



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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REFERENCE: AA/follow-up/Belarus/55

27 August 2013

Excellency,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the seventh report of Belarus, at the Committee's forty-eighth session, held in February 2011. At the end of that session, the Committee's concluding observations (CEDAW/C/BLR/CO/7) were transmitted to your Permanent Mission. You may recall that in paragraph 50 on follow-up on the concluding observations, the Committee requested Belarus to provide, over a two year period, written information on the steps taken to implement the recommendations contained in paragraph 20, and, within one year, written information on the steps taken to implement the recommendations contained in paragraph 26 of the concluding observations, namely:

“20. In accordance with its general recommendation No. 19 (1992) on violence against women and the recommendations contained in its previous concluding observations, the Committee urges the State party to:

- (a) Intensify its efforts to prevent and prosecute acts of domestic and sexual violence against women and impose appropriate penalties commensurate with the gravity of the crime on perpetrators rather than administrative fines which may have an adverse impact on the financial situation of victims themselves;
- (b) Expedite the adoption of the draft Law on Prevention of Domestic Violence, including specific rights for victims to assistance, protection and compensation;
- (c) Amend its Criminal Code and Criminal Procedure Code in order to specifically criminalize domestic violence and marital rape, introduce ex officio prosecution for rape, and ensure that the definition of rape covers any non-consensual sexual act;
- (d) Provide mandatory training to judges, prosecutors and the police on the strict application of legal provisions dealing with violence against women and train police officers, on standardized procedures to deal with women victims of violence;

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- (e) Encourage women to report incidents of domestic and sexual violence, by de-stigmatizing victims and raising awareness about the criminal nature of such acts;
- (f) Provide adequate assistance and protection to women victims of violence, by strengthening the capacity of crisis rooms in territorial centres for social assistance, increasing the number of State-run shelters for battered women and girls, enhancing cooperation with and funding for NGOs providing shelter and rehabilitation to victims, and reinforcing rehabilitation programmes for alcoholics;
- (g) Collect statistical data on domestic and sexual violence disaggregated by sex, age and relationship between the victim and perpetrator”; and

“26. The Committee urges the State party to:

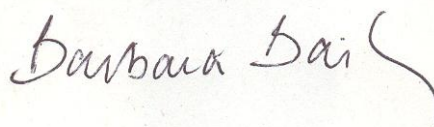
- (a) Ensure that complaints submitted by women about arbitrary arrests and detention, as well as cruel, inhuman or degrading treatment, in connection with the Presidential elections on 19 December 2010 are promptly and effectively investigated, that public officials responsible for such acts are prosecuted and adequately punished, and that the victims obtain adequate compensation for any violations of their rights;
- (b) Ensure that Irina Khalip, Natalia Radzina and Anastasia Polazhanko have access to an independent medical doctor; have adequate time and facilities to prepare their defence and to communicate privately with counsel of their own choosing; and that they are tried within a reasonable time in a fair and public trial by an independent and impartial tribunal, in accordance with international human rights standards, or released;
- (c) Refrain from interfering with Irina Khalip’s right to privacy and family, by ensuring that the custody for her three-year old son remains with the child’s grandparents pending her or her husband’s release and that she may have regular contact with her son and other family members during her deprivation of liberty.”

Although the information sought by the Committee was due in February 2012 and in February 2013, it has not been received to date. Accordingly, I would be grateful for clarification as to the current status of your Government’s response on the matters, and as to when the information requested will be forthcoming.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Belarus on the implementation of the Convention. In this context, the Committee seeks to receive your response to this reminder without further delay. Please also send a Word electronic version of the information requested to the Secretariat of the Committee on the Elimination of Discrimination against Women by email to cedaw@ohchr.org. For ease of reference, please find attached a document providing information on the follow-up procedure, which includes guidelines on the drafting of Follow-up reports by State parties.

Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Barbara Bailey
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women