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**Committee on the Elimination of Discrimination
Against Women**
Pre-session working group for the thirtieth session
12-30 January 2004

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

Belarus

Introduction

1. The pre-session working group examined the combined fourth, fifth and sixth periodic report of Belarus (CEDAW/C/BLR/4-6).

**Constitution, legislation, and national machinery for the
advancement of women**

2. What is the legal status of the Convention within the national legislation? Does it have precedence in case of conflict between a national law and the provisions of the Convention? Have the provisions of the Convention been invoked in national litigation? The Constitution does not seem to explicitly prohibit discrimination on the basis of sex. Please provide further information on the prohibition of direct and indirect discrimination based on sex and on the implementation of the constitutional principle of gender equality (Article 32 of the Constitution). Please provide specific steps taken by the Government to implement the Committee's concluding comments of January 2000,¹ including information on court cases, if any, that have been filed by women who faced discrimination. Please also provide information on whether any prosecutions have been made under article 190 of the Criminal Code.

3. Please describe the process by which the combined report was prepared, including the responsible structures. Was the report adopted/endorsed by the Government/Parliament? Were consultations with NGOs conducted?

4. The report states (page 11) that "the implementation of State policy aimed at eliminating gender inequality depends to a great extent on the capacity of the national machinery". What is the relationship between the various structures of the national machinery for the advancement of women listed in the report, particularly

between the Department for Family Policy and Gender Issues and the National Council on Gender Policy (page 11)? Describe the competencies as well as the effectiveness and outcomes of the programmes and activities carried out by the National Council on Gender Policy. What financial and human resources are available for the Council? Considering the small staff of the Department for Family Policy and Gender Issues, what is its capacity to gather and analyse data and information, and to develop legislative and policy proposals in all areas covered by the Convention?

5. Please provide information on the progress made in the implementation of the national plan of action for gender equality for the period 2001-2005. Describe in particular how the plan reflects a human-rights-oriented approach, as called for by the Committee in its previous concluding comments. What measures have been taken to involve men in efforts to ensure gender equality, as was suggested by the Committee in those concluding comments?

6. The report states (page 71) that neither draft legislative and regulatory texts nor the legislation in force are informed by the requisite gender expertise. What measures have been taken by the Government to address this problem?

Political participation and decision-making

7. The report states that women continue to be underrepresented at the decision-making level in executive and legislative bodies and cites the insufficient development of women's leadership qualities and motivation to hold leadership posts, as well as the persistence of traditional attitudes to women's role in society as causal factors (page 27). What measures have been taken by the Government to overcome these problems? Has the Government considered introducing any temporary special measures, in accordance with article 4.1 of the Convention? In regard to the data provided on page 27 of the report on women's employment in ministries, please provide information on the different occupations and levels of employment women hold within those ministries, the civil service and the diplomatic service. Also provide the percentage of women in the political parties that are represented in Parliament, and information on the number of women holding high office in the public and private sectors.

8. Are rural women represented in policy and decision-making processes and bodies involved with rural development?

Violence against women

9. Please provide specific information on the steps taken by the Government to implement the Committee's concluding comments of 2000, in particular paragraph 370.² The report states (page 10) that the new Criminal Code now stipulates criminal responsibility for the following offences: rape; violent acts of a sexual nature; sexual intercourse and other acts of a sexual nature with a person who has not attained 16 years of age; sexual molestation and coercion into acts of a sexual nature. Please provide further information on these provisions, including details on evidentiary requirements and penalties. Is marital rape a criminal offence?

10. Please provide data, if available, on the incidence of, and trends in violence against women, including rape and domestic violence. Please provide information on the number of prosecutions that have been brought against perpetrators of violence against women and the sentences imposed. Please provide further information on the measures taken to train the police, the judiciary and health and education providers on violence against women, including domestic violence. What awareness-raising measures are being taken to encourage women to report such violence to the relevant authorities?

11. With regard to domestic violence, have any steps been taken towards enacting specific domestic violence legislation? If so, please provide details.

Trafficking and prostitution

12. Provide data, if available, on the number of women and young girls engaging in prostitution and, in particular, street prostitution throughout Belarus. What measures have been taken by the Government to address this issue? Have any programmes been introduced to give women and girls in prostitution options for education, employment, social assistance and health protection? Please describe legal regulations of prostitution. Is prostitution criminalized?

13. Provide data, if available, on the numbers of women and girls who are trafficked for purposes of prostitution to Belarus. Provide data, if available, on the numbers of women and girls who are trafficked for purposes of prostitution from Belarus.

14. The report states (page 18) that the new Criminal Code introduces criminal responsibility for trafficking in persons, including trafficking for the purpose of sexual or other exploitation. Please provide data on how many prosecutions have been brought against traffickers under this law and what were the results in terms of convictions and sentences. Describe the protective measures and visa permits that are in place with regard to witnesses and victims of trafficking.

15. Please provide information on support and assistance programmes for victims of trafficking, as was also suggested in the Committee's concluding comments of 2000.³ Please also describe the impact of the measures already taken, as described in page 18 of the report.

16. Please provide further information on the implementation and outcomes of the activities implemented under the various programmes cited in the report, including the State Programme to intensify crime control for the period 2001-2003 and the National Programme of comprehensive measures to prevent traffic in persons and prostitution for the period 2002-2007.

Stereotypes and education

17. The report states (page 17) that, in accordance with the national plan of action for gender equality for the period 2001-2005, measures are being taken to review school curricula in order to tackle gender stereotypes. Please provide further information on these measures, including their effectiveness and impact. The report mentions courses on gender issues that were introduced at the country's four upper educational institutions and a master's degree course in women's leadership

(page 17). Is there information available about the number of women and men that take these courses?

18. Please provide information disaggregated by sex on the dropouts from school. What is the situation of pregnant teenagers? Are they allowed and assisted to go on with their studies?

19. What measures have been taken to encourage women to pursue non-traditional studies and careers, particularly in the technology specializations, in institutions of higher education? Have any measures been taken to increase the number of women at senior levels, including deans and heads of departments, in institutions of higher education? Please provide sex-disaggregated data on the percentage of women in this regard. Are there any efforts to attract men to the teaching professions in general education schools where women are the overwhelming majority in many categories, as shown in the table on page 39 of the report?

20. Do the media and advertisements reflect stereotypical images of women mainly related to motherhood and housewife status, or that of women and girls seen as sex objects? Provide information on the measures taken to address gender stereotypes in the media.

Employment and rural women

21. Please describe specific action taken by the Government in response to the Committee's concern that the country's legislation, in particular in regard to women's role in the labour market, appeared to be overly protective of women as mothers, thus creating further obstacles to women's participation in the labour market.⁴ The report notes that chapter 19 of the Labour Code covers "the specific details of regulating work by women and workers with family responsibilities". This section of the Code appears to be relevant mainly for women. Please provide information on types of restrictions of women's access to certain types of work. How does the Government encourage the sharing of family responsibilities between women and men, or fathers and mothers? Has the Government undertaken any studies to determine the causes why it is difficult for women, especially mothers, to compete in the labour market?

22. The report states (page 13) that the national plan of action for gender equality for the period 2001-2005 contains measures to address female unemployment, combat the feminization of poverty and expand economic opportunities for women. Please provide further information on the implementation and impact of these measures.

23. Please provide further information on measures that have been taken to address discrimination against women in the area of employment, both in the public and private sectors, including vertical and horizontal employment discrimination, and discrimination in pay. Please provide information on how the principle of equal remuneration for men and women workers for work of equal value is endorsed. Please indicate any employment discrimination actions that have been brought before courts or other bodies and the outcomes of those actions. Also indicate whether there are any cases where women have sued potential employers for refusal to conclude an employment contract. What is the percentage of women working part-time as compared with men?

24. Has the Government introduced measures to address sexual harassment in the workplace? Have there been any legal actions on sexual harassment in the workplace?

25. Have fathers taken parental leave under the Labour Code? What measures are being taken to encourage men to take parental leave?

26. Please provide information about rural women's property/leasehold rights, as compared with men's. Describe in particular the practical realities for rural women in this respect.

Health

27. Has the trend towards decreasing life expectancy for the population stabilized or reversed? What measures have been taken to reduce the high morbidity rate among pregnant women and newborns?

28. Has the Government taken measures to promote the use of family planning and contraception among women and men, including adolescents, in urban and rural areas? Have any measures been taken to increase the accessibility and availability of all kinds of contraception, as recommended by the Committee in its previous concluding comments?⁵ Have any measures, including educational campaigns, been initiated to address the high abortion rate and to raise awareness of the negative impact of repeated abortions on health? Are there any programmes specifically targeted towards adolescents to prevent teenage pregnancies?

29. Please provide information on research and studies on the long-term impact of the Chernobyl accident on women's health.

30. The report states (page 40) that the National Plan of Action for gender equality for the period 2001-2005 contains measures for the protection of reproductive health, including broadening the range of family-planning services, sex education for young people and preventing sexually transmitted diseases. Please provide further information on these measures, including information on their implementation and outcomes.

31. The report states (page 51) that sexually transmitted diseases, including HIV/AIDS, account for some of the most widespread reproductive health problems. Please provide statistical data on women and girls affected by HIV/AIDS. What measures have been taken to reduce the incidence of sexually transmitted diseases, particularly syphilis and HIV/AIDS, among women and young girls?

Roma women and migrant women

32. A report by the independent expert on human rights and extreme poverty, submitted to the Commission on Human Rights at its fifty-seventh session (E/CN.4/2001/54, para. 96 (d)), indicated that Roma people are among the most vulnerable population sectors in Belarus. Please provide disaggregated data on information on the economic, employment, health and educational situation of Roma women, and on their participation in decision-making at all levels, as well as on the measures taken to improve their situation.

33. The above-mentioned report also indicated that poor migrants from Asia were arriving in Belarus in large numbers. Please provide disaggregated data and information on the situation of migrant women in Belarus with regard to their employment, social security and health rights. What is the legislative framework governing the status of migrants in Belarus?

Older women

34. The report states (page 50) that women's reproductive health during the fertile years has traditionally been accorded priority in Belarus and that measures have recently been implemented to extend women's health services to cover their entire life cycle. Provide information on these measures, in particular, information on what social and health-care services are available to older women. Please provide information on the health situation of older women.

35. Provide information on the economic and social security situation of older women.

Optional Protocol and amendment to article 20, paragraph 1

36. The report states (page 69) that steps are being taken to permit Belarus to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Please indicate any progress made with respect to ratification or accession of the Optional Protocol.

37. Please provide information about the State party's intention to accept the amendment to article 20, paragraph 1, of the Convention concerning the Committee's meeting time.

Notes

¹ See *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 38 (A/55/38)*, Part one, para. 360.

² See *ibid.*, para. 370.

³ See *ibid.*, para. 372.

⁴ See *ibid.*, para. 359.

⁵ See *ibid.*, para. 374.