and all forms of exploitation, including sexual exploitation and direct and indirect violence.

338. The representative stated that women's political participation at the highest decision-making levels remained low, with 4.5 per cent women in the national Parliament, only one woman cabinet minister and two women ambassadors, despite the attention given to the issue by policy makers. She noted that women's participation at the higher levels of administration, management, the judiciary and in local parliaments had increased, with the number of women reaching 37 per cent on average.

339. The representative noted that the difficulties of transition, including declining living standards and increasing daily workloads, as well as the aftermath of the disaster in Chernobyl, had had a negative impact on the health status of women and children. However, health care and medical institutions in all areas had been strengthened, with particular attention being given to prenatal, childbirth and childcare-related services and the provision of medication. Advice to mothers, including awareness campaigns to promote breastfeeding, was also provided. A national plan focusing on reproductive health, including family planning, was being developed. Special legal regulations, policies and programmes had been instituted to provide assistance to the victims of the Chernobyl disaster, including medical advice to pregnant women and mothers.

340. The restructuring of the economy, changes in the labour market and budgetary cuts in the social sphere, combined with the prevailing unequal distribution of domestic tasks between women and men, had been having a negative impact on women, who were among the most vulnerable social groups. There were cases when women were the first to be fired and the last to be hired in the changing labour market. Living standards, in particular for single mothers, women in low-income families, women with disabilities and elderly women, had decreased. Training courses in non-traditional areas such as management, marketing and auditing had been introduced to redress these factors and women also received financial and in-kind

assistance. Newly created jobs often included quotas for women and vulnerable groups and women occupied more than half of the 20,000 work places created in 1999. Special protective provisions were in place for pregnant women workers, women with children below 3 years of age and single mothers with children between the ages of 3 and 14. Cases of discrimination against female workers and of non-compliance with labour regulations by employers had been addressed through conciliatory means, or — in one third of the cases — in the courts.

341. The economic and social transition had been particularly difficult for rural women, whose living conditions, in general, were more difficult than those of women living in urban areas. Rural women's share of unremunerated work at home and on the farm was higher. Despite efforts to modernize agriculture and village infrastructures and to ensure proper educational, health and social services to women, progress remained insufficient.

342. Increased attention had been paid to women's roles as mothers and to the family and its needs, so as to increase its protection. Changes in legislation had brought assistance to families, in particular to single mothers with children. These included: additional financial resources for single mothers with a child below 18 months of age or a disabled child below 16 years; and assistance in kind to families with children with special needs, families with numerous children and children with HIV/AIDS. In view of the high rate of divorce affecting one family in two, the diminishing number of marriages and high number of orphans, legislative and policy measures had also addressed the needs of young families, education for family life, reconciliation of work and family life, social support services, human rights, including women's and children's rights, and the situation of orphans. Family-oriented policies, however, had been criticized by some feminist groups on the grounds that they overemphasized women's traditional roles in the family and weakened their position in the labour market, rather than supporting equal division of responsibilities between women and men in all spheres of life.

343. The representative informed the Committee that the creation of national machinery for the advancement of women had been recognized as a critical element for the implementation of gender and women-specific programmes and for meeting international commitments. The representative acknowledged that while Belarus still lacked sufficient financial resources, skills and public awareness to create fully functioning machinery, elements were currently in place in various sectors of the Government and in Parliament. They were responsible for data collection, development of indicators, monitoring the implementation of governmental policies and the elaboration of measures of assistance for women and children.

344. Among the practical steps taken by the Government to improve the situation of women were special programmes for gender education, practical activities for the elimination of violence against women, as well as close cooperation with UNDP, UNICEF and non-governmental organizations in the field of gender issues.

Concluding comments of the Committee

Introduction

345. The Committee expresses its appreciation to the Government of Belarus for submitting its third periodic report, which follows the Committee's guidelines and provided data disaggregated by sex. It notes the Government's efforts to provide written replies to the Committee's questions, which provided additional information on the current situation of women in Belarus and the status of implementation of the Convention and of the implementation of the Beijing Platform for Action.

346. The Committee commends the Government of Belarus for having sent a delegation headed by the Deputy Minister of Justice and including officials from the national machinery for the advancement of women. The Committee welcomes the open and constructive dialogue established between the State party and the Committee, which enabled the Committee to obtain a better understanding of the present situation of women in Belarus.

Positive aspects

347. The Committee commends the Government for the adoption, in 1996, of a national plan of action to improve the situation of women for the period 1996-2000 and of a national programme entitled "Women of the Republic of Belarus".

348. The Committee welcomes the efforts made to establish a national machinery for the advancement of women and to achieve equality between women and men. It appreciates the work undertaken by the Administration of Family and Gender Issues Section of the Ministry of Social Welfare and by the Centre for

Gender Information and Policy, which has been created within the framework of a project on women in the development process.

349. The Committee commends the Government for recognizing violence against women as a societal problem and for initiating legislation, establishing a crisis centre for victims of sexual and domestic violence and starting awareness-raising activities. It also commends the Government for recognizing trafficking in women as an emerging problem, requiring sustained attention.

350. The Committee notes that human rights education has been introduced into curricula, including teaching on the human rights of women. It also notes that gender education is being introduced at tertiary educational institutions.

351. The Committee commends the Government for recognizing the difficult economic situation women face in Belarus, in particular with regard to women's employment and the incidence of poverty among women. It also commends the efforts undertaken by the Government to alleviate the situation.

352. The Committee notes the Government's attempts to deal with the health impact of the Chernobyl disaster.

353. The Committee welcomes the Government's intention to sign, at an early date, the Optional Protocol to the Convention.

Factors and difficulties affecting the implementation of the Convention

354. The Committee considers that the negative effects of the ongoing transition of the country to a market-based economy and the resulting levels of women's unemployment and poverty are major impediments to the full implementation of the Convention.

Principal areas of concern and recommendations

355. The Committee is concerned that the absence of an enabling environment in the country prevents women from fully participating in all aspects of public life in accordance with articles 3, 7 and 8 of the Convention. The Committee is in particular concerned at the small number of women holding political and decision-making positions.

356. The Committee recommends that the Government take all necessary steps to ensure an open and enabling environment where women have equal opportunity to express their opinions and to participate equally in all aspects of the political process and in civil society organizations. The Committee notes that such an environment is necessary for the advancement of women and the full implementation of the Convention.

357. The Committee expresses its concern that no unified State policy is in place to eliminate discrimination against women and achieve equality between women and men. In particular, the Committee notes with concern that the Government predominantly uses an approach of service delivery to women rather than a human rights approach when implementing the Convention. In addition, such an approach emphasizes the protection of and the delivery of services to women mainly as mothers and members of families, thus perpetuating stereotypical attitudes concerning the roles and responsibilities of women.

358. The Committee urges the Government to reassess its overall policy towards women in a manner that recognizes women as individuals entitled to the realization of their human rights in accordance with the Convention. It calls on the Government, in its new national action plan to improve the situation of women in Belarus 2001-2005, to take a human-rights-oriented approach. It also urges the Government to ensure that its gender equality efforts target men as well as women.

359. The Committee expresses its concern that the country's legislation, in particular with regard to women's role in the labour market, appears to be overly protective of women as mothers and thus creates further obstacles to women's participation in the labour market.

360. The Committee calls on the Government to undertake a comprehensive legislative review so as to ensure that the full meaning of article 1 of the Convention is reflected in the country's Constitution and legislation. The Committee further urges the Government to create adequate remedies for women to obtain easy redress from direct and indirect discrimination, especially in the area of employment. It also calls on the Government to improve women's access to such remedies, including access to courts, by facilitating legal aid to women and embarking on legal literacy campaigns.

361. The Committee is concerned by the continuing prevalence of sex-role stereotypes and by the reintroduction of such symbols as a Mothers' Day and a Mothers' Award, which it sees as encouraging

women's traditional roles. It is also concerned whether the introduction of human rights and gender education aimed at countering such stereotyping is being effectively implemented.

362. The Committee recommends the training of teachers to strengthen capacity for human rights education in schools. It also recommends monitoring human rights education and gender studies with regard to the number of educational establishments offering such education, and also the impact of such education.

363. The Committee is concerned at the limited capacity of the national machinery to develop and support the implementation of a national gender equality policy to accelerate the implementation of the Convention.

364. The Committee urges the Government to strengthen the status, the human and financial resources as well as the capacity of the national machinery to gather and analyse data and information and to develop legislative and policy proposals in all areas covered by the Convention.

365. The Committee is concerned at the economic situation of women, which is characterized by poverty and unemployment, displacement of women from the labour market and even from sectors previously dominated by women. The Committee also notes with concern that re-employed women hold positions below their levels of education and skills. The Committee is also concerned that women are employed predominantly in low-paying jobs and that a wage gap between women and men persists. The Committee expresses its concern at the economic situation of particularly vulnerable groups of women, such as those with sole responsibility for families, older women and women with disabilities.

366. The Committee urges the Government to establish a legislative basis that ensures women equal access to the labour market and equal opportunities to work and to create protection against direct and indirect discrimination with regard to access and opportunities. It calls on the Government to implement unemployment policies targeted at women. In particular, it recommends measures to facilitate women's entry into growth sectors of the economy rather than into traditionally female-dominated employment. It calls on the Government to support women's entrepreneurship through the creation of a conducive legislative and regulatory environment and access to loans and credit.

367. The Committee is concerned that poverty is widespread among women.

368. The Committee calls on the Government to collect data and information on women living in poverty, disaggregated by age and according to urban and rural areas, to develop targeted policies and support services, and make efforts to prevent more women from falling below the poverty line.

369. The Committee is concerned that, although some efforts have been made, there is no holistic approach to preventing and eliminating violence against women, and punishing perpetrators.

370. The Committee calls on the Government to assess the impact of measures already taken to address the incidence of violence against women. It recommends addressing the root causes of violence against women, especially domestic violence, so as to improve the effectiveness of legislation, policies and programmes aimed at combating such violence. It also recommends that the legislation on violence against women be reviewed and strengthened. It further recommends that the Government put in place immediate means of redress and increase psychological counselling for victims, including for those women who are serving prison sentences. The Committee urges the Government to implement training and sensitization programmes for the judiciary, law enforcement officials and members of the legal profession, as well as awareness-raising measures to create zero tolerance in society with regard to violence against women.

371. The Committee expresses its concern about the increasing trend in trafficking for purposes of prostitution of Belarusian women, often under false pretences.

372. The Committee encourages the Government to increase its efforts, including through international and cross-border cooperation with recipient and transit countries, to prevent trafficking in women, attack its root causes through poverty alleviation and assist its victims through efforts of counselling and reintegration.

373. The Committee expresses its concern with regard to women's health throughout the life cycle.

374. The Committee urges the Government to maintain adequate and affordable physical and mental health services for women throughout their life cycle, including for older women. In particular, the Committee urges the Government to increase affordable contraceptive choices for women and men so as to increase the use of contraception. It also urges the Government to review its occupational health and safety legislation and standards, with a view to reducing protective standards, which often have a discriminatory effect on women in general and pregnant women in particular. It further recommends the collection of data on illnesses affecting women more than men and the monitoring of HIV/AIDS prevalence among women. The Committee also recommends further efforts by the Government to address the effects on women and children of the Chernobyl disaster, availing itself of international humanitarian assistance.

375. The Committee encourages the Government to accept the amendment to article 20, paragraph 1, of the Convention concerning the time of meetings of the Committee.

376. The Committee encourages the Government to sign and ratify the Optional Protocol to the Convention.

377. The Committee requests that the Government respond in its next periodic report to the specific issues raised in these concluding comments. It also requests the Government to improve the collection and analysis of data and statistics disaggregated by sex and age in the areas of poverty and violence against women, and relating to articles 10, 11, 12 and 14 of the Convention, and to provide them in the next report. It further requests the Government, in its next report, to provide an assessment of the impact of measures taken to implement the Convention.

378. The Committee requests the wide dissemination in Belarus of the present concluding comments, in order to make the people of Belarus, particularly Government administrators and politicians, aware of the steps that have been taken to ensure de jure and de facto equality for women and the future steps required in that regard. It also requests the Government to continue to disseminate widely, in particular to women's and human rights organizations, the Convention and its Optional Protocol, the Committee's general recommendations and the Beijing Declaration and Platform for Action.