



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

Distr.: General
7 November 2016

English only

**Committee on the Elimination of Discrimination
against Women**
Sixty-fifth session

Summary record (partial)* of the 1440th meeting

Held at the Palais des Nations, Geneva, on Friday, 28 October 2016, at 3 p.m.

Chair: Ms. Hayashi

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Eighth periodic report of Belarus (continued) (CEDAW/C/BLR/QPR/8; CEDAW/C/BLR/8)

1. *At the invitation of the Chair, the delegation of Belarus took places at the Committee table.*

Articles 7 to 9 (continued)

2. **Ms. Kukharevich** (Belarus), replying to questions asked by Ms. Haidar at the previous meeting (CEDAW/C/SR.1439), said that the figures in paragraph 142 of the report, concerning the share of women employed in the legislative, executive and judicial branches of government, were accurate. There were also a number of women trade union leaders, heads of higher educational institutions and senior diplomats. Two of the 48 foreign service officers with the rank of ambassador and 2 of the 9 officers with the rank of consul general were women.

3. **Ms. Mauchun** (Belarus) said that all non-governmental organizations (NGOs) had equal opportunities to apply for foreign funding. Projects under US\$ 10,000 were registered with the Department of Humanitarian Affairs under the Office of the President. For amounts of more than US\$ 10,000, a project had to be registered with the Ministry of Economic Affairs. In order to register a project, an organization had to demonstrate that the project it was seeking funding for was in line with its statutory purposes. When registration was denied, it was usually because the information provided by the applicant was unreliable or incomplete.

4. **Ms. Shchotkina** (Belarus) said that there might be relatively few NGOs, but the quality of their work should not be ignored. While it was in the interest of the Government to have a robust civil society, those organizations also had to produce results.

5. **Ms. Haidar** said that the foreign service was an example of an area where temporary special measures could be applied in order to boost the representation of women. It would be more useful for the Committee to receive figures on women in decision-making positions rather than in the civil service as a whole. She recalled that it was the State's responsibility to create an enabling environment for civil society organizations to flourish and serve the public interest.

6. **Ms. Shchotkina** (Belarus) replied that, while the number of women in the foreign service might appear low, it had been rising over the past five years. It was important to balance the growth of civil society organizations with security concerns, but the Committee's recommendations would nonetheless be taken into consideration.

Articles 10 to 14

7. **Ms. Gbedemah** said that she wished to commend the State party on its school completion rate. Regarding gender stereotypes in education, she asked what the results had been of the gender education initiatives described in paragraphs 71 to 80 of the report, and whether they had been assessed. She said that the introduction of gender education was an excellent step but it would be useful to have more specific details of the content of the measures taken to incorporate the gender perspective into the education system and media. She invited the delegation to comment on apparent discrepancies between the efforts to reduce gender segregation in education and the labour market and girls' real educational choices and on reports that some State institutions of higher education had stricter

admission criteria for women than men. Lastly, she pointed out that there had been no reply to paragraph 15 of the list of issues on measures taken to encourage women and men to choose non-traditional fields of education and careers and to strengthen women's positions in leadership roles in academia.

8. **Mr. Bruun** pointed out that, despite the State party's claims, there did not seem to have been any measurable progress on narrowing the gender pay gap. The rationale behind the list of professions in which female work was prohibited was paternalistic, and the list could be reduced considerably by limiting the ban to work where there were legitimate fears for women's safety, for example in case of pregnancy. He invited the delegation to comment on reports that over half of all women had experienced sexual harassment in the workplace, that most women were asked questions about their marital status and family plans during job interviews and that mothers often faced dismissal upon return from maternity leave. He asked what steps were being taken to ensure that minority women, especially Roma women and women with disabilities, had access to the labour market. He would also appreciate clarification of the presidential decree of April 2015 on social dependency, known as the "social parasite law", which had a disproportionate effect on women. The law imposed a financial penalty on non-working parents caring for children between the ages of 7 and 18 even if one of the persons was employed.

9. **Ms. Arocha Domínguez** said that the system of benefits to induce couples to have children should be re-evaluated to take into account their potential effects on women and families. Noting with concern that anti-abortion campaigns in the State party were focused on the right to life of the fetus, she wondered whether the pre-abortion counselling provided to pregnant women in Belarus might not be used to lay blame on women seeking abortions and prevent them from terminating their pregnancies. In the light of the fact that there were disproportionately more boys than girls under 4 years of age, she asked whether sex selective abortions were practised. Given the growing rate of HIV infections, she wished to know what specific strategies were in place to prevent the spread of the virus among young people. Lastly, she would be interested in hearing about what was being done to ensure that Roma women and women with disabilities had ready access to health services.

10. **Ms. Shchotkina** (Belarus) said that girls and boys were free to choose their courses of study, for example between carpentry and sewing, and that men tended to be less interested in a career in education because wages were lower than in other sectors. Refugees, migrants and the Roma had the same rights and access to education and health care as Belarusians. The gender pay gap was narrowing, but part of the issue was that women were employed in greater numbers in the public sector, where salaries were dependent on government revenue and the budget. Failure to hire a woman on the grounds of pregnancy was considered discrimination and female employees with children under 5 could not be dismissed. Fathers who remained home to care for children could also receive benefits. Everyone had equal access to employment provided that they had the requisite qualifications.

11. **Ms. Bohdan** (Belarus) said that women were free to choose how many children they wished to have and whether to terminate a pregnancy. Counselling was mandatory before an abortion, however, and that policy, implemented in cooperation with NGOs, had led to the birth of 600 babies who would otherwise have been aborted. Some 50 methods of contraception were available, and a 2012 study had shown that nearly all women were informed about contraceptives. One quarter of women of reproductive age used oral contraceptives, a quarter used intrauterine devices and other similar types of birth control and another quarter used the entrenched traditional practice of coitus interruptus. Low-income women could receive contraceptives free of charge. The sex ratio at birth was no higher than the average worldwide. The infant mortality rate for boys and girls was the same. Abortion was permitted up until twelve weeks of gestation. Sex selective abortions

were not permitted; besides, ultrasound scans were first performed only after the eleventh week of pregnancy, when the sex of the child could not be determined. Women who had abortions, therefore, did not know the sex of the fetus. Minors could undergo an abortion only with the permission of a parent or guardian. The number of abortions requested by minors had been halved over the past five years.

12. **Ms. Labkovich** (Belarus) said that the introduction of a gender perspective into the education system had proved effective in combating gender stereotypes in Belarusian society. Secondary school students were introduced to gender issues and the principles of gender equality through textbooks and other teaching materials designed or revised by experts in that field. A special council composed of parents and teachers had been created to provide input into the content and to help oversee the preparation of those resources. Moreover, a strategy for mainstreaming gender issues in school curricula had been approved by the Ministry of Education. A gender component had also been included in teacher training programmes in an attempt to improve teachers' knowledge and understanding of gender issues. Secondary school students learned about different aspects of sexual and reproductive health depending on their age. Some of the topics covered included the reproductive systems of men and women, human development, pregnancy and sexually transmitted diseases. A number of optional courses on family and gender issues were also offered to older secondary school students.

13. **Mr. Karazei** (Belarus) said that there was no pay gap between male and female law enforcement officers and that salaries were determined by the grade and/or position held by the individual in question. Despite being largely outnumbered by their male counterparts, female police officers were also trained in higher educational establishments of the Ministry of Internal Affairs. In addition to statutory maternity leave, female police officers with small children could refuse to work at night and at weekends. It had been shown that women were no less capable of serving as police officers than men and performed their duties just as well as their male counterparts. Many women had occupied positions of responsibility within the various agencies of the Ministry of Internal Affairs.

14. Regrettably, the Criminal Code did not cover all the situations in which sexual harassment could occur, including the workplace. To remedy that situation, a bill to prevent and combat domestic violence and sexual harassment was being prepared as part of a technical assistance project involving the United Nations Population Fund. The text of the bill would draw upon article 40 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), which called upon States to take the measures necessary to criminalize and punish sexual harassment.

15. **Ms. Labkovich** (Belarus) said that the criteria for admission to schools were the same for both girls and boys. The education authorities were responsible for monitoring the content and implementation of curricula and teaching programmes. Any refusal or failure by teachers to cover compulsory topics was unacceptable and subject to penalties. Boys and girls attended classes together to acquire basic skills relevant to the labour market before specializing in a given area. The Government was aware of the problems associated with the feminization of certain occupations, including education occupations, and was taking steps to encourage more women to specialize in non-traditional areas.

16. **Ms. Bohdan** (Belarus) said that Belarus was committed to achieving the HIV and AIDS treatment targets set out in the document entitled "90-90-90: An ambitious treatment target to help end the AIDS epidemic" prepared by the Joint United Nations Programme on HIV/AIDS (UNAIDS). It was hoped that, by 2020, 90 per cent of all persons living with HIV in Belarus would know their status, 90 per cent of all persons diagnosed with HIV would receive sustained antiretroviral therapy and 90 per cent of all persons receiving antiretroviral therapy would have viral suppression. There was expected to be an increase in

the number of HIV cases detected as a result of the Government's efforts to improve its testing procedures. At present, some 50 per cent of persons with HIV and AIDS were receiving treatment. In 2016, it had been confirmed that mother-to-child transmission of HIV had been eliminated. The Government continued to fund HIV tests and treatment for pregnant women and their children. Antiretroviral drugs were prescribed to persons infected with HIV to reduce the risk of them transmitting the virus to their partner. Other forms of treatment were funded from the State budget or, in some cases, by the Global Fund to Fight AIDS, Tuberculosis and Malaria. Non-governmental organizations ran a number of anonymous consultation centres for female sex workers and men who had sex with men, where they provided counselling and HIV testing services, distributed condoms and needles to sex workers who were injecting drug users and organized support groups for persons living with HIV.

17. Persons with disabilities were entitled to receive State-funded medical care. Roma who resided permanently in Belarus were entitled to medical care on an equal footing with Belarusian citizens and other foreign nationals legally resident in the country.

18. **Ms. Gbedemah** said that it would be useful to receive statistical data, disaggregated by gender, on admissions to the Military Academy and to similar State higher educational establishments for the previous five years. She asked in what form education on gender issues and gender equality was dispensed in schools and how its implementation was monitored, what temporary special measures had been put in place to encourage women and girls to study non-traditional subjects and to seek employment in non-traditional sectors and what steps had been taken to remove the barriers preventing women and girls from accessing better paid skilled jobs.

19. **Mr. Bruun** asked how the State party ensured that the presidential decree requiring unemployed persons to pay a fine did not have a disproportionate impact on non-working mothers who did not meet the criteria for an exemption. The Committee was of the view that, as Belarusian employers were committed to hiring the best qualified person for a given job, regardless of his or her gender, there was no need for them to ask women questions about their marital status, family life and childcare arrangements, as such details were irrelevant.

20. **Ms. Shchotkina** (Belarus) said that the Government agreed that such questions should not be raised during the recruitment process and would continue to work to ensure that such processes were fair. Labour contracts included a clause stating that the employer had no right to interfere in the private life of his or her employee.

21. The aim of the aforementioned presidential decree, which had not yet entered into force, was to encourage non-disabled persons to work and to fulfil their constitutional obligation to contribute to State expenditure, and to reduce dependency on State benefits. As the State provided free education and health care and subsidized utilities and transport, it was only natural that persons other than those who enjoyed tax exemptions — such as persons with disabilities or persons raising young children — should make some payment in return for access to those services. Discussions were under way to extend a tax exemption to parents caring for children up to the age of 14. The decree was not intended to discriminate against women.

22. **Ms. Labkovich** (Belarus) said that the education authorities were responsible for monitoring the content of textbooks and the implementation of curricula and teaching programmes. A higher monitoring authority could intervene in the event of serious concerns or shortcomings being identified. Most higher educational establishments offered both daytime courses for new students and correspondence courses for professionals who were interested in upgrading their skills. During the 2016/17 academic year, some 790 women had been admitted to the Academy of the Ministry of Internal Affairs, the vast

majority of whom followed correspondence courses; 12 women had been admitted to the Military Academy; and some 170 women had been admitted to the State Academy of Aviation, the vast majority of whom attended daytime courses. A number of women were also pursuing master's degrees at the Academy.

23. **Ms. Zou** Xiaoqiao asked whether women, particularly rural women, faced any legal or practical barriers to obtaining bank loans and other forms of credit and, if so, what measures had been taken to remove those barriers. The delegation should also provide statistical data on the number of bank loans granted to men as compared to women.

24. In its previous concluding recommendations (CEDAW/C/BLR/CO/7), the Committee had expressed concern over the feminization of poverty, particularly among women with more than two children, female-headed households, women taking care of family members with disabilities or older family members and rural and older women, and the fact that the family and social benefits provided to impoverished women were too low to guarantee them and their families an adequate standard of living. On that occasion, the Committee had called upon the State party to make greater use of temporary special measures to improve the economic status of women affected by poverty, to regularly review and adjust social benefits to ensure that they guaranteed women and their families an adequate standard of living and to ensure that all income generation and poverty alleviation programmes catered fully to women's needs. The delegation should outline the measures taken to give effect to those recommendations.

25. A combination of factors, such as lower wages at the time of retirement, fewer years worked and a lower retirement age, served to drive down the value of many women's pensions, exposing them to a high risk of poverty. Furthermore, time spent raising children or caring for family members with illnesses or disabilities, which were tasks that mainly fell to women, did not count as pensionable service. She asked what measures had been taken to address the disproportionate impact of the current retirement and pension policy on women and whether there were any plans to review it in the future.

26. The paucity of statistical data on rural women, disaggregated by sex, age and profession, made it extremely difficult for the Committee to assess their situation. In particular, it would be helpful to know what proportion of rural women worked on and/or owned a farm and what proportion of rural women were self-employed. She would also welcome information on the general living conditions of rural women in Belarus, particularly in terms of housing, sanitation, access to utilities, public transport and communications services, and on the measures in place to guarantee rural women access to health care, education and justice. The Committee had received reports that, in rural areas, women often struggled to reconcile work and family responsibilities, as the level of coverage of preschool education remained very low. In addition, rural women who worked in collective or State-owned farms were paid less than their male counterparts and were underrepresented in decision-making positions. She asked whether the State party planned to open additional preschool education facilities to help rural women reconcile their work and family responsibilities more effectively, to remedy the gender pay gap persisting in the agricultural sector and to promote the participation of rural women in decision-making processes at the community level on an equal footing with men. It would also be useful to hear more about the landownership system in Belarus, particularly whether women were entitled to own land in their own name. Lastly, she asked whether the State party had put in place any programmes for the economic empowerment and/or professional development of rural women.

27. **Ms. Schulz** said that she would be grateful if the delegation could comment on reports that women in detention faced difficulties in meeting with their lawyers. Noting with concern that women with disabilities might experience pressure to consent to abortion and might automatically have their children removed from them, she asked what support

the State party offered to women with disabilities to enable them to raise their children and whether decisions on the removal of children were taken on a case-by-case basis. The Committee was alarmed by the homophobic climate in the State party and concerned that the law on the protection of children from harmful information could be used to harass lesbian, bisexual and transgender (LBT) women. She would be interested to hear about any measures to promote respect, tolerance and non-discrimination of LBT women. She invited the delegation to comment on reports that NGOs dealing with LBT issues had been unable to be officially registered and had been exposed to police scrutiny and threats.

28. **Ms. Shchotkina** (Belarus) said that there was no need to adopt special measures to protect LBT women since everyone in Belarus enjoyed equal rights and treatment. With regard to women with disabilities, each individual case had to be considered individually. There was a case, for example, in which a child was being brought up in a family where both parents had severe disabilities, thanks to support from social workers and childcare professionals paid for by the State. Belarus had ratified the Convention on the Rights of Persons with Disabilities.

29. **Ms. Baturytskaya** (Belarus) said that article 83 of the Penal Enforcement Code provided that, at their request, prisoners were granted meetings with lawyers or other persons entitled to provide legal assistance. There were no restrictions on the number and length of such meetings. However, they must be held at a time when the prisoner was not working during regular hours. The meetings could be held in the presence of an officer of the prison institution if the prisoner so wished but were usually conducted on a one-to-one basis. Inmates could also give a third person a power of attorney to represent their interests outside the prison. The delegation was not aware of any cases in which a detainee had been prevented from being visited by a lawyer. If such a situation were to arise, the lawyer could bring a case before the courts.

30. **Mr. Karazei** (Belarus) said that suspected and accused persons had the right to a defence counsel from the moment that they were informed that criminal proceedings had been instituted against them. They had the right to have unhindered, confidential contact with their defender on a one-to-one basis, without any limitation on the length or frequency of meetings.

31. **Ms. Kukharevich** (Belarus) said that, over the past five years, poverty had been significantly reduced, and the level of poverty among women was now lower than among men. In urban areas, the poverty rate among women was 3.6 per cent, compared to 4.3 per cent among men; in rural areas, the figures were 8.1 per cent and 9.7 per cent, respectively. Data disaggregated by sex and region did exist. There were some 1.1 million women living in rural areas, making up 52 per cent of the rural population. The number of people living in rural areas had decreased in recent years as a result of the process of urbanization. Life expectancy for women in rural areas had increased to 76.6 years, and the gap between life expectancy in rural and urban areas was narrowing. The birth rate in rural areas was also decreasing. Improvements had been made in the provision of preschool education, and there were now 100 preschool places for every 97 children in rural areas. Children in villages without preschool facilities were transported by bus to nearby schools. Coverage had increased to 67 per cent of children of preschool age.

32. The employment rate among rural women was 62 per cent, and had been growing steadily in recent years. In rural areas, significantly more women than men completed higher education. Half of women living in rural areas had children under the age of 18, and 13 per cent had three or more children. The National Statistical Committee had conducted a survey, which showed that the proportion of rural women living in poor living conditions was half that of urban women. Women in rural areas had twice as much living space as women in cities, but the standard of housing in rural areas was not as good. However, over the past five years, the number of rural women living in homes with central heating and

indoor bathrooms had increased considerably. The number of rural women with access to the Internet was also on the rise. Women in rural areas did 74 hours of work per week, taking into account both paid and unpaid work, which was 4.5 hours more than urban women. Eighty-seven per cent of respondents in rural areas reported enjoying good or satisfactory health.

33. **Ms. Shchotkina** (Belarus) said that there were also private kindergartens for families that did not wish to send their children to nearby villages. The retirement age for women was 55 compared to 60 for men. Early retirement was available for certain categories of workers, such as women working with livestock or in the textile industry. Overall, the pension gap between men and women was 3 per cent. The Government had set the target that the average pension should not be less than 40 per cent of the average salary. The social pension, which was paid regardless of whether a person had worked or not, was 50 per cent of the minimum wage. Under the contributions-based pension system, women with many children or children with disabilities must have paid contributions for 5 years, compared to 15 years for other women. When the possibility of increasing the retirement age for women had been raised, the women consulted had not been in favour, although the men had. The gap therefore remained for the time being. Refusal of employment or dismissal of persons who had reached retirement age was considered discrimination under the Labour Code. If a person continued to work after retirement age and did not apply for a pension, the amount of their pension was increased for every year for which it was not received. Thus, if a woman worked for five extra years without receiving a pension, her pension level was automatically increased by a substantial amount. There was targeted social assistance for persons who, for justifiable reasons, could not earn an adequate income.

Articles 15 and 16

34. **Ms. Nadaraia** said she was concerned that women who lacked legal capacity due to mental or intellectual disabilities were excluded from decisions on family matters, such as starting a family, and that the existing legal framework failed to take account of degrees of actual impairment. The Committee remained concerned that Presidential Decree No. 18 of 24 November 2006 authorizing the removal of children from dysfunctional families could re-victimize women with children living in abusive partnerships. The fact that, in cases of divorce, marital property could only be sold if both spouses agreed, even in cases of domestic violence, was dangerous and unacceptable. She would be interested to know whether domestic violence against women was taken into consideration in legal proceedings concerning the division of property and whether research had been conducted on the economic consequences of divorce on both spouses and on gender-based economic disparities between spouses. She would welcome information on the protection of women's rights upon the dissolution of de facto unions.

35. **Ms. Shchotkina** (Belarus) said that men and women had equal access to credit and loans, the only criterion being the solvency of loan applicants. Disaggregated data were not available due to banking secrecy. Presidential Decree No. 18 did not apply to persons with disabilities, all of whom received support from social workers and additional benefits. It applied to socially dangerous situations involving persons with alcohol and substance abuse problems, for example. With regard to the distribution of marital property, it should be borne in mind that women often had higher incomes than men and were therefore not economically dependent on their spouses. The National Council on Gender Policy was interested in exploring the reasons for the country's high divorce rate, and the National Statistical Committee would conduct a study on the subject.

36. **Ms. Bohdan** (Belarus) said that sex reassignment surgery was permitted in the State party. In the past five years, 89 persons had received permission to change their sex, but only 33 of them had proceeded with the operation.

37. **Ms. Schulz** said she would appreciate clarification of the status of the Convention on the Rights of Persons with Disabilities in Belarus — had it actually been ratified?

38. **Ms. Shchotkina** (Belarus) said that the Convention had been ratified just that month. She was grateful to the Committee for its questions and comments, which would serve as the basis for the State party's future work. Belarus would pursue its efforts and looked forward to being able to report further progress to the Committee in five years.

39. **The Chair** said that she wished to thank the State party for the constructive dialogue with the Committee and commended it on its efforts. She encouraged the State party to take all necessary measures to address the various recommendations of the Committee.

The meeting rose at 5 p.m.