



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

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

**Pre-session working group**

**Forty-eighth session**

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**Replies of the Government of Belarus to the list of  
issues and questions (CEDAW/C/BLR/Q/7) with  
regard to the consideration of the seventh periodic  
report (CEDAW/C/BLR/7)**

**Belarus**

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**Replies of the Government of Belarus to the questions from the Committee on the Elimination of Discrimination against Women with regard to the consideration of the seventh periodic report of the Republic of Belarus (CEDAW/C/BLR/7)**

**General**

1. An interdepartmental working group comprising representatives from the Government, voluntary associations and international organizations was set up for the purpose of gathering materials for the seventh periodic report of the Republic of Belarus (CEDAW/C/BLR/7).
2. The non-governmental sector was represented in the working group by prominent figures from a number of voluntary associations with a special interest in gender equality and the advancement of women: the Belarusian Women's Union, the Belarusian Young Women's Christian Association and the Women's Independent Democratic Movement.
3. Representatives of those associations also form part of the National Council on Gender Policy under the Government of the Republic of Belarus, established to coordinate efforts to implement the national gender policy.
4. The draft periodic report was sent for review and comments to women's non-governmental associations, discussed at a meeting of the National Council and further developed in the light of comments from interested parties.
5. Issues relating to the activities of voluntary associations, trade unions and political parties in the Republic of Belarus are governed by laws, presidential decrees and government decisions. Freedom of association is enshrined in the Constitution of Belarus.
6. According to figures from the Ministry of Justice of the Republic of Belarus, in 2009 there was a 20 per cent increase in the number of registered voluntary associations and their branches. State registration certificates were issued to 18 new branches of political parties, 94 voluntary associations, 8 foundations, 5,228 branches of voluntary associations and 748 trade union offices.
7. As at 1 January 2010, the country had 15 registered political parties, 33,860 voluntary associations and their local offices, 22 unions of voluntary associations, 22,920 trade unions and their branch offices and 84 foundations.
8. Although there are 31 women's voluntary associations registered in Belarus, 13 of which have international or national status and 18 local status, only a few of these are actively involved in working with the Government to promote the advancement of women and the development of women's entrepreneurship and to prevent violence against women and trafficking in women. Each of these organizations has in its portfolio a number of important social development projects, and their professional integrity is ensured by the equal participation of women in the development of their social projects and programmes.
9. The Ministry of Justice holds regular meetings with the heads of voluntary associations to discuss issues arising in their work. Thus, on 12 November 2009, the Ministry of Justice and the local office of the Organization for Security and Cooperation in Europe (OSCE) jointly conducted a theoretical and practical conference on the role of voluntary associations in modern society. The conference, which was attended by the Belarusian Women's Union and the Belarusian Young Women's Christian Association, considered the development of civil society, the role and importance of voluntary

associations in various spheres of life, which included raising the profile of women in public, social and cultural affairs and upholding the rights and lawful interests of women. Similar conferences were held by the judicial authorities of the Mahilyow, Brest and Vitsyebsk provincial governments. These events received extensive media coverage.

10. The text of a book on the voluntary associations of Belarus, their work and achievements was posted on the website of the Ministry of Justice on 7 May 2010. The book includes information on the activities of national and international voluntary associations registered in Belarus, including those involved in upholding the rights and lawful interests of women and raising the profile of women in the public, social and cultural domains.

11. On 10 August 2010 the international association Gender Perspectives, set up to promote the genuine equality of women and men, to eliminate sexual discrimination and to help meet the social and individual needs of women and men in society, was registered with the Ministry of Justice. This organization intends to campaign for gender equality in upholding the rights and safeguarding the opportunities of women and men in social, economic, public and other spheres, and also in countering sex-based discrimination against women and men.

12. Government statistics in Belarus are issued on the basis of centralized State statistical surveys, carried out by the State statistics authorities, and local-level State statistical surveys carried out by authorized government agencies that collect, process, compile and store statistical information. In addition, the State statistics authorities draw statistical information from administrative sources.

13. Currently, where feasible, the State statistical surveys include a breakdown by sex. Data describing the demographic situation in the country are disaggregated by sex, age and place of residence. The State statistical reports make it possible to analyse and compare all aspects of the situation of women and men.

14. Statistics on gender are compiled and processed by the National Statistical Committee of the Republic of Belarus and issued every three years in a publication entitled *Women and Men in the Republic of Belarus*. This compilation provides information on the number of women and men in Belarus, life expectancy, migration flows, morbidity rates, secondary and higher education, employment of men and women in different branches of the economy, and other information illustrating the status of women and men in Belarus.

15. In view of the experience of countries that, with support from international organizations, conduct regular and specialized research into gender issues, the National Statistical Committee believes that the country's statistics on gender would be improved by the holding of special sample surveys. The organization of such surveys would, however, require additional financial resources.

16. On 1 November 2010 the Government of the Republic of Belarus adopted a decision on the conduct of household surveys on employment issues, beginning in 2012. These surveys are to be conducted in accordance with International Labour Organization (ILO) methodology, disaggregating the data by sex.

### **Constitutional, legislative and institutional framework**

17. The legislation of the Republic of Belarus contains no provisions discriminating against women. The Constitution enshrines the equal rights of men and women in all major areas of life. Thus, under article 22 of the Constitution, all are equal before the law and entitled without discrimination to the equal protection of their rights and legitimate interests.

18. On reaching marriageable age women and men have the right by their own free will to enter into matrimony and to start a family. Spouses have equal rights in family relations (article 32 of the Constitution). Women are guaranteed equal opportunities in education and vocational training, in employment and promotion, in social, political, cultural and other areas of activity, and enjoy the same health and safety conditions (article 32 of the Constitution).

19. Women and men, adults and minors, are entitled to equal pay for equal work (article 42 of the Constitution).

20. Deputies and other persons elected to State office by the people are elected by universal suffrage; citizens of Belarus who have reached the age of 18 have the right to vote (article 64 of the Constitution).

21. The general principle of equality is enshrined in such legal instruments as the Marriage and Family Code, the Criminal Code and the Civil Code. Where relevant, the Labour Code and the Remand in Custody (Procedure and Conditions) Act prohibit discrimination based on sex and other grounds.

22. In September 2008, Belarus adopted its third national plan of action for gender equality, for the period 2008–2010, which seeks to prevent discrimination based on sex and to ensure conditions enabling women and men to realize their full potential in all spheres of activity.

23. The gender policies followed in Belarus are based on the universally recognized rules of international law laid down in, among other instruments, the Convention on the Elimination of All Forms of Discrimination against Women; the Beijing Declaration and Platform for Action of the Fourth World Conference on Women; the outcome document of the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality and gender equality, development and peace for the twenty-first century”; the United Nations Millennium Declaration; and the national report of the Republic of Belarus on attainment of the Millennium Development Goals set out in the Millennium Declaration.

24. Considerable advances have been made in Belarus through the implementation of policies designed to equalize the social status of men and women in all spheres of life. Thus, equal access has been assured to all levels of education. The educational level of women in the country is comparatively high: women constitute 53.4 per cent of the total population and 54.6 per cent of all women in employment have higher and specialized secondary education; the corresponding figure for men is much lower (37.1 per cent).

25. Belarus is one of the 27 countries in the world that have achieved the target for women’s participation in decision-making. The results of elections to the Parliament of the Republic of Belarus show that more than 32 per cent of those elected are women; in local government bodies at all levels women constitute 45 per cent of the representatives.

26. Women make up 67.4 per cent of the civil service, lumping together all management levels. A steady downward trend can be seen in the proportion of women among the unemployed (68.9 per cent in 2005 and 57.1 per cent in 2009) and women are remaining unemployed for shorter periods.

27. The State family policy is designed to set in place conditions that allow people to combine their professional and family responsibilities. The proportion of children enrolled in preschool education facilities in urban and rural areas is as high as 79 per cent. The system of financial support provided to families in connection with the birth and upbringing of children includes safeguards under the country’s pension, employment, housing and tax laws. Family allowances are paid out for 99 per cent of the country’s children aged under 3.

28. Accordingly, not only has the State proclaimed as one of its constitutional principles — and a priority of its public policy — the provision to men and women of equal opportunities to realize their equal rights and freedoms, but it has also taken on specific obligations, both to its citizens and to the international community, to uphold those rights in practice.

29. Given that current legislation outlaws all discrimination on the grounds of sex and stipulates that conditions be set in place to enable women and men to realize their full potential in all spheres of life, the adoption of a law on gender equality would not seem of decisive importance for the implementation of an effective gender policy in the country.

30. Under article 32 of the Constitution, women are guaranteed equal opportunities in education and vocational training, in employment and promotion, in social, political, cultural and other areas of activity, and enjoy the same health and safety conditions.

31. Under article 42 of the Constitution, persons in paid employment are guaranteed a fair share of compensation from the economic results of their work, commensurate with the quantity, quality and social significance of that work, but not below a level necessary to ensure them and their families an independent and decent living.

32. Women and men, adults and minors, have the right to equal remuneration for work of equal value. Article 14 of the Labour Code prohibits discrimination in matters of employment. Under the provisions of that article, all discrimination — namely, the restriction of employment rights or the granting of any benefit on the basis of sex, race, ethnic origin, language, religious or political views, membership or non-membership of trade unions or other voluntary associations, wealth or official status, or physical or mental disabilities that do not hinder the performance of the work duties concerned — is prohibited. Clauses of collective contracts and agreements that are discriminatory have no validity.

33. Any distinctions, exclusions, preferences and limitations:

(a) Based on the inherent requirements of the job;

(b) Necessitated by the State's special duty of care in respect of persons requiring enhanced social and legal protection (women, minors, disabled persons and victims of the accident at the Chernobyl nuclear power plant, among others);

are not deemed discriminatory. Persons who consider that they have been subjected to discrimination at work may apply to the courts for action to terminate such discrimination.

34. Issues relating to breaches of the labour law are governed by the Code of Administrative Offences (chapter 9, on administrative encroachments on the health, honour and dignity of individuals and violations of human and civil rights and freedoms).

35. Working together with the relevant government agencies and voluntary associations, the Ministry of Labour and Social Welfare is responsible for monitoring implementation of the national plan of action for gender equality for 2008–2010 in the following areas:

- Gender equality in employment and the labour market and efforts to promote the economic empowerment of women
- Gender education and awareness-raising
- Reproductive health
- Prevention of violence in society
- Gender equality and the media
- National arrangements to ensure gender equality

Annual reports are submitted to the Government on implementation of the national action plan.

36. Amendments and additions were introduced to the Marriage and Family Code by Act No. 164-3 of 20 July 2006. When the act became law, intending spouses had the same right to conclude marriage contracts as those who were already married. A marriage contract concluded between persons entering into matrimony enters into force on the date of registration of the marriage by the civil registration authorities.

37. Certain amendments have been made to the Marriage and Family Code, modifying the rules for lowering the minimum marriageable age (18 years). In particular, in exceptional cases resulting from pregnancy or childbirth, or in cases where a minor has gained full legal capacity before reaching the age of majority, the State civil registration authorities may lower the minimum marriageable age of intending spouses, but by no more than three years. Such lowering of the minimum marriageable age is made on the application of the intending spouses. In this case, the consent to the marriage of the parents or guardians of minor spouses is not required.

38. A new article 20-1 has been added to the Marriage and Family Code, relating to the equality of the spouses in family relations. Under this article, all issues regarding marital and family relations must be decided by the spouses jointly, by mutual consent and on the basis of equality.

39. The Ministry of Justice is currently working on a bill to amend and supplement the Marriage and Family Code. The new version of the bill sets out the text of article 13 on the marriage contract, and it is also planned to supplement the Code with a new article 13.1, on the form and procedure for the marriage contract.

40. These amendments will help solve the problems that arise when marriage contracts are concluded. It is proposed that both intending spouses and persons already married may sign a marriage contract at any time, specifying the scope of their rights and responsibilities.

41. To protect the interests of children whose parents are divorcing, the bill proposes that, in the absence of a marriage contract setting out provisions on the upbringing and maintenance of children, the conclusion of a binding agreement between the parents on the children shall be a prerequisite for dissolution of the marriage. If there is no agreement on the children and if questions of the children's maintenance and upbringing are not regulated by the marriage contract, it is incumbent upon the court to determine, when ruling on the dissolution of a marriage, which of the parents shall have custody for which of the children and to establish the procedure for the participation in their upbringing of the non-custodial parent.

42. By mandating the conclusion of a marriage contract or agreement on the children, these measures will help promote parental responsibility, prevent conflicts and resolve issues arising between the parents.

43. Considerable attention is given in Belarus to improving its legislation on matters relating to the balance between family and professional responsibilities. Pursuant to the provisions of article 13 of the Convention on the Elimination of All Forms of Discrimination against Women, the State shall take appropriate measures to ensure, on a basis of equality of men and women, their equal rights to family benefits. In particular, in accordance with the amendments and supplements of 16 May 2006 to articles 9, 12 and 18 of the Families with Children (State Benefits) Act, mothers, fathers or other relatives, adoptive parents and guardians of children who are actually providing care for those children shall be equally entitled to benefits for childbirth and for childcare for children up to the age of 3, sick children up to the age of 14 or disabled children up to the age of 18.

44. Following amendments to the Labour Code of the Republic of Belarus, in 2009, 2,246 men exercised the right to take leave to care for a child up to the age of 3.
45. Further training courses conducted by officials of the labour, employment and social protection agencies specializing in the field of gender equality are held on a regular basis at the State-run National Staff Refresher and Further Training Institute of the Ministry of Labour and Social Welfare.
46. At the National Education Institute, a research and development establishment, work is under way on the preparation of a new generation of textbooks and other teaching materials, guided by a gender-based analysis of existing textbooks, and on measures to prevent the perpetuation of gender stereotypes and to eliminate all forms of gender discrimination from educational literature.
47. Arrangements are being set in place in Belarus to promote the study of human rights, including women's rights, along with a system for training in gender issues. Since 1998, institutions of secondary education, vocational training, specialized secondary education and higher education have been running special courses on human rights, which cover the issue of women's rights and their codification in international instruments. The human rights courses in institutions of higher education last between 18 and 40 hours, depending on their profile and specialization.
48. The policy framework and programme for the continuing education of children and young people in Belarus for the period 2006–2010 focuses on the need for special measures to raise awareness of gender issues. Various aspects of human rights and gender awareness and education are included in the curriculum of courses for the refresher and further training of school teachers in the social sciences and lecturers teaching foundation courses in the humanities and in social and political sciences, whose duties include giving classes in human rights, rights of the child and women's rights, gender awareness raising and work with children, teenagers and young adults.
49. The National Institute for Higher Education, the National Institute for Vocational Training and the Postgraduate Academy offer courses for the teaching staff of educational institutions on such topics as human rights, the rights of the child, civic education, citizens and society, and gender awareness: tradition and modernity.
50. A course which also covers gender issues has been included in the curriculum of the Belarusian State University, the Envila Women's Institute — a private university — and other tertiary institutions.
51. There is extensive coverage in State television and radio broadcasts and on the pages of leading public and political newspapers of such issues as improving the social status of women; preventing sexual discrimination in employment and dismissal; ensuring the necessary conditions for the effective participation of women in management; the equal participation of women and men in decision-making at all levels; expanding the social partnership of women's voluntary associations with the Government; and the protection of motherhood, fatherhood and childhood.

### **National machinery**

52. By its decision 698 of 17 May 2000, with a view to coordinating efforts to implement the national gender policy, the Council of Ministers of the Republic of Belarus created a National Council on Gender Policy under the Council of Ministers.
53. The National Council on Gender Policy is an interagency advisory and coordinating body. Council meetings are held as necessary, but not less frequently than twice a year. The National Council includes the heads of central government agencies, local executive and

administrative authorities, representatives of the Supreme Court, National Assembly deputies and representatives of public and international organizations. The membership of the National Council is periodically renewed and it currently numbers 28 (18 women and 10 men).

54. Despite the fact that the decisions of the National Council are advisory in nature, through its activities it directly contributes to the capacity of government bodies to take gender considerations on board when developing their social programmes and projects, and also to formulate and implement public policies for the advancement of women and to ensure equal rights and opportunities for both sexes.

55. In its activities the National Council also seeks to support efforts to disseminate timely and reliable information on the status of women in Belarus, to maintain regular contacts with the key agencies, organizations and individuals dealing with gender issues in Belarus and to bring a gender perspective to bear on projects mounted in Belarus by non-governmental and international organizations.

56. The strategic goals of the National Council are to promote and give effect to the attainment of sexual equality through advocacy in the design, implementation, monitoring and evaluation of policies and programmes so that women and men can derive equal benefit from their results. In 2010, the National Council held two meetings, in which, among others, the following voluntary associations took an active part: the Belarusian Women's Union, the Belarusian Young Women's Christian Association and the Women's Independent Democratic Movement. Reports on the National Council's activities may be found on the website of the Ministry of Labour and Social Welfare of the Republic of Belarus, and also in the media.

57. Members of the National Council regularly take part in national and regional events (conferences, workshops and round tables) covering the key problems and future directions of the country's gender policies in the fields of education, employment and health.

### **Temporary special measures**

58. Implementation of the national plan of action on gender equality for the period 2008–2010 was facilitated by amendments to the country's Labour Code, designed to help parents balance their professional and family responsibilities and to ensure their equal rights and opportunities in the matter of social benefits.

59. In 2006, measures were introduced to provide social protection for employees with family responsibilities, working under contract. Thus, when a contract is being concluded with an employee whose employment is for an indefinite period or when the contract is being extended or a new contract concluded, the contract shall be valid for the following terms:

- For a female employee who is on maternity leave, or a mother (or father of the child, in place of the mother, or a guardian) who is on parental leave to care for a child under the age of 3 – at least until the end of such leave
- For an employee close to retirement age (for women – 53 years; for men – 58 years) whose performance has been conscientious with no record of disciplinary misconduct or other workplace offences – at least until attainment of the established retirement age (for women – 55 years; for men – 60 years) and receipt of their entitlement to a retirement pension

60. Employers are obliged, with the consent of the mother (or father of the child, in place of the mother, or a guardian) who is returning to work before or after completing



parental leave to care for a child under the age of 3, to extend the contract, or to conclude a new contract, for a period extending at least until the child reaches the age of 5.

61. The national plan of action also tackles issues of women's unemployment and undertakes to increase social support for families raising children. In 2003, Belarus ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and ILO Convention No. 183 concerning the revision of the Maternity Protection Convention (Revised), 1952.

62. In 2010 it is planned, under the national plan of action, to review the possibility of ratifying ILO Convention No. 156 concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities, 1981.

## **Stereotypes**

63. A system of gender education and awareness-raising is being developed as the principal vehicle for the transformation of gender stereotypes. Steps are being taken to include gender issues in educational curricula. Educational institutions are now running optional and elective courses on such topics as the gender dimension of human rights; the basics of gender awareness; and the roles of men and women in history and the modern world. The Ministry of Education has published a teachers' handbook on gender awareness raising for schoolchildren.

64. The gender aspects of social policy and basic gender studies have been included in the syllabus of refresher courses for managers and specialists in the education system. The courses taught at all medical colleges now include lectures on family and legal education, and plans have been formulated on the implementation of the national demographic security programme.

65. Awareness-raising measures are being carried out for the student community, comprising extracurricular classes on aspects of the family and gender, discussion forums and legal debates, designed to change behaviour patterns in relationships between men and women.

66. Leadership programmes have been organized in Belarusian universities, with the aim of developing the leadership skills of young men and women and encouraging them to participate in decision making. Every year, the National Children's and Young People's Creative Arts Centre organizes specialized State-wide summer camps to teach leadership skills.

67. Outreach work is carried out to foster responsible attitudes to the task of establishing a family and to the duties of parents and to enhance the role of the father in bringing up children. Conferences, competitions and round tables are organized and family clubs set up in the country's towns and districts to promote positive approaches to family life. Special courses are run for fathers at the Minsk Municipal Family and Children's Centre and at local social service centres, at which fathers learn about the needs of their children and how to connect with them emotionally.

68. Consultations on marriage and the family and courses for future mothers and fathers are run on a regular basis at women's health centres, to provide guidance and counselling for couples in such matters as family planning and responsible parenthood.

69. A new State award, the Order of the Mother, has been established in Belarus, designed to promote and enhance the prestige of motherhood, both in society and in the family. This award is conferred on mothers of large families in recognition of their achievement in providing their children with a decent upbringing and all-round development, as is only possible with the equal participation and involvement of both

parents. Thus, recognition of the importance of the mother's role does not in any way detract from that of the father in the family.

70. The annual celebration of Mother's Day is a powerful unifying force in the life of families. Across the country a wide range of events and activities are held, designed for all members of the family. Particular prominence is given to outreach activities designed to foster a responsible attitude to the establishment of a family and the duties of parents and to enhance the role of the father in the raising of children. Conferences, competitions and round tables are organized and family clubs set up in the country's towns and districts to promote positive approaches to family life.

71. In addition to the legislative underpinning of the right of fathers to participate on an equal footing in the raising of their children (the Labour Code and the Marriage and Family Code), a key role is also played by awareness-raising activities and campaigns, including in the framework of Mother's Day. A voluntary association has been created in Belarus for caring fathers, primarily concerned with providing social and psychological guidance and counselling to fathers who have problems in raising and communicating with their children, and also with the conduct of other charitable activities.

72. The National Education Institute has developed a range of recommended courses for inclusion in the curricula of educational institutions on such topics as the following:

- Rudiments of gender awareness: an extracurricular course for the eighth and ninth grades of educational institutions (this course has been given the seal of approval of the National Education Institute, responsible for research and development activities under the Ministry of Education, and posted on the Institute's website: [www.adu.by](http://www.adu.by))
- Basic gender issues: an extracurricular course for the ninth and tenth grades of educational institutions (this course also has the seal of approval of the National Education Institute and is posted on its website)

73. A teachers' guide to gender awareness-raising for students was developed and published by E. A. Konovalchik and received the seal of approval of the National Education Institute and a booklet on the content, forms and methods of promoting gender awareness among schoolchildren and young people was published in 2009.

## **Violence against women**

74. There are fairly comprehensive provisions in Belarusian law governing the prevention and suppression of domestic violence. Thus, under article 2 of the Constitution, all are equal before the law and have the right, without discrimination, to equal protection of their rights and legal interests.

75. Article 32 of the Constitution guarantees the equality of spouses in family relations. Under paragraph 5 of that article, women have opportunities equal to those of men in terms of access to education and vocational training, employment and promotion, and participation in social, political, cultural and other spheres of activity, and are entitled to the same health and safety conditions.

76. To give effect to the rights enshrined in the Constitution, a number of laws, regulations and other statutory instruments have been adopted, with a view, among other things, to protecting victims of domestic violence, including the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Ratification) Act of 30 October 2003 and the national action plan on gender equality for the period 2008–2010.

77. Most forms of violence perpetrated within the family are deemed from a legal point of view to be administrative or criminal offences, subject to the appropriate penalties. The task of protecting human rights and freedoms, including within families, is performed by the Code of Administrative Offences and the Criminal Code, which set out provisions on liability for various manifestations of domestic violence. Compensation for harm and losses (for bodily injury, broken furniture and other damage) may be obtained through civil proceedings.

78. Under Belarusian law, a number of acts incur criminal liability. Thus, the Criminal Code establishes liability for rape (article 166), sexual assault (article 167), coercion to perform sexual acts (article 170), inducement into, or coercion to continue engaging in, prostitution (article 171-1), and human trafficking (article 181).

79. The Criminal Code does not identify such acts as violence against women in the family or marital rape as separate offences under criminal law. Under article 1 of the Crime Prevention (Principles) Act, however, the notion of domestic violence is taken to cover intentional acts of a physical, psychological or sexual nature that are committed by one family member against another in violation of that member's rights, freedoms and legitimate interests and causing him or her physical or mental suffering or both.

80. The Criminal Code establishes criminal liability for wrongful acts involving domestic violence. Thus, article 150 of the Code criminalizes the wilful infliction of severe or less severe bodily harm in the heat of passion provoked by the violence, bullying, serious verbal abuse or other unlawful or immoral actions of the victim or by a prolonged psychotraumatic situation that has come about in consequence of the systematic unlawful or immoral behaviour of the victim.

81. Under paragraph 1 of article 166 of the Criminal Code, sexual intercourse accomplished against the will of the victim with the threat or use of force against the woman or her family members or by taking advantage of the helplessness of the victim (rape) shall incur criminal penalties. Cases involving such offences are dealt with under the private public prosecution procedure and may only be instigated on the application of the victim of the offence, his or her legal representative or the representative of a legal entity; proceedings in such cases may not, however, be terminated upon reconciliation with the accused.

82. Pursuant to the provisions of article 185 of the Criminal Code, criminal liability shall be incurred by actions compelling persons to perform or refrain from performing any act through the threat or use of violence against them or members of their family, the destruction or damage of their property, the dissemination of defamatory reports, the divulging of information which they wish to keep secret, or the threat of encroachment upon the rights, freedoms and legitimate interests of those persons. Cases involving the offence set out in article 185 of the Criminal Code shall be subject to public prosecution and the proceedings in such cases may be instigated by order of the body conducting the initial inquiry, the investigator or procurator. Given the importance of suppressing and preventing violence against women, attainment of this goal will be promoted by measures to enhance both the legal provisions applicable in this area and the practical application of the rules of criminal law governing domestic violence.

83. Accordingly, as part of the presidential programme Children of Belarus, a draft version of which has been prepared for the period 2011–2015, it is planned to make improvements to the legislative framework on violence, in particular domestic violence. Currently, the possibility is being explored of the Ministry of Labour and Social Welfare of the Republic of Belarus, together with the Belarus office of the United Nations Fund for Population Activities (UNFPA) and other departments and voluntary associations, organizing a joint international technical assistance project for the prevention of gender-

based violence (project funding is envisaged to come from the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women).

84. This project will help boost the effectiveness of the legal and institutional arrangements designed to prevent gender-based violence and to assist victims of violence; it will also strengthen the capacity of institutions whose responsibilities include the prevention of violence and social rehabilitation of its victims, help raise public awareness of gender-based violence and facilitate the development and conduct of social programmes to deal with these issues.

85. Steps are being taken in Belarus to foster the social rehabilitation and integration of victims of violence, including women in crisis as a result of violence. Round the clock helpline centres have been set up in the internal affairs offices, local social service centres and other community organizations, to assist victims of violence over the telephone. The Ministry of Internal Affairs has set up a telephone hotline which people can use to report on dysfunctional families, persons abusing alcohol and engaging in antisocial activities and young people at social risk. Similar hotlines are run by the provincial and Minsk municipality internal affairs offices. Social integration and rehabilitation units, providing assistance to victims of violence, are in operation in 145 of the country's 156 social service centres; 30 crisis centres have been set up and in 2009 these rendered assistance to 99 people. Assistance is also given to the victims of violence by such voluntary associations as Radislava, the Belarusian Union of Women, Nadezhda (Hope), Children against Violence and the Belarusian Young Women's Christian Association. An outreach campaign on the harm caused to families by violence in the home, jointly run by United Nations agencies and the Government, has been in operation since 2006. As part of this campaign 16 special activity days have been held on the theme of domestic violence. The main goal of the campaign is to raise awareness among the general public about domestic violence, the substance of this problem and the forms which it takes. The Belarusian Young Women's Christian Association has organized workshops under the La Strada programme on best practices in identifying and assisting victims of human trafficking and on work with vulnerable groups to prevent domestic violence. In 2009, the organization Radislava organized a national conference on violence in the home.

### **Trafficking and exploitation of prostitution**

86. The Government of Belarus has designated the suppression of human trafficking as one of the priorities of its work. Currently, the legal framework in this area, designed to coordinate the activities of State agencies and other government organizations in countering human trafficking, including the spread and exploitation of prostitution, is furnished by presidential decrees No. 3 of 9 March 2005, on measures to combat human trafficking, and No. 352 of 8 August 2005, on averting the consequences of human trafficking. The Criminal Code establishes criminal liability for the use of prostitution or the creation of conditions for the purpose of prostitution (article 171), for inducement into, or coercion to continue engaging in, prostitution (article 171-1), and for human trafficking (article 181).

87. The year 2010 will see the conclusion of the second national programme to combat human trafficking in Belarus – the State programme to combat human trafficking, illegal migration and related wrongful acts for the period 2008–2010 (ratified by presidential decree No. 624 of 6 December 2007). The State programme to combat human trafficking, illegal migration and related wrongful acts for the period 2011–2013 (hereinafter referred to as “the State programme”) was ratified by presidential decree No. 518 of 2 October 2010. The activities under the State programme have been designed in the light of the effectiveness of the work by government agencies and organizations, including in the framework of the analogous programme for 2008–2010, and also take into account the

positive experience gained at the international level in combating human trafficking. The programme's essential aim is to ensure that government agencies and organizations effectively plan and coordinate their information and prevention work, their organization, their technical measures and their international cooperation activities aimed at the effective prevention, detection and suppression of human trafficking and at tackling the root causes of this problem. The State programme aims to accomplish the following tasks:

- Reducing crime related to human trafficking
- Protecting and rehabilitating the victims of trafficking
- Boosting the efficiency of efforts by government agencies and organizations to prevent, detect and suppress human trafficking
- Further improving the legislation on human trafficking, based on its practical application and taking due account of the international obligations of the Republic of Belarus
- Developing cooperation with foreign States and international organizations in efforts to counter human trafficking

88. Currently, consultations are under way on a bill on countering human trafficking. The bill sets out measures to prevent such trafficking and stiffens the existing provisions on the liability of individuals and organizations that engage in that practice. In addition, a system is being developed for the protection and rehabilitation of victims of human trafficking, which includes ensuring the safety of the victims and their family members in the course of any criminal proceedings, arranging the social protection and rehabilitation of victims, preventing the use against them of deportation, and ensuring that they receive assistance from diplomatic missions and consular offices.

89. In addition, the aforementioned bill proposes a new definition of the notion of victims of human trafficking which — in contrast to the current definition — does not make the recognition of such persons as victims contingent upon the institution of criminal proceedings against the perpetrators of their trafficking. This will make it possible for such victims to receive social and other assistance prior to the commencement of criminal proceedings, including from diplomatic missions and consular offices. The bill radically changes the manner in which the social protection and rehabilitation of victims of trafficking is effected. Thus, it is planned to provide social protection and rehabilitation services to victims at centres for the protection and assistance of human trafficking victims set up by voluntary associations and foreign and international organizations. In the absence of such centres, victims will receive assistance at children's shelters, or at the crisis rooms run by local social service centres, or at the premises of other organizations.

90. To ensure that the terms of custodial penalties for the perpetrators of human trafficking are adequate and that the punishments prescribed are commensurate in severity with the sanctions applied against perpetrators of other offences against the person, the bill provides for new wording of article 181 of the Criminal Code, on human trafficking. An important role in preventing human trafficking is assigned to measures to help unemployed women back into the workforce, including through affirmative employment policies. The number of women seeking assistance in finding employment, including those registered as unemployed, is gradually dropping. Thus, as at 1 January 2010, 40,300 persons were registered as unemployed with the labour, employment and social welfare services of Belarus, of whom 23,000 — or 57.1 per cent — were women. On 1 January 2008, 44,100 persons had been registered as unemployed, 28,900 — or 65.6 per cent — of them women. Thus, over a mere two years, the proportion of unemployed women has dropped by 8.5 percentage points. Most unemployed women are between the ages of 20 and 34 (10,900 or

47.6 per cent) or approaching retirement, between the ages of 50 and 54 (13 per cent). The average age of the Belarusian unemployed woman is 33.3 years.

91. The Government has taken responsibility for tackling the problem of unemployment among women. The principal vehicle for the implementation of the country's national job creation policy is the annual State programme for the promotion of employment in Belarus, which is ratified by the Council of Ministers. Regional programmes tailored to local needs are adopted on the basis of this annual State programme. The programme includes a section on promoting the employment of women, which sets out a comprehensive range of measures to enhance the situation of women in the job market. Job fairs focusing on women's employment are organized by the labour, employment and social welfare services to help women proactively search for work and to familiarize them with the job market and employment trends. One highly effective means of mitigating the social consequences of unemployment has been the retraining of unemployed women in new skills, in response to the demand on the job market, including assisting them to start their own businesses. In 2009, the labour, employment and social welfare services assigned 22,900 unemployed people, including 13,000 women (56.5 per cent of the total), for vocational training, retraining and refresher courses.

92. Belarus's State policy on promoting and supporting entrepreneurship is an integral part of its economic policy. The unemployed, including women, are able to receive grants to set up their own businesses. Women who, for whatever reason, wish to change their place of residence and work, can scan the website of the Ministry of Labour and Social Welfare for lists of job vacancies which come with housing. Funding is available from the public employment service to pay for the relocation of unemployed women and their families to new places of residence and work.

93. Victims of human trafficking are assigned to a separate category of social service recipients, and also benefit from an expanded range of services from the psychological counselling and rehabilitation offices in terms of the provision of psychological, social, legal, rehabilitative, humanitarian and other forms of assistance and support. There are 154 regional social service centres under the Ministry of Labour and Social Welfare, and they operate some 145 reintegration and rehabilitation units. Their activities are designed to assist citizens who find themselves in difficulty and to help them regain their capacity to live and work in their communities. Special crisis rooms have been set up in the reintegration and rehabilitation units, intended to assist persons in a state of crisis – namely, those whose lives or health are at risk, who are living in a situation of conflict with other family members or who have experienced mental and physical violence, victims of trafficking or terrorist acts, or victims of criminal activities. These crisis rooms are specially equipped facilities, furnished with all the necessary household amenities to provide temporary accommodation for persons in crisis situations. Citizens are placed in these crisis rooms by a directive from the labour, employment, social welfare, education, health or internal affairs authorities, or on their own application. Victims of human trafficking may apply to these crisis rooms for personal safety reasons, for purposes of recuperation, or to receive psychological counselling and information about their rights and legal status. Specialist staff will help them establish contact with their families and will also help them find jobs. The work carried out by the regional social service centres includes activities of a preventive nature, along with measures to rehabilitate victims of violence and human trafficking.

94. Their prevention work includes activities to raise awareness of human trafficking and to encourage women to seek specialist help, from psychologists, lawyers and social workers, to tackle their crisis situations. The rehabilitation services which the centres provide include:

- Provision of temporary shelter

- Legal assistance (including explaining the rights and duties under Belarusian law), including assistance in obtaining free legal aid
- Psychological support in the form of psychoprophylactic, psychodiagnostic and other corrective treatment, psychological counselling and social and educational support
- Assistance in finding steady employment
- Other assistance

In 2010, 52 persons applied to the crisis rooms for assistance.

95. Considerable importance is vested in the training of specialists to work in the centres with victims of human trafficking. Currently, such training is being conducted with the support of voluntary associations and international organizations. Since 2008, employees of various categories from the local social service centres, alongside those from voluntary associations, have been following training courses comprising lectures and workshops at the National Staff Refresher and Further Training Institute at the Ministry of Labour and Social Welfare in combating human trafficking and assisting the victims of such trafficking. A number of seminars and workshops on this topic have also been organized by the International Organization for Migration (IOM).

96. Currently, Belarus is in the process of implementing a joint European Union, United Nations Development Programme (UNDP) and United Nations Children's Fund (UNICEF) project on preventing, combating and minimizing the social consequences of human trafficking. The project comprises a series of training workshops for specialists from the Ministry of Labour and Social Welfare on the provision of social and psychological assistance to victims of human trafficking. There is no special fund in Belarus for the compensation of the victims of human trafficking. Protection of the legitimate rights and interests of the victims of such trafficking is enshrined, however, in the new bill on countering human trafficking. Under the provisions of article 20, paragraph 4, of the bill, the victims of human trafficking will receive a lump-sum compensation benefit as part of the targeted social assistance programme.

97. By Acts No. 15-Z and No. 451-Z, of 4 May 2005 and 10 November 2008, respectively, the Criminal Code of the Republic of Belarus was amended and supplemented to bring national legislation into line with international standards and to stiffen the penalties for human trafficking and associated offences. Currently, Belarusian law identifies six constituent elements of these offences which render them criminally punishable. The maximum penalty is 15 years' deprivation of liberty with confiscation of property.

98. Since 2007, the International Centre for the Training, Refresher Training and Further Training of Specialists in Migration and Human Trafficking has been in operation at the Police Academy of the Republic of Belarus and, with assistance from IOM, providing basic training in this field for specialists from all member States of the Commonwealth of Independent States. In all, 21 courses have already been held at the centre, upgrading the skills and qualifications of 409 law enforcement officers from Belarus and other countries. Since 2005, training has also been provided at the Police Academy for specialists from law enforcement agencies in countering human trafficking.

99. In Belarus, victims of sexual exploitation are accorded the same status as victims of human trafficking, and matters relating to their rehabilitation are accordingly covered by paragraph 93 above. By its decision No. 1636 of 8 November 2001, the Council of Ministers of the Republic of Belarus ratified the State programme of comprehensive measures to combat human trafficking and prostitution for the period 2002–2007. Provisions of that programme, on measures to combat the spread of prostitution and to reintegrate persons engaged in prostitution, were incorporated in the State programmes to

counter human trafficking, illegal migration and other associated wrongful acts for the periods 2008–2010 and 2011–2013.

### **Participation in political and public life**

100. Belarus is one of the 27 countries that have achieved the target for women's participation in decision-making. Results of parliamentary elections in Belarus show that more than 32 per cent of those elected are women, while women constitute 45 per cent of the deputies elected to local government bodies at various levels. Women constitute 19.6 per cent of the upper echelons — the leaders and their deputies — of central government bodies, and 67.4 per cent of the government service as a whole, taking into account all administrative levels. Women are represented in electoral commissions at various levels: thus, 5 of the 12 members (42 per cent) of the Central Commission for Elections and National Referendums are women, including the chair. The percentage of women in the judiciary is also relatively high. They constitute 33 per cent of the total membership of the Constitutional Court of the Republic of Belarus, or 4 of the 12 judges, 6 of whom are appointed by the President. Of the 15 judges on the Supreme Court, 3 — or 20 per cent — are women.

101. In Belarus, the law does not set any electoral quotas for women; accordingly, political parties, voluntary organizations and employee associations are free to determine the number of women that they put forward for election. Over the past five years, the number of women employed in the executive branch of government has increased in both absolute and relative terms. This holds true for almost all ministries and State committees. In December 2009, the Ministry of Labour and Social Welfare, in cooperation with UNFPA, organized a round table for government officials and the representatives of voluntary associations and international organizations on the role of women in decision-making in various spheres of activity.

102. Information on the activities of non-governmental organizations, including women's non-governmental organizations, may be found above, in the first section — "General" — of the present report.

### **Employment**

103. As at the beginning of 2009, the total number of payrolled employees in Belarus stood at 3,987,500, of whom 2,129,000 — or 53.4 per cent — were women and 1,858,500 — or 46.6 per cent — men. Across the economy the educational level of women remains higher than that of men: 54.6 per cent of women have higher and specialized secondary education. In the various employment categories, women constituted the following percentages of the overall number of employees: trades — 43.7 per cent; white-collar jobs — 68.1 per cent; managers — 46.5 per cent; professional specialists — 74.2 per cent; other professional positions — 81.2 per cent.

104. While there is a marked predominance of men in the industrial, forestry, transport and construction sectors, women constitute 82.7 per cent of all those employed in the health sector; 81.2 per cent in finance, credit and insurance; 74.6 per cent in the cultural sector; 74.1 per cent in retail and public catering; 64.3 per cent in administration; 63.7 per cent in communications; and 58 per cent in information and computer services.

105. Belarus has proclaimed as one of its constitutional principles the provision to men and women of equal opportunities to give effect to their rights and freedoms. Under the provisions of paragraph 2 of article 42 of the Constitution, women and men, adults and minors, have the right to equal remuneration for work of equal value. This provision has



been fully incorporated in government regulations on the remuneration of employees: salary levels are not affected by the employee's sex or age. Where they have the same educational level as men and all other things are equal, women are entitled to perform equal work and to receive equal remuneration. Similarly, women with a higher educational level than men are entitled to occupy higher-level posts and thus receive higher salaries.

106. In 2009, across the economy, women's wages averaged 74.6 per cent of men's wages, while women constituted 52.9 per cent of the total workforce. The lower level of women's wages is attributable to a number of factors. Women themselves choose easier jobs with normal working conditions and convenient working hours. As a rule, these tend to be in non-production sectors such as education, culture and art, dressmaking, retail and catering. In September 2010, the nominal average monthly wage in these job sectors ranged from 877,600 roubles, in dressmaking, to 1,126,800 roubles, in retail and catering. Men, on the other hand, tend to favour the economic sectors with higher-paying jobs. Thus, in September 2010, the nominal average monthly wage in the petroleum sector was 2,088,600 roubles, in the fuel sector, 2,011,100 roubles, and in the iron and steel industry, 1,974,800 roubles. Under article 21 of Act No. 125-Z of 15 June 2006, the Employment Act, employers are not allowed to set discriminatory conditions in vacancy announcements.

## Health

107. Although effective efforts by the family planning services and promotion of the use of modern contraceptive methods have significantly reduced the number of abortions in Belarus, which in 2009 dropped to 33.2 per 100 live births, this level still demonstrates that the take-up of modern contraceptive methods remains on the low side. Estimates put the level of oral contraceptive use at 23 per cent; these are based on data obtained from contraceptive suppliers. No comprehensive studies have been carried out in this area.

108. Conscious of the importance of family planning in improving reproductive health, the Ministry of Health aims to increase access to modern contraceptives through public health facilities (free of charge), particularly for vulnerable groups, such as young people and women with low incomes. The capacity of the relevant public health institutions providing medical and psychological services to young people in reproductive health has been strengthened. Courses on counselling young people in these matters have been introduced in the curricula of all medical colleges and universities. Steps have been taken to raise awareness and disseminate information on reproductive health issues through a network of regional non-governmental organizations and pilot educational institutions.

109. Thus, under a joint UNFPA UNICEF project, the peer-to-peer training method has been piloted in the secondary school system. Survey results indicate that, by comparison with other pupils, the youngsters who participated in the pilots are much more aware of the extent of their own knowledge of sexual and reproductive health and HIV; they are more open to discussion with experts and often seek their services in the area of sexual and reproductive health; and the level of contraceptive use among this group is much higher than among the rest.

110. Prevention remains a priority of Belarus's State policy on HIV and AIDS. In 2009, 83 per cent of the total funds allocated to the anti-HIV campaign were spent on preventive measures. In the prevention programmes particular attention was given to young people and groups with high susceptibility to HIV infection. HIV/AIDS information and educational centres have been set up in the 14 towns with the highest prevalence of HIV infection. Courses on HIV infection and the national HIV prevention plan have been retained on the syllabus of educational institutions in Belarus. An interactive national web portal — [www.aids.by](http://www.aids.by) — and 14 HIV/AIDS hotlines have been set up for young people and a wide range of activities is conducted under the World AIDS Campaign and World AIDS Day. As

a result, in 2009, the coverage of young people by prevention programmes in schools, colleges, universities, specialized secondary schools and polytechnics was as high as 80–90 per cent, and the proportion of young people who underwent awareness-raising on HIV/AIDS rose from 35 per cent in 2005 to 84.2 per cent in 2009. Belarus is also developing a national inter agency communication strategy on HIV/AIDS, with the aim of creating a single information space on this topic.

111. In 2009, the total number of deaths was 135,100, or 1,200 more than in 2008 and 2,100 more than in 2007. Of those, 64,500 — or 47.8 per cent — were women and 70,600 — or 52.2 per cent — men. The mortality ratio between men and women remained more or less at its 2007 levels (women accounting for 47.6 per cent of the total number of deaths and men for 52.4 per cent). In 2009, the overall mortality rate was 14.2 deaths per 1,000, compared to 13.7 per 1,000 in 2007. The mortality rate among women was 12.7 deaths per 1,000 and, among men, 16.0 per 1,000. The general trends in mortality over the past few years remain unchanged. Among women, a significant proportion of deaths are due to cardiovascular disease (57.8 per cent in 2009) and neoplasms (11.5 per cent). The main causes of mortality among men in 2009 were circulatory diseases (50.6 per cent in 2009) and neoplasms (15.2 per cent), along with factors not related to illness, such as external causes (15.4 per cent), while external causes accounted for only 4.7 per cent of women's deaths in 2009.

112. In 2009, 31,700 people of working age died, representing one fourth of all deaths in the country that year. The number of deaths among men in this age group was 4.4 times higher than that of women. Cardiovascular disease accounted for the largest number of deaths among the able-bodied population – more than 10,000 people, or 31.7 per cent of all deaths, of whom 8,600 were men. There is a perceptible tendency for people to die younger in Belarus, from the causes outlined above. The second most important category of causes of death are those not associated with illness – or external causes. Deaths due to accidents, poisoning and injuries (including suicide and homicide) accounted for 31.2 per cent of all deaths of people of working age (9,900 people, of whom 8,500 were men).

113. At the end of 2009 there were more than 2.4 million pensioners in Belarus, 67.7 per cent of whom were women. Of the total number of women retirees, 21.9 per cent remain in employment; for men, the corresponding figure is 25.8 per cent. On average, women's pensions measure 95.3 per cent of those of their male counterparts. In Belarus, there are more than 267,000 disabled women receiving disability pensions. More than 540,000 women pensioners live in the villages and countryside. By a decision dated 29 July 2010, the Government ratified a comprehensive programme of social services for the period 2011–2015, designed to strengthen the social protection of veterans, the victims of war, the elderly and the disabled. Figures showing the programme's expected outcomes and indicators are not disaggregated by sex. Under the programme, however, a range of social support services are to be provided in response to needs identified during the annual survey of living conditions. Annually some 100,000 veterans, war victims and elderly people and persons with category I and II disabilities living alone will receive such support.

114. Efforts will be made to widen the system of local social service centres and to improve their facilities and equipment, with a view to ensuring that they are fully accessible and that a case-by-case approach is followed in the provision of social services, thereby increasing to 90,000 the number of citizens receiving services from these centres and social support at their homes. In addition, nursing services will be made available throughout the country at easily affordable rates.

115. It is planned to increase the number of mobile community service teams to more than 70 (an increase of 150 per cent), thus ensuring that social services are available to all citizens unable to work and in need of such services, including by taking advantage of the well developed social infrastructure of the country's agro-towns and its small and medium-

sized cities. Special-interest clubs, associations and studios will be set up and properly equipped in the premises of day-care centres for the disabled, with the aim of facilitating the social, domestic and vocational adaptation of young people with special needs. More than 1,600 new residential places will be created by building new centres and renovating those already in existence, thus clearing the waiting lists for such places and ensuring that their residents enjoy material and living conditions appropriate to their needs.

116. Considerable social and economic benefits will accrue from the return to work, community and home of some 20,000 fully rehabilitated and some 12,000 partly rehabilitated disabled persons. Through measures to ensure their professional and occupational rehabilitation more and more disabled persons will be able to acquire new skills and to return to their jobs and other activities. At the same time, the number of institutions providing vocational and higher education to persons with disabilities will be extended, together with the range of specialized fields in which persons in this category can receive training. Provisions are also made under the comprehensive programme for the development of social partnership and cooperation with voluntary associations.

117. Under article 31 of the Remand in Custody (Procedure and Conditions) Act of 16 June 2003, men and women, including minors and young people aged 18 and over, are separated in remand facilities. Women being held in remand are supervised, as a rule, by officers of the same sex, as stipulated by the relevant laws and regulations. In remand facilities which have no more than five women's cells, situated along the main corridor of the facility building, supervision may be entrusted to male officers. Under article 30 of the Act, body searches and the supervision of the medical processing of persons in remand must be performed by officers of the same sex as the person being processed or searched. The visiting rights of persons held in remand (including women) are spelled out by the law of Belarus. In particular, article 25 of the Act states that persons held in remand may meet in private and have confidential discussions with their lawyers, with no limitation as to the number or duration of such meetings. Visits from close relatives and other family members to persons in this category are subject to the approval of the body in charge of the criminal proceedings, and are limited to three hours, under the visual supervision of officers of the remand facility.

*Note:* Close relatives, within the meaning of the Code of Criminal Procedure, shall be the parents, children, adoptive parents, siblings by blood or adoption, grandparents, grandchildren and spouses of the defendants, suspects or accused or of persons who have committed socially dangerous acts.

118. Under chapter 19 of the rules and regulations of the remand facilities of the criminal enforcement system of the Ministry of Internal Affairs, ratified by decision No. 3 of the Ministry of Internal Affairs of 13 January 2004, interviews between persons held in remand and their close relatives, family members and other persons are held through a dividing barrier, designed to prevent the transfer of any items, but without precluding discussion and visual communication. Interviews are carried out directly or via an intercom and may be listened to by remand facility officers. Conversations during such meetings should be conducted in a language understood by the remand facility officer. If necessary, the services of an interpreter shall be enlisted. No more than two adult visitors may be present at the same time at a meeting with a person held in remand. Citizens presenting themselves at the interview room without identity documents, or in a state of inebriation, and other individuals not listed in the permit, shall not be admitted. The reasons for refusing visits shall be made clear to the persons presenting themselves at the interview room.

119. Rules on the confinement of persons in police cells are set out in the Remand in Custody (Procedure and Conditions) Act (*National Register of Statutory Instruments of the Republic of Belarus*, 14 July 2003, No. 76, 2/964) and in the internal regulations on temporary holding facilities of the internal affairs authorities, drafted on the basis of the Act

and ratified by decision No. 234 of 20 October 2003 of the Ministry of Internal Affairs (*National Register of Statutory Instruments of the Republic of Belarus*, 19 November 2003, No. 127, 8/10172).

120. Under these rules and regulations, persons of different sexes are separated in police cells. Women remanded in police cells may keep their children with them up to the age of 3. Brighter cells are provided for pregnant women and women with children under the age of 3. Women with children are provided with items for their personal hygiene. Persons held in remand are permitted to receive an unlimited number of parcels, whose weight must not exceed the limits set by postal regulations, and of packages, whose total weight may not exceed 30 kg per month. No weight limit may be imposed on packages for pregnant women and for women who have children with them.

121. Persons held in remand may exercise every day for at least two hours and pregnant women and women who have children with them, for at least three hours. No time limit may be set on the daily exercise of pregnant women and women who have children with them. Body searches and the supervision of the medical processing of persons remanded in custody are carried out by members of the same sex as those being searched or inspected.

122. Under paragraph 149 of the internal regulations, visits by close relatives and family members to persons remanded in custody may be made with the written permission of the body in charge of the criminal proceedings. The permission is valid for one visit only and should indicate the name of the visitor and the person being visited. Persons remanded in custody may only have one visitor at a time, not counting children under the age of 16.

123. The amendment to article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women serves to change the frequency of sessions of the Committee on the Elimination of Discrimination against Women. This amendment will enter into force upon its acceptance by a two thirds majority of States parties that have duly notified the Secretary-General as depositary of the Convention. Given that, although this amendment has not yet entered into force de jure, it is already being applied de facto (in accordance with General Assembly resolution 62/218 of 22 December 2007), its ratification by Belarus will not affect the application of its provisions. In the light of those considerations, Belarus does not see any point in ratifying the amendment to paragraph 1 of article 20 of the Convention on the Elimination of All Forms of Discrimination against Women.

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