



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

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**Committee on the Elimination of Discrimination
against Women**
Thirtieth session

Summary record of the 644th meeting

Held at Headquarters, New York, on Friday, 23 January 2004, at 3 p.m.

Chairperson: Ms. Açar

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The meeting was called to order at 3.10 p.m.

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

Combined fourth, fifth and sixth periodic report of Belarus (CEDAW/C/BLR/4; CEDAW/PSWG/2004/1/CRP.1/Add.1 and CRP.2/Add.1) (continued)

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

2. **Ms. Gabr** said that she wished to know what action could be taken to prevent the expenditure cuts caused by economic restructuring from affecting women's health and well-being. Even if health care was free, women's health in Belarus was deteriorating. She wondered how awareness of health problems could be increased, and how specific issues such as abortion among teenagers and access to care for the elderly could be addressed. Economic difficulties caused poverty, and women were among the most vulnerable to its effects. Following on from her previous questions about the implementation of article 4 of the Convention, she asked whether the Government intended to use the workplace quotas described in the report to protect women from unemployment. Since immigrant women and families were also at risk from poverty, it would be useful to know if any steps were being taken to protect them.

3. **Ms. Gaspard** said that there were gaps in the report's sex-disaggregated data regarding higher education and that the subsequent report should include more precise information on women's representation in specific subjects and fields of research. In the list of issues and questions for consideration of the report of Belarus, the Committee had asked for information on the action proposed in the National Plan of Action for Gender Equality for the period 2002-2005 to combat gender stereotypes. In its responses, the Government had indicated that six gender-policy courses had been established. She urged that there should be more such courses available, to improve awareness of gender disparities and investigation of their causes. Training in that field was essential to tackle the shortcomings in the qualifications of gender experts, mentioned in the section of the report which described remaining

obstacles. Such experts would be needed to implement policies such as gender budgeting successfully.

4. **Ms. Morvai** said that she was glad to see that the Government of Belarus had a genuine desire to combat prostitution, as all credible scientific research had shown that it had a terrible effect on women's health and well-being. A less-researched aspect of the phenomenon was its physical and psychological effect on women who were not involved in prostitution themselves, but whose partners were prostitutes' clients. She knew that people who regarded themselves as liberal thinkers would wonder why she was urging State involvement in people's private lives, but she saw two distinct attitudes among Governments. Some had a vision of a world free of prostitution, while others pictured a world in which prostitution was in fact "sex work", a profession like any other.

5. Belarus was one of the few countries in Eastern Europe which had committed itself to eliminating prostitution rather than accepting it. It should not give in to assistance donors which urged it to make prostitution just another profession, through language, laws and policy, and which condemned trafficking without condemning prostitution. There were donors, including the United States of America, which did not hold that view. She urged the Government of Belarus to study the Swedish model of combating prostitution and trafficking together, which she considered to be the only valid approach. Prostitution and gender equality were incompatible.

6. **Ms. Schöpp-Schilling** said that she was concerned at the situation of women in Belarus' labour market, but had found a lack of data in the report. The delegation should explain how advancing privatization had affected women and why they were more likely to be unemployed than men. She asked why so many women had jobs in particular parts of the public sector and if steps had been taken to increase salaries in those parts of the public sector, since women tended to be paid less in professions in which they clustered, which was a sign of indirect discrimination.

7. The report had indicated that many women still worked in jobs which carried health risks. She asked if those risks affected women's reproductive health or their general health, in which case the risks to men must also be considered. It would be useful to know if women over 45 years old were more likely to be unemployed than younger women. Because women

were more likely to suffer poverty or to be working on low-paid jobs early on in their lives, their economic situation would inevitably worsen as they aged. The reporting State should provide more detail in the subsequent report on the financial, emotional and social situation of women over 45, particularly in rural areas.

8. **Ms. Chutkova** (Belarus) said, with regard to employment, that economic independence for women was essential for gender equality. Women must have access to education and well-paid jobs. They accounted for 53 per cent of the workforce and therefore represented substantial potential. However, the Government faced a difficult struggle. A major problem was the inaccuracy of unemployment figures, since they accounted only for unemployed individuals who had registered as such. Registration was particularly important for women, as it resulted in the payment of unemployment benefits and income-dependent child allowances.

9. The gender balance among the country's unemployed had improved, according to 1999 figures. Often, job applicants did not have the right qualifications to fill vacant jobs, and women were more likely to be affected by such a mismatch. Women were also more likely to be unemployed for some time. Retraining was therefore vital and must be made available in more professions. Belarus' Constitution and labour legislation banned gender discrimination in salary levels, but the reality was different: service industries in which women were heavily represented had average salary levels 20 to 30 per cent lower than the average for all sectors. By 2003, five industries had equal salary levels for men and women. Tripartite negotiations between the Government, trade unions and employers were being conducted to encourage further progress in pay equality.

10. With regard to pensions, an unequal retirement age had contributed to gender disparities. Women retired 5 years earlier than men, but with 73 per cent of a man's income. As a result, their retirement pensions were 10 per cent lower, and their old-age pensions 25 per cent lower than those of men. The ongoing debate regarding pension reform had not come to any conclusions, and its outcome was hard to predict. As the report had explained, childcare leave had been made available to men and women. Sex-disaggregated figures on the demand for such leave would not be available until later in 2004. Belarus had also

introduced an allowance of 65 per cent of the average per capita minimum subsistence budget for parents caring for children younger than 3. In order to maintain family income, such parents retained the right to all of the allowance if they worked part time.

11. The new Labour Code, currently being examined in draft form by the office of the President, would provide additional job-security guarantees for women who left work to take childcare leave. Current labour legislation made gender discrimination in the workplace a criminal offence, but no cases had been taken to the courts. The Optional Protocol to the Convention had an important role to play in that field, and the Ministry of Labour and Social Welfare had written to the Supreme Court to emphasize the need to raise awareness of its content. As part of the monitoring of the national plan of action for gender equality for the period 2001-2005, the Government had asked prosecutors and labour inspectorates for statistics on the number of cases which had arisen. Increasing numbers of fines for violations of the legislation were being levied. Labour cases taken to arbitration or to the courts incurred no costs to the claimant.

12. There were no articles in the existing or proposed new Labour Codes to prevent sexual harassment at work, but there were provisions against sexual harassment in the Criminal Code. There was currently only one court case which constituted a precedent, but the situation was changing, largely thanks to the campaign, sponsored by the United Nations Development Fund for Women (UNIFEM) under the banner "A Life Free of Violence". Legal journals aimed at the executive staff of companies emphasized that such conduct in the workplace was unacceptable. Such harassment was more common in the private sector, since it was covered by fewer social-security guarantees than the public sector. With regard to professional diversification for women and girls, the State employment service and the Ministry of Education had examined the situation in schools and higher-education establishments, to encourage them to concentrate on the fields with the greatest employment potential. Some improvement had been noted, and women's access to such professions was increasing.

13. **Mr. Ivanou** (Belarus) said that, even though 17 years had passed since the Chernobyl nuclear accident, its impact on the health of the population remained enormous. Over 2 million people had been exposed to radiation, and over a million women had been affected.

Thus far, the most prominent effect had been an increase in thyroid cancers — 700 times the rate prior to the accident — and a 3 per cent increase in cancers of all kinds, particularly among rural women. Many cancers began to develop 10 to 15 years after exposure to radiation, so it was likely that those rates would climb further. The psychological and emotional after-effects were also seen as a factor in the 40 per cent drop in the birth rate since the accident.

14. **Ms. Chutkova** (Belarus) said that the overall trend was a decline in the health of the population, with a huge gender differential in life expectancy — men's life expectancy was 11 years less than that of women. Institutional mechanisms established to provide family-planning programmes were showing some positive results, however. Statistics showed that the abortion rate had dropped to 33 per thousand live births, and the birth rate among teenage girls between the ages of 15 and 19 had dropped to 14 per cent. At least one third of women of childbearing age were using contraception, and the use of oral contraceptives had doubled between 1995 and 2000.

15. According to official figures, 4,800 people were HIV-positive, although the actual number was probably much higher. Women represented 30 per cent of those infected. Most infections were transmitted through drug abuse, although there had been an increase in transmission through sexual contact and blood products. Pregnant women could be tested for the virus voluntarily, and between 1996 and 2003, 302 pregnant women had tested positive. In order to prevent mother-to-child transmission, the mothers received medication during pregnancy and had their babies delivered by Caesarean section. The babies received free medical care and nutritional support up to age 2. In addition, the mothers and babies received State allowances of up to 65 per cent of the minimum wage. Projects to train medical workers to deal with HIV-positive patients and to provide psychological counselling were also being implemented. The majority of persons under 30 with sexually-transmitted diseases (STDs) were women, and prevention was important.

16. **Ms. Karnyaluk** (Belarus) said that there was equal opportunity in education in Belarus. All schools were coeducational with the same curriculum, degrees and opportunities offered to both men and women. Women represented half the enrolment in general education and in graduate and doctoral programmes, while in vocational schools, enrolments were 62.2 per

cent men and 37.8 per cent women. One telling statistic was the number of women school principals: 96.7 per cent of primary school principals were women, in contrast to 49 per cent at secondary level, indicating a link between gender-role stereotypes and education. While some gender-education programmes aimed at women did exist and six schools in the country had gender-education centres, the number fell far short of the need. Gender-disaggregated data on the school dropout rates for girls would be provided in the next report.

17. **Mr. Ivanou** (Belarus) said that the reasons for the low participation of women in the foreign service were not known.

Articles 15 and 16

18. **Ms. Morvai** said that she would like to hear more about the plan of action to address domestic violence. The delegation should indicate if the proposed legislation in that area included mechanisms for orders of protection, how many battered women's shelters there were and what kind of training was offered to professionals in responding to domestic violence.

19. **Ms. Gnancadja** said that, while there was no discriminatory legislation in the areas of marriage and the family, she would have welcomed information about areas where there had been challenges in implementation. It would be interesting to know if the increase in divorces, to the point where they outnumbered marriages, had anything to do with the laws in that area. The Criminal Code had broadened criminal responsibility for sex crimes, including rape, but she wondered if domestic violence and marital rape were also included.

20. **Ms. Belmihoub-Zerdani** said that she was pleased to note that the Marriage and Family Code made reference to the Convention in its provisions, and that a contract was required to enter into a marriage. She commended the efforts made to establish a legislative framework of equality and to harmonize domestic law with the Convention, but she would like to hear more about the results of legislative change.

21. **Ms. Chutkova** (Belarus) stressed that the Government was taking action to address the domestic violence problem in Belarus, but acknowledged that much remained to be done. As far as women's shelters were concerned, there were currently 67 places in Minsk, and plans had been drawn up for a second

shelter with approximately 10 places. Psychological and legal assistance for victims was often provided by social services agencies. The adoption of the draft law on preventing and ending domestic violence would significantly enhance the capacity of the Government to protect victims and punish perpetrators. It was imperative that violent men received strict warnings from law enforcement agencies, and educational efforts were also necessary to eliminate stereotypes of male aggression and to train medical and social workers to deal with cases of domestic violence.

22. Unfortunately, although gender-based discrimination was prohibited by law, it often went unpunished in everyday situations. For instance, although it was very difficult to prove that a woman had been refused employment because she was expecting a child or had other family responsibilities, such incidents did occur. However, women who felt that they had been unfairly treated in the area of recruitment were legally entitled to file for unemployment benefits.

23. The new Marriage and Family Code represented a marked improvement on previous legislation in that area, particularly with respect to divorce and child support payments. Women accounted for the vast majority of heads of single-parent households, and the process of obtaining maintenance payments from their former spouses was often long and complicated. Therefore, in order to better ensure the material welfare of children in the event of divorce, the new Code enabled families to make use of the resources of the Social Welfare Fund to make up shortfalls in maintenance payments resulting from factors beyond the control of the person liable for those payments, subject to the later refund by the employer of the sums disbursed. In that connection, in 2003, the Ministry of Labour had published a decision listing the various types of income that could be used for the payment of child support.

24. **Ms. Popescu Sandru** asked whether the representatives of Belarus could provide the Committee with the compilation of gender-disaggregated data referred to in the oral presentation, together with any additional statistical information.

25. **Ms. Šimonović** enquired whether the Constitution of Belarus contained any explicit provisions prohibiting gender-based discrimination or pertaining to gender equality.

26. **Ms. Chutkova** (Belarus) said that the Ministry of Statistical Analysis was now aware of the need for gender-disaggregated data in all sectors and expressed the hope that gaps in that area would be filled in the near future. She would provide the Committee with the relevant information as soon as possible. All citizens of Belarus were equal and had equal rights. Specific provisions relating to gender-based discrimination were present in, inter alia, civil and employment law.

27. **Mr. Ivanou** (Belarus) pointed out that the Belarusian Constitution drew no distinction between men and women, since it employed the generic term "citizen".

28. **The Chairperson** said that she welcomed the steps taken by Belarus to ratify the Optional Protocol to the Convention and looked forward to the completion of that process. While she commended the Government for its efforts to increase the participation of women in the decision-making process, much still remained to be done. Inquiries should be made into why women tended to shy away from high-level political posts and action taken to counteract that trend. Women's participation in civil society was also vital, since it enabled them to realise their full potential and, in that connection, women's non-governmental organizations should be encouraged to play a part in the preparation of reports and the implementation of the Convention in the social and political spheres.

29. She was encouraged by the legislative measures taken to eliminate discrimination, but stressed the need for concrete results. All legislation, including the Constitution, must be brought into line with the Convention, and the Government of Belarus must reaffirm its political will to prioritize women's human rights. The persistence of gender-based stereotypes remained a cause for concern. The Government, together with non-governmental organizations and civil society institutions, should take more effective, target-specific measures to eliminate patriarchal attitudes, which were often the root cause of discrimination against women. Stereotypical portrayals of women as wives and mothers were also damaging and should be rejected.

30. The Committee was aware of the difficulties facing Belarus in its transition to a market economy. Nevertheless, the situation with respect to women's health was perturbing, and a concerted effort was needed to overcome discrimination in the area of

access to health care. Although the decrease in the number of women resorting to abortions as a form of contraception was heartening, abortion was still a primary method of birth control. Therefore, she urged the Government of Belarus to step up its efforts to raise awareness of the negative impact of that practice and to increase the availability of modern contraceptives.

31. With regard to prostitution and trafficking, she welcomed the action taken so far but stressed the need for further measures to protect victims and punish perpetrators. The Government must also do more to ensure the effective prevention of violence against women in general. Specific legislation on domestic violence reflecting an understanding of the Committee's General Recommendation No. 19 must be enacted, and there was a need for increased awareness-raising among members of the judiciary, law enforcement personnel and educators regarding the various manifestations of domestic violence. Experience had shown that cooperation with international women's non-governmental organizations often led to positive results in that area. Lastly, the Committee had expressed concerns about discrimination against women in the workplace, in particular gender-based segregation in certain sectors, the wage gap between women and men and sexual harassment. In its next report, Belarus must provide more information on that situation and on the impact of measures taken to address it.

32. **Mr. Ivanou** (Belarus) assured the members of the Committee that their comments would serve as a platform for further Government-led action to eliminate discrimination against women in Belarus.

The meeting rose at 4.55 p.m.