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### **Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives**

## **Situation of human rights in Belarus**

### **Note by the Secretary-General**

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in Belarus, Anaïs Marin, submitted in accordance with Human Rights Council resolution [44/19](#).

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\* [A/76/150](#).



## **Report of the Special Rapporteur on the situation of human rights in Belarus, Anaïs Marin**

### *Summary*

In the present report, the Special Rapporteur on the situation of human rights in Belarus, Anaïs Marin, focuses on issues pertaining to human rights of women in the Republic of Belarus, highlighting the systemic challenges and institutional deficiencies associated with the situation of civil, political, economic, social and cultural rights of women and girls. On the basis of this analysis, the Special Rapporteur makes recommendations to the Government and to the international community for helping Belarus to improve the situation of women's human rights.

## I. Introduction

### A. Executive summary

1. The mandate of the Special Rapporteur on the situation of human rights in Belarus was established by the Human Rights Council in its resolution 20/13, following a report by the United Nations High Commissioner for Human Rights (A/HRC/20/8). The Council requested the Special Rapporteur to report to it and the General Assembly annually. Since then, the Council has renewed the mandate nine times.

2. The present report, submitted to the General Assembly pursuant to Human Rights Council resolution 44/19, is focused on the human rights of women, including lesbian, bisexual and transgender women, intersex persons and girls.<sup>1</sup> It covers the period up to 15 June 2021 and was prepared on the basis of information received up to that date.

3. Alongside systemic drawbacks pertaining to the human rights situation in Belarus, the Special Rapporteur identified serious problems with the protection and promotion of the human rights of women and girls. Some forms of discrimination are deeply rooted in a rigid interpretation of gender roles in Belarusian society, whereby a woman cannot participate in public life as a proactive citizen. Sexist views are shared not only by men, but also by some women who do not view gender inequality as an issue.

4. Legislative loopholes result in inequalities, discrimination and protection gaps in cases of gender-based violence and abuses. Women, including lesbian, bisexual and transgender women, intersex persons and girls continue to face various limitations of their economic, social and cultural rights. Concerns remain pertaining to women's sexual and reproductive health and access to comprehensive sexuality education. Domestic violence is a persistent problem, which mostly targets women. Despite numerous recommendations stemming from United Nations human rights mechanisms, Belarus has not yet adopted legislation preventing domestic violence and rape, and explicitly criminalizing marital rape.

5. The Special Rapporteur acknowledges the efforts made in recent years by the Government of Belarus to promote the human rights of women at the policy level. She regrets, however, that these rarely translate into concrete advancement of the protection of women's rights in law and in practice owing to long-standing legislative and institutional deficiencies and to the modus operandi of the implementing authorities.

6. The lack of independence of the judiciary<sup>2</sup> and the persistent absence of a national human rights institution further complicate the matter. The most recent legislative reforms, in 2021, which were geared towards tightening a framework for civic participation that is already restrictive and characterized by overregulation, harshened punishment for political and social activism, further limiting the human rights of Belarusian women, including lesbian, bisexual and transgender women, intersex persons and girls.

7. The Special Rapporteur notes with concern that, in spite of efforts to improve the representation of women in government and elected bodies, women remain underrepresented in most decision-making positions. Discrimination manifests itself notably through stereotyping, the obstruction of the exercise by women of the right

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<sup>1</sup> Note on terminology: in the present report, specific references to girls or lesbian, bisexual and transgender women and intersex persons are made only when specific cases or allegations have been reported or if there are sufficient grounds to assume that victims also include these vulnerable groups of people.

<sup>2</sup> See A/75/173.

to be elected and the mocking of women and girls who express dissenting views. Intimidation of women political activists includes targeted gender-based threats, threats to remove children from so-called “dysfunctional families”, and pressure and violence aimed at discouraging civic participation.

8. The above-mentioned trend became particularly evident in 2020, when the authorities reacted harshly to people’s willingness to exercise their legitimate right to freedom of expression and peaceful assembly by violently cracking down on political rallies, performances and spontaneous protest marches. The tragic events that followed the presidential election on 9 August, notably mass arrests, arbitrary detention and judicial persecution of participants and observers, were documented in the report of the United Nations High Commissioner for Human Rights to the Human Rights Council ([A/HRC/46/4](#)).

9. On the basis of the information received, many women activists have been victims of extreme violence since August 2020. Hundreds have been subjected to torture, ill-treatment and other forms of physical and psychological pressure while in detention, including gender-based violence and the threat of rape.<sup>3</sup> Yet women showed an exemplary level of inventiveness, self-organization, leadership and resilience, holding demonstrations and solidarity marches that remained peaceful in spite of the State’s brutal response.

10. Several women activists became victims of enforced disappearance and/or were forced into exile. Many opposition and civil society activists, as well as journalists, have faced politically motivated criminal charges and some have received lengthy prison sentences. According to human rights defenders, 62 women have been sentenced or are currently detained pending sentencing, and 21 more were charged and subsequently released.<sup>4</sup> Women and girls particularly suffer as a result of additional humiliating practices, such as limited availability of hygiene products and access to medical services, and no privacy while using toilets. The poor sanitary conditions in detention facilities further deteriorated owing to the coronavirus disease (COVID-19) pandemic.

11. The authorities intensified their practice of reprisals against human rights defenders, also targeting women’s rights defenders. Repression took various forms, such as intimidation, administrative and financial harassment, raids on the offices and searches at the homes of the activists, prosecution, arrests and sentences.

12. The authorities create similar hurdles to undermine the work of women journalists and bloggers and pressed criminal charges against dozens of them, thus further curtailing freedom of expression in the country.

## **B. Methodology**

13. The Special Rapporteur performs her duties abiding by the principles of truthfulness, impartiality and independence, in compliance with the Code of Conduct for Special Procedure Mandate Holders of the Human Rights Council. She seeks to establish facts on the basis of objective, reliable information provided by relevant sources, paying attention to their protection while also striving to ensure transparency.

14. In accordance with prior practice, on 26 April 2021, the Special Rapporteur submitted a request to the Government of Belarus to visit the country in her official

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<sup>3</sup> International Committee for the Investigation of Torture in Belarus, “The mass torture in Belarus 2020”. Available at [https://drive.google.com/file/d/1qbhqS\\_nQbMR2SbwgX4eN6szko14RKQdF/view](https://drive.google.com/file/d/1qbhqS_nQbMR2SbwgX4eN6szko14RKQdF/view).

<sup>4</sup> Viasna, “List of political prisoners”, available at <https://prisoners.spring96.org/en/table>; and Belarus Women’s Foundation, “Women political prisoners in Belarus”, available at <https://belaruswomen.org/en/political-prisoners>.

capacity. Her request was left unanswered. The Special Rapporteur regrets this lack of engagement with her mandate and she encourages the Government to review its position.

15. To prepare the present report, the Special Rapporteur relied on publicly available information, including government statements and responses to allegation letters; submissions received from civil society actors, human rights defenders and victims and witnesses of human rights violations; reports from the diplomatic community and international and regional organizations; the recent report of the United Nations High Commissioner for Human Rights on the situation of human rights in Belarus in the context of the 2020 presidential election ([A/HRC/46/4](#)); recent reports prepared by the United Nations treaty bodies, including those by the Committee on the Rights of the Child in 2020 ([CRC/C/BLR/CO/5-6](#)), the Human Rights Committee in 2018 ([CCPR/C/BLR/CO/5](#)), the Committee against Torture in 2018 ([CAT/C/BLR/CO/5](#)), and the Committee on the Elimination of Discrimination against Women in 2016 ([CEDAW/C/BLR/CO/8](#)); information provided in the context of the third cycle of the universal periodic review of Belarus; and other publicly available information, which was duly verified. The Special Rapporteur also relied on numerous testimonies of victims and witnesses of human rights violations, submitted in response to the call for contributions that she launched on 15 May 2021; this first-hand information was duly corroborated and cross-checked to the extent possible.

## II. Legal framework and related developments

### A. International legal and policy framework on the rights of women, girls and lesbian, bisexual, transgender and intersex persons

16. Throughout its history, the United Nations has made significant progress in transforming the human rights of women from a theoretical and philosophical libertarian concept into an integral part of contemporary international human rights law.

17. Enshrined in the Universal Declaration of Human Rights, the equal rights of men and women is a fundamental principle further consolidated by the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Another major milestone was the adoption in 1979 of the Convention on the Elimination of all Forms of Discrimination against Women by the General Assembly. Belarus is a party to the above-mentioned conventions.

18. As a signatory of the Platform for Action of the Fourth World Conference on Women, adopted in Beijing in 1995, Belarus also committed to achieve gender equality and the empowerment of women. On 25 September 2015, the General Assembly adopted the 2030 Agenda for Sustainable Development, inter alia, “to protect human rights and promote gender equality and the empowerment of women and girls”.

19. Even though Belarus tops the second quintile of countries ranked in the 2019 update of the Women, Peace and Security Index<sup>5</sup> and outperforms most of the countries in its regional group, there remain shortcomings in law and in practice that Belarus should address in order to meet international goals and standards regarding the human rights of women.

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<sup>5</sup> Georgetown Institute for Women, Peace and Security and Peace Research Institute Oslo, *Women, Peace and Security Index 2019/20: Tracking Sustainable Peace through Inclusion, Justice, and Security for Women* (Washington, D.C., 2019).

## B. National legislation and policies

20. The Special Rapporteur notes with concern that the national legislation of Belarus lacks a specific prohibition of gender-based discrimination. This, *inter alia*, leads to discriminatory practices against women and girls. In this regard, the Special Rapporteur recalls and reiterates the recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/BLR/CO/8).

21. National legislation also does not contain a specific definition of domestic violence and fails to prevent it in practice. While criminalizing rape of both women and men, it lacks an explicit criminalization of marital rape. Furthermore, discrimination on the basis of sexual orientation is not prohibited by law. Owing to these shortcomings, statistics on domestic violence or intimate partner violence are lacking, which deprives the Government of effective tools to analyse trends and combat these crimes.

22. The Special Rapporteur notes with regret the overall legislative trend to further limit the enjoyment of civil and political rights, notably the rights to freedom of assembly, association and expression. More specifically, amendments to the laws on mass events in Belarus,<sup>6</sup> on mass media issues, on the protection of personal data and others<sup>7</sup> have recently been drafted or adopted, which will limit public events and protests only to those officially permitted by the authorities and further curtail media freedom.

23. The draft laws on preventing the rehabilitation of Nazism and on amendments to the laws on countering extremism and the corresponding changes to the Criminal Code will introduce individual criminal liability for any “extremist activity”, as vaguely defined under the proposed legislation, by civil society organizations, mass media, trade unions or those expressing dissenting views. Even displaying historical symbols and national attributes, such as the white-red-white flag, would be considered a manifestation of “extremism”. Hence, it appears that the authorities are trying to legalize post hoc the numerous violations of fundamental rights and freedoms that have occurred in Belarus since August 2020.

24. The Special Rapporteur notes that, despite multiple recommendations stemming from United Nations human rights mechanisms, including the most recent cycle of the universal periodic review (A/HRC/46/5), Belarus has not yet established a national human rights institution. The absence of an ombudsperson limits the opportunities for the women of Belarus to seek the protection of their human rights by a specialized body with the competence to investigate specific gender dimensions of human rights violations.

25. National efforts to protect women’s rights yielded undeniable success in some areas, such as in combating illiteracy or trafficking in persons. Unfortunately, policies in other areas remain largely declarative, and action plans often do not translate into practical steps.

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<sup>6</sup> See [www.belta.by/society/view/deputaty-prinjali-v-pervom-chtenii-zakonoproekt-o-massovyh-meroprijatijah-v-belarusi-435460-2021/](http://www.belta.by/society/view/deputaty-prinjali-v-pervom-chtenii-zakonoproekt-o-massovyh-meroprijatijah-v-belarusi-435460-2021/).

<sup>7</sup> See <https://pravo.by/bank-dannykh-proektov-zakonov-respubliki-belarus/>.

26. The Government has adopted two successive action plans on gender equality.<sup>8</sup> While partly following the recommendations of 2016 of the Committee on the Elimination of Discrimination against Women (A/HRC/WG.6/36/BLR/1), these plans remain mostly declarative instruments, with little impact in practice. For example, the National Council on Gender Policy, a body established in 2020, has reportedly delivered few improvements.

27. The Special Rapporteur notes that these institutional developments are focused predominantly on social and economic rights. They address issues of domestic violence, human trafficking and promoting awareness of gender equality, but they largely neglect the civil and political rights of women, including lesbian, bisexual and transgender women, intersex persons and girls.

### III. Civil and political rights

#### A. Participation in political and public life

28. Pursuant to article 3 of the International Covenant on Civil and Political Rights, States parties to the Covenant must undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights. In accordance with article 7 of the Convention on the Elimination of All Forms of Discrimination against Women, States parties must ensure to women, on equal terms with men, the right to be eligible for election to all publicly elected bodies, to hold public office and perform all public functions at all levels of government. Under article 32 of the Constitution of Belarus, women shall be guaranteed equal rights with men, including in their opportunities to be promoted in labour, social and political, cultural and other spheres of activity.

29. Official narratives have recurrently downgraded women's legitimate aspiration to full equality, however. For example, in December 2010, the Head of the Central Electoral Commission, Lidziya Yarmoshyna, implied that women would not have suffered from police repression had they remained at home to cook soup instead of joining post-election protests.<sup>9</sup> Ten years later, the President, Aleksandr Lukashenko, said that "our constitution is not made for a woman. Our society has not matured to the point to vote for a woman",<sup>10</sup> claiming that a woman would be "unable to handle the pressures of the presidency".<sup>11</sup>

30. Despite the fact that women constitute more than half of the country's population – reportedly 53.45 per cent in 2019<sup>12</sup> – they are largely underrepresented in decision-making positions. The Committee on the Elimination of Discrimination against Women noted that women in the public administration of Belarus were concentrated at the middle and lower levels.<sup>13</sup> According to official statistics, while

<sup>8</sup> Belta, "Belarus approves national action plan on gender equality for 2017–2020", 21 February 2017, available at <https://eng.belta.by/society/view/belarus-approves-national-action-plan-on-gender-equality-for-2017-2020-98881-2017/>; and "Belarusian government approves National Action Plan for Gender Equality for 2021–2025", 6 January 2021, available at <https://eng.belta.by/society/view/belarusian-government-approves-national-action-plan-for-gender-equality-for-2021-2025-136403-2021/>.

<sup>9</sup> See <https://euroradio.fm/ru/sideli-doma-varili-borshch-kak-rodilsya-glavnyy-mem-vyborov-2010-goda>.

<sup>10</sup> Andrew Roth, "Women unite in maverick attempt to unseat Lukashenko in Belarus", *The Guardian*, 26 July 2020. Available at [www.theguardian.com/world/2020/jul/26/belarus-svetlana-tikhanovskaya-unseat-alexander-lukashenko](http://www.theguardian.com/world/2020/jul/26/belarus-svetlana-tikhanovskaya-unseat-alexander-lukashenko).

<sup>11</sup> See <https://tass.ru/mezhdunarodnaya-panorama/8777777>.

<sup>12</sup> Trading Economics, "Belarus – population, female (% of total)". Available at <https://tradingeconomics.com/belarus/population-female-percent-of-total-wb-data.html>.

<sup>13</sup> CEDAW/C/BLR/CO/8, para. 28.

the ratio of women in the judiciary is high, at around 69 per cent, with 5 of the 12 judges in the Constitutional Court being women, they are less represented in the legislature, holding a mere third of seats in the parliament, for example.

31. Furthermore, women are significantly underrepresented in executive government structures, especially in higher political positions: among the top 24 government ministers only one is currently a woman;<sup>14</sup> only 3.2 per cent of the heads of the State bodies subordinate to the Council of Ministers are women.<sup>15</sup> The current head of the presidential administration is a man, and so are three of his four deputies. The gender imbalance is worse among the heads of regional administrations (oblast level and Minsk capital city): the President has never appointed a woman to any such position.<sup>16</sup> According to available data, in 2020 only 3.4 per cent of ambassadors were women.<sup>17</sup>

32. For decades, the authorities in Belarus have been discouraging women from participating in the country's political and public life, thus obstructing women's efforts to achieve positions of authority or to be elected. Whereas a political career long seemed inaccessible for women, many have emerged with leading roles within the opposition's ranks – a trend that manifested itself vividly in 2020, when several women played an active role in gathering signatures and supportive crowds during the presidential campaign and as leaders of the post-electoral protests.

33. A symbol of this feminization of political life in Belarus is the popularity gained by presidential candidate Sviatlana Tsikhanouskaya, who decided to run on behalf of her husband Siarhei Tsikhanouski after the latter was arrested. During her campaign, she received threats, including threats against her children,<sup>18</sup> which were left uninvestigated by law enforcement bodies. On 11 August, she was reportedly forced into exile in Lithuania.

34. In August 2020, the electoral campaign chief of Viktor Babaryka, Marya Kalesnikava, took part in the establishment of a coordination council of pro-democratic forces, meant to engage in dialogue with the authorities on finding a way out of the post-electoral political crisis. She was abducted in Minsk on 7 September and, after a failed attempt at forcefully expelling her to Ukraine, on 12 September, she was charged under article 361 (3) of the Criminal Code (calls to action against national security).<sup>19</sup> On 13 May 2021, additional charges were brought against her under articles 357 (conspiracy to seize State power by unconstitutional means) and 361-1 (creation and leadership of an extremist group). If convicted, Maryia Kalesnikava may face up to 12 years in prison.

35. The country's top leadership launched a smear campaign against these and other women leaders, using harmful discriminatory stereotypes and attitudes regarding the roles and responsibilities of women in society. In particular, speaking about Sviatlana Tsikhanouskaya, the President mocked her, saying that “she cooked good cutlets”<sup>20</sup>

<sup>14</sup> See [www.government.by/en/departments/](http://www.government.by/en/departments/).

<sup>15</sup> See [www.belstat.gov.by/ofitsialnaya-statistika/makroekonomika-i-okruzhayushchaya-sreda/gendernaya-statistika-i-statistika-otdelnykh-grupp-naseleniya/gendernaya-statistika/osnovnye-pokazateli-gendernoy-statistiki/](http://www.belstat.gov.by/ofitsialnaya-statistika/makroekonomika-i-okruzhayushchaya-sreda/gendernaya-statistika-i-statistika-otdelnykh-grupp-naseleniya/gendernaya-statistika/osnovnye-pokazateli-gendernoy-statistiki/).

<sup>16</sup> See [https://ru.wikipedia.org/wiki/Список\\_глав\\_областей\\_Белоруссии](https://ru.wikipedia.org/wiki/Список_глав_областей_Белоруссии).

<sup>17</sup> See [www.belstat.gov.by/ofitsialnaya-statistika/makroekonomika-i-okruzhayushchaya-sreda/gendernaya-statistika-i-statistika-otdelnykh-grupp-naseleniya/gendernaya-statistika/osnovnye-pokazateli-gendernoy-statistiki/](http://www.belstat.gov.by/ofitsialnaya-statistika/makroekonomika-i-okruzhayushchaya-sreda/gendernaya-statistika-i-statistika-otdelnykh-grupp-naseleniya/gendernaya-statistika/osnovnye-pokazateli-gendernoy-statistiki/).

<sup>18</sup> Andrew Roth, “Belarus opposition candidate implies threat to children after leaving country”, *The Guardian*, 12 August 2020. Available at [www.theguardian.com/world/2020/aug/11/belarus-opposition-candidate-lithuania-protests-svetlana-tikhanouskaya](http://www.theguardian.com/world/2020/aug/11/belarus-opposition-candidate-lithuania-protests-svetlana-tikhanouskaya).

<sup>19</sup> See [www.dw.com/ru/v-belarusi-oppozicionerke-marii-kolesnikovoj-predjavleny-obvinenija/a-57520833](http://www.dw.com/ru/v-belarusi-oppozicionerke-marii-kolesnikovoj-predjavleny-obvinenija/a-57520833).

<sup>20</sup> See [www.belnovosti.by/politika/lukashenko-o-tihanovskoy-ona-horoshuyu-kotletu-tolko-chno-prigotovila-detishek-nakormila](http://www.belnovosti.by/politika/lukashenko-o-tihanovskoy-ona-horoshuyu-kotletu-tolko-chno-prigotovila-detishek-nakormila).



and called her and other women leaders of the opposition “unhappy girls”.<sup>21</sup> This humiliating rhetoric has been echoed by pro-government media ever since.

36. While welcoming the new role that women have assumed in Belarusian politics and encouraging them to stand up for civil and political rights, the Special Rapporteur expresses her deep concern at the unprecedented and violent campaign of negative stereotyping, mocking, pressure, intimidation, threats and repression that women have experienced since 2020. She is particularly appalled by the fact that dozens of leading women opposition activists were compelled to seek refuge abroad, sometimes following threats that their children be taken into State custody, while others were sentenced to prison on charges that appear to be politically motivated.

## **B. Right to freedom of assembly**

37. The Special Rapporteur is extremely concerned about the systematic violation by Belarus of the right to peaceful assembly, and the brutal actions against women and girls who tried to exert this right in 2020 to protest against alleged electoral manipulation and the Government’s heavy-handed response to the expression of dissent. Post-electoral protests took various forms – mass rallies, marches, solidarity chains and artistic performances – all of which were predominantly peaceful.

38. Wearing white clothes and holding flowers and posters calling for an end to police violence, women and girls organized a peaceful “stroll” in Minsk on 12 August. The authorities warned that the rally was not allowed, but did not disperse it or arrest participants. Similar solidarity rallies and marches gathered massive support every Saturday after that, but were violently dispersed.

39. Starting from September 2020, the riot police responded with excessive force to disperse and arrest protesting women and girls. As a rule, law enforcement officers ignored whether there were any grounds for the brutal arrest and detention of participants; detained women were not familiarized with their rights, informed of the reasons for their arrest or of the charges brought against them; no orderly records were kept in the register of detainees; and basic requirements for the separation of men, women and minors were seldom respected.

40. On 12 September, at least 69 participants in the women’s march in Minsk were harshly detained by the police forces and their surrogates.<sup>22</sup> Similar means and methods were used while dispersing the peaceful march of grandmothers on 12 October, when it was reported that the riot police used stun grenades. As a result of indiscriminate police brutality, many women suffered serious injuries. In Homiel, a 48-year-old woman had her leg fractured after a police officer pushed her. A 22-year-old woman got a severe sprain and was hospitalized. Over the past year, more than 30,000 people have been arbitrarily detained in Belarus. According to human rights groups, the vast majority of those arrests were politically motivated.<sup>23</sup>

41. The exceptional events of mid-August 2020 accelerated the expansion of Telegram chats that had mushroomed during the first wave of COVID-19. This development prompted the witch-hunt of dissenters to move to social networks over the winter of 2020/21. As a result, the authorities charged many women under amended article 23.34 of the Code of Administrative Offences (participation in mass events). Since 1 March 2021, more than 250 women have been arrested for

<sup>21</sup> See [www.rosbalt.ru/world/2020/08/04/1857026.html](http://www.rosbalt.ru/world/2020/08/04/1857026.html).

<sup>22</sup> See [www.bbc.com/russian/news-54131765](http://www.bbc.com/russian/news-54131765).

<sup>23</sup> See <http://spring96.org/ru/news/102650>; and Viasna, “Politically motivated administrative proceedings: standards and reality in contemporary Belarus”, 2021, available at [http://spring96.org/files/book/en/2021\\_politically\\_motivated\\_administrative\\_proceedings\\_en.pdf](http://spring96.org/files/book/en/2021_politically_motivated_administrative_proceedings_en.pdf).

participating in peaceful protests and at least 114 women have been fined up to 1,850 euros; 55 of them with minor children were sentenced to fines totalling 37,000 euros.<sup>24</sup> The Special Rapporteur stresses that these actions violate article 21 of the International Covenant on Civil and Political Rights, under which the right of all – women and children included – to take part in demonstrations and other mass events is guaranteed.

### C. Right to freedoms of expression and association

42. Under article 19 of the International Covenant on Civil and Political Rights, everyone has the right to hold opinions without interference and to express them freely, including the freedom to seek, receive and impart information and ideas of all kinds through any media of his or her choice. Article 33 of the Constitution of Belarus also guarantees to everyone freedom of opinion, belief and expression; it also prohibits censorship and State monopolization of mass media.

43. Nevertheless, Belarus strictly curbs freedom of expression, including media freedoms. Under national legislation, public expression of dissent is prevented and persecuted; public criticism of government policies is specifically banned and libel against the President is a criminal offence.

44. Of serious concern is the extension of censorship into the private sphere. The authorities break into social media conversations to identify and prosecute those holding dissenting opinions. The entire bureaucracy is used as a tool for repression, complemented by the law enforcement apparatus and a docile court system. Even benign expression of dissent, such as wearing white-red-white clothes or displaying symbols associated with the nationalist opposition, may lead to a variety of penalties, from losing one's job to being fined or arrested.

45. Following the violent dispersal of peaceful protesters, administrative arrests were the most common reprisal against people exercising their right to freedom of expression, however, since Autumn 2020, criminal charges have been raised more often against people peacefully expressing diverging opinions. Since 2020, human rights groups have recorded at least 141 politically motivated criminal cases against women who had been detained for expressing dissent.<sup>25</sup> The number of people whom Belarusian human rights defenders qualify as “political prisoners” has risen constantly; as at 15 June 2021, it had reached 500 persons aged 18 to 56 years, including 62 women (this number includes those who were later released).<sup>26</sup>

46. Intimidation, harassment, searches of homes, prosecution, arrests, detention and criminal charges on political grounds have been used to target women from all professional categories and social groups, such as civil society activists, journalists, human rights defenders, lawyers, medical workers, teachers, athletes, artists and Telegram chat administrators; in fact, anyone seen or perceived to be supporting anti-government protests could be targeted – including children.

47. The Special Rapporteur is concerned about the violations of the freedoms of expression and association of Belarusian children, in particular teenage girls. It was reported that children whose parents had expressed public dissent or participated in peaceful protests had been the victims of bullying at school. They had endured psychological pressure for their or their relatives' civic activism. Many teenagers had

<sup>24</sup> Submission from a civil society organization.

<sup>25</sup> See [http://spring96.org/files/book/ru/2021\\_politically\\_motivated\\_criminal\\_prosecutions\\_ru.pdf](http://spring96.org/files/book/ru/2021_politically_motivated_criminal_prosecutions_ru.pdf).

<sup>26</sup> Viasna, “List of political prisoners”. Available at <https://prisoners.spring96.org/en/table> (15 June 2021); and <https://dissidentby.com/prisoners?limit=15&sort=add%7Cdesc&search=&status=&sex%5B%5D=1&article=>.

had to witness the raiding of their homes by police and to see their relatives being arrested for exposing the white-red-white flag in their windows.

## 1. Undermining the work of women journalists and bloggers

48. The Special Rapporteur reiterates her concern regarding the further curtailing of media freedoms in Belarus as a result of the latest amendments to an already overregulated legal framework for journalists and bloggers. She deplores the harassment of independent media workers, notably the workers of the Tut.by online information platform, and Belsat journalists, a high proportion of whom are women.

49. In its 2020 report, Reporters without Borders called Belarus “the most dangerous country in Europe for media personnel”, highlighting Internet cuts and blockages of news websites, as well as the censorship of print media.<sup>27</sup> Women media workers have been affected in great numbers by pressure, intimidation, arrests, detention or ill-treatment for performing their professional duties. After election day, at least 62 cases of physical violence against journalists, including women media workers, were recorded. Most of the detained journalists received administrative sentences or fines, some of them repeatedly. Some were compelled to flee the country, as was the case for Maria Matusevich, a Lithuanian citizen residing in Minsk, who, after being detained and beaten by the police for covering a protest action, was expelled and banned from entering Belarus.<sup>28</sup>

50. On 19 November 2020, the journalist Katsiaryna Barysevich was arrested on suspicion of disclosing confidential medical information (article 178 of the Criminal Code). In an article investigating the circumstances of the death of Raman Bandarenka, she quoted the results of a medical test refuting the claim by law enforcement that the man, brutally arrested on 11 November outside his apartment block in Minsk, had alcohol in his blood upon being transferred to hospital from the police station where he was being detained. On 19 February 2021, Ms. Barysevich was sentenced to six months in prison and a fine.<sup>29</sup>

51. Two other women journalists, Darya Chultsova and Katsiaryna Andreyeva (who also uses the pseudonym Bakhvalava), both working for Belsat TV, were accused of “organizing actions that grossly violate public order” (article 342 of the Criminal Code) after a live broadcast on 15 November of a spontaneous gathering in memory of late Raman Bandarenka, which was violently dispersed by the riot police. On 18 February 2021, both were found guilty of “disrupting the work of public transport” and subsequently sentenced to two years in prison.<sup>30</sup> All three of the above-mentioned journalists were also listed by security services as persons “inclined to extremism”, a label increasingly used to discredit independent journalists and critical bloggers.

52. Journalists are sometimes summoned by the police or the Committee of State Security for questioning. The threat of being labelled “extremist” is then used to intimidate and censor journalists. The police increasingly use other means of pressure and intimidation against female journalists, including by pressing criminal charges

<sup>27</sup> Reporters without Borders, “Belarus: bad time for independent journalism”. Available at <https://rsf.org/en/belarus>.

<sup>28</sup> Edvardas Špokas, “Lithuanian protester in Belarus: police hit me harder when they found my passport”, LRT, 20 January 2021. Available at [www.lrt.lt/en/news-in-english/19/1325172/lithuanian-protester-in-belarus-police-hit-me-harder-when-they-found-my-passport](http://www.lrt.lt/en/news-in-english/19/1325172/lithuanian-protester-in-belarus-police-hit-me-harder-when-they-found-my-passport).

<sup>29</sup> Viasna, “Tut.by reporter and whistleblower doctor convicted in political trial”, 2 March 2021, available at <http://spring96.org/en/news/102228>; and <https://baj.by/be/content/zhurnalisku-tutby-katerinu-borisevich-postavili-na-uchet-kak-sklonnuyu-k-ekstremizmu>.

<sup>30</sup> Viasna, “Darya Chultsova: Belsat TV journalist, sentenced to 2 years in prison”, available at <https://prisoners.spring96.org/en/person/darja-czulcova>; and “Katsiaryna Andreyeva (Bakhvalava): Belsat TV journalist, sentenced to 2 years in prison”, available at <https://prisoners.spring96.org/en/person/kacjaryna-andreeva-bakhvalava>.

for tax evasion. On 22 December, the founder of Press Club Belarus, Yuliya Slutskaya, and its programme director, Alla Sharko, were arrested and later charged under article 243 of the Criminal Code (large-scale tax evasion). They have been in pretrial detention since then, although the investigation has not produced evidence of any wrongdoing. The health of Ms. Slutskaya has reportedly deteriorated during her pretrial detention owing to the refusal by the penitentiary authorities to let her relatives provide her with necessary medicine.

53. The bureaucratic and judicial harassment of journalists continued and intensified in 2021. On 16 February 2021, the offices of several media outlets were raided by law enforcement officials as part of an investigation into actions that were “grossly violating public order” (article 342 of the Criminal Code). On 18 May, the Belarusian authorities closed the largest private media platform in the country, Tut.by. Access to the Tut.by website was blocked, the offices and private apartments of journalists were raided, equipment and hard disks were seized and at least 13 staff were detained, including nine women. Three more women staff members were put under house arrest. All were charged under article 243 (3) of the Criminal Code (tax evasion); some of those detained were reportedly denied access to their lawyers.<sup>31</sup>

54. According to the Belarusian Association of Journalists, as at 5 June 2021, 75 media workers had been detained since the beginning of the year, and 27, a majority of them women, remained in custody.<sup>32</sup> In a poll of journalists who remain free, over half are now considering leaving the country.<sup>33</sup> Dozens have indeed done so in recent months for fear of repression or arrest.

## 2. Women human rights defenders and civil society activists

55. The Special Rapporteur deplores the systematic reprisals against women human rights defenders in retaliation for their legitimate professional activities. Threats, intimidation, harassment by the tax inspection authorities, searches and arrests or forced expulsions have multiplied in 2021. The Special Rapporteur recalls the overall restrictive legislation regulating freedom of association in Belarus, noting that article 23.88 of the Code of Administrative Offences (administrative liability for unlawful activities of a public association) is often used for penalizing members of unregistered organizations.

56. On 6 September 2020, Iryna Sukhiy, an ecologist and Chair of the board of the public association Ecodom was abducted from her home by three men in plain clothes and taken to the detention centre at Akrestsina street in Minsk, where she was held for five days before being charged under article 23.34 of the Code of Administrative Offences for “participation in an unauthorized mass event”. Belarusian women human rights defenders Tatsiana Reviaka, a coordinator with Belarusian Human Rights House, and Enira Branitskaya, a member of the Human Constanta team, had their homes searched. Ms. Branitskaya, who has been working on issues of torture, the rights of persons with disabilities, foreigners and stateless persons in Belarus, was reportedly held incommunicado for some time on 6 April 2021 and her equipment was confiscated. On the following day, she was summoned for questioning by the

<sup>31</sup> Viasna, “TUT.BY employees are political prisoners”, 25 May 2021. Available at <http://spring96.org/en/news/103530>.

<sup>32</sup> Belarusian Association of Journalists “Repressions against journalists in Belarus, 2021 (chart)”, 5 June 2021. Available at <https://baj.by/en/analytics/repressions-against-journalists-belarus-2021-chart>.

<sup>33</sup> See <https://baj.by/be/content/bolshe-poloviny-oproshennyh-belorusskih-zhurnalistov-dumali-ob-otezde-iz-strany-posle>.

Investigative Committee. Ms. Branitskaya is banned from leaving the country until she is formally charged.<sup>34</sup>

57. The coordinator of the volunteer service at the human rights centre Viasna and a participant in “Human rights defenders for free elections” campaign, Maryia (also known as Marfa) Rabkova, was engaged in monitoring peaceful assemblies and documenting evidence of torture and ill-treatment of detained protesters. On 17 September 2020, she was detained, together with her husband. Their apartment was searched and equipment confiscated. Ms. Rabkova was charged under articles 293 (3) (training or other preparation of persons to participate in riots, or funding such activities), 130 (3) (inciting social hostility to the government by a group of unidentified individuals), and article 285 (2) (involvement in a criminal organization) of the Criminal Code. If convicted, she may face up to 12 years in prison. Viasna considers these and other cases to be examples of politically motivated repression.

58. European Belarus civil campaign activist Palina Sharenda-Panasiuk was arrested in Brest on 3 January 2021 after her house was searched. She was charged under articles 364 (violence against police officers), 368 (insulting the president) and 369 (insulting representatives of the authorities) of the Criminal Code. During the court hearings, she said that she is a victim of political repression and contested the legitimacy of the court. On 9 June 2021, she was sentenced to two years in prison.

59. The Special Rapporteur stresses that subjecting women human rights defenders to pressure, intimidation and harassment violates article 22 of the International Covenant on Civil and Political Rights, under which freedom of association for everyone is guaranteed. She also recalls that, under article 1 of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels”.

## **D. Dire conditions of detention**

### **1. Abusive language**

60. The Special Rapporteur is concerned about numerous allegations of abusive language used against women during their detention and notes that such practices contribute to discriminatory stereotypes and patriarchal attitudes towards women in Belarus. In detention many women were accused, for example, of being bad mothers and wives for having participated in demonstrations “instead of fulfilling child-care duties at home”. Many allegedly suffered verbal abuse and psychological ill-treatment during their arrest or detention, as interrogators used insults, death threats or threats of rape.

### **2. Torture and discriminatory and humiliating practices**

61. The Special Rapporteur received numerous testimonies from female protesters who were pushed, beaten and shoved for participating in peaceful protests in 2020–2021. Concordant evidence points to the detention centre at Akrestsina in Minsk as the place where the most inhuman treatment was received by women, notably in August 2020. Women were also subjected to degrading treatment while being transported to and from this and other detention centres.

<sup>34</sup> Viasna, “Stop persecution of human rights activists Tatsiana Hatsura-Yavorskaya and Enira Branitskaya”, 6 April 2021. Available at <http://spring96.org/en/news/102816>.

62. The Special Rapporteur is highly concerned about the lack of accountability for acts of torture and other inhuman and degrading treatment of women. According to the Centre for the Promotion of Women's Rights – Her Rights, some 500 to 700 women, including girls and older women, were arbitrarily detained throughout Belarus between 9 and 12 August 2020.<sup>35</sup> The Centre filed several appeals concerning disproportionate use of force against peaceful female protesters. In all cases, the authorities replied either that additional checks were needed before initiating an investigation, or that there were no grounds to initiate one.

63. Female protesters were subjected to discriminatory and humiliating practices during their detention, kept in small cells with dozens of other detainees. There was a lack of women officers, and male officers often entered the cells without warning. Women's right to privacy was denied when using toilet facilities. Ill-treatment was reportedly focused on so-called "political" suspects and detainees, who were treated with deliberate cruelty, as a means of vengeance and redress. Moreover, detained women had no access to hygiene products, water or soap. Those who shared with other inmates the hygiene products that they managed to receive from relatives were reportedly punished by guards for doing so.

64. In August 2020, women detainees were systematically denied access to medical examination and care. Only when a detainee lost consciousness would an ambulance be called. In some cases, police officers punished the women detainees who requested medical attention with threats of ill-treatment. Among the belongings confiscated during detention were medications for women with chronic conditions, which were returned only if their health condition deteriorated dramatically. Frequently, women went to hospital right after being released. A high proportion of them tested positive for COVID-19 after detention.

### 3. Sexual violence

65. The Special Rapporteur is highly concerned about reported cases of gender-based and sexual violence, such as rape or threats of rape against women protesters. Some sources allege that at least 143 women have been tortured or sexually assaulted by security officers during the post-electoral crackdown – a claim denied by the authorities.<sup>36</sup> Several detainees reported being touched or hit on their private parts with a truncheon. Women who were detained in different facilities reported being strip-searched, often in front of male officers, or undergoing invasive body searches. It has been reported that women must hand over their underwear (bras) while in detention.

## E. Enforced disappearances

66. In 2020, several cases of enforced disappearance of women who participated in peaceful protests were reported. The authorities denied the fact of their detention, and the relatives of the victims were not able to receive any information about the whereabouts of detained women for several hours or sometimes days. In the majority of cases, missing women were found only after their release or thanks to information shared by their former co-detainees or human rights defenders.

67. The practice of enforced disappearance by security officers or their surrogates is still ongoing. On 18 May, Yuliya Charniaskaya, a member of the Belarusian PEN

<sup>35</sup> Centre for Promotion of Women's Rights – Her Rights and Anti-Discrimination Centre Memorial, "The situation with human rights of women in Belarus following the presidential elections in 2020". Available at <https://adcmemorial.org/wp-content/uploads/osce-report-on-vaw-1.pdf>.

<sup>36</sup> International Committee for the Investigation of Torture in Belarus, "Mass torture in Belarus 2020: third interim report – torture, cruel, inhuman and degrading treatment of women". Available at <https://drive.google.com/file/d/1Eu2RpPmylSPfwhiS17tsD1308pOUjgbr/view>.

Centre, was forcefully disappeared, then taken under police escort to hospital after a hypertensive crisis during the police raiding of her house. After leaving the hospital on the same day, she was placed under house arrest.<sup>37</sup>

## F. Access to justice and right to a fair trial

68. The victims of the massive human rights violations perpetrated in Belarus in 2020–2021 have little hope for redress from the current Belarusian judicial system, which is not geared towards holding perpetrators of torture and ill-treatment accountable, but instead guarantees their impunity. Reporting unlawful beatings to the police often results in administrative or criminal charges being brought against the plaintiff herself.

69. The right to a fair trial is systematically violated in Belarus, where judges are heavy-handedly punishing dissent, lawyers are subjected to pressure and intimidation, and police officers are called as victims or anonymous witnesses for the prosecution of even petty crimes. Women victims of human rights abuses regularly receive threats and face reprisals from the authorities to deter them from filing complaints through the police or in court. In general, in “political” cases lawyers and defendants must agree to non-disclosure clauses, meaning that the public remains uninformed about the results of the investigation and the charges that are brought.

70. Victims of systematic human rights abuses were found in higher proportion among social workers (teachers and medical staff), journalists, including those working for foreign media, civil rights activists, lawyers, and human rights defenders – all highly feminized professions. Hence, Belarusian women paid a particularly heavy toll, individually and collectively, for claiming respect for human rights, speaking the truth or simply doing their work.

## IV. Economic, social and cultural rights

### A. Right to education

71. The Special Rapporteur reiterates the recommendations made by the Committee on the Rights of the Child on ensuring that girls and boys have access to non-traditional fields of study (CRC/C/BLR/CO/5-6, para. 36 (e)).

72. According to the Council of Europe, the share of female students in higher education in Belarus is almost 54 per cent. Various stereotypes are being imposed on women in education, as many specializations remain inaccessible to female students.<sup>38</sup> The Special Rapporteur reiterates the recommendation of the Committee on the Elimination of Discrimination against Women for the State party to take immediate measures to ensure equal opportunities to access all institutions of higher learning (CEDAW/C/BLR/CO/8, para. 31 (c)).

73. The Special Rapporteur notes with concern the trend of repressions that curtail academic freedom in Belarus, affecting teaching staff and students.<sup>39</sup> From August 2020 onwards, female students were subject to expulsion and pressure from university

<sup>37</sup> Viasna, “Yuliya Charniauskaya”. Available at <https://prisoners.spring96.org/ru/person/julija-czarnjauskaja>.

<sup>38</sup> Council of Europe, brochure on gender equality and justice in Belarus, 2019. Available at <https://rm.coe.int/prems-189819-rus-2019-gender-ok-web/16809ef14a>.

<sup>39</sup> See, for example, Peter Van Elsuwege, “Attacks on academic freedom in Belarus: impossible to remain silent”, *New Eastern Europe*, 11 June 2021. Available at <https://neweasterneurope.eu/2021/06/11/attacks-on-academic-freedom-in-belarus-impossible-to-remain-silent/>.

administrations to punish their civic activism or to deter them from taking part in peaceful protests. On 1 September 2020, students and teaching staff from several universities conducted a protest march in Minsk. At least 80 people – mostly students, including women – were detained by riot police. In the subsequent days and months, students remained active protesters. Many of them were targeted by a criminal investigation known as the “students’ case” under article 342 (1) of the Criminal Code (organization or participation in group actions that grossly violate public order).<sup>40</sup>

74. Another worrying trend for the right to education of women and girls in detention is the lack of access to education, professional training and books in detention facilities.<sup>41</sup> Even though the Constitution of Belarus guarantees each citizen access to secondary education, in reality, most children are unable to receive such education and take exams while in detention.

## **B. Right to work and to just and favourable conditions of work**

### **1. Discrimination in the workplace**

75. The Special Rapporteur notes with regret that there is little progress in Belarus in providing equal opportunities for women and men in employment. The participation of women in the labour market remains predominantly in traditionally low-paid areas, including social care, culture, education and health care. According to a study by Gender Perspectives, those most affected by discrimination in the workplace in 2018 were women aged under 35 without children, women with children aged under 10 and women on parental leave.<sup>42</sup> In addition, women in Belarus spend twice as much time on unpaid domestic chores and care work than men;<sup>43</sup> they are 2.5 times less likely to be given a managerial position than men;<sup>44</sup> and managers account for 17 per cent of total white-collar employees among women.<sup>45</sup>

### **2. Gender pay gap and prohibition of certain types of work**

76. The Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organization (ILO) has repeatedly asked the Government of Belarus to address the underlying causes of the gender pay gap and stereotypes concerning women’s “suitability for certain jobs”.<sup>46</sup> Belarus was ranked thirty-first among 162 countries in terms of the gender inequality index in 2019, yet the gap in gross income per capita between men and women remains significant (\$22,721 as compared with \$14,911).<sup>47</sup>

<sup>40</sup> See <https://nash-dom.info/lib/browse/monitoring-repressij-protiv-studentov-v-avguste-2020-marte-2021-gg>.

<sup>41</sup> See <https://nash-dom.info/68236>.

<sup>42</sup> See <https://genderperspectives.by/en/>.

<sup>43</sup> United Nations Development Programme (UNDP), *Human Development Report 2020: The Next Frontier – Human Development and the Anthropocene* (United Nations publication, Sales No. E.21.III.B.1).

<sup>44</sup> Alex Kremer, “Has Belarus really succeeded in pursuing gender equality?”, World Bank Blogs, 7 August 2018. Available at <https://blogs.worldbank.org/europeandcentralasia/has-belarus-really-succeeded-pursuing-gender-equality>.

<sup>45</sup> Ibid.

<sup>46</sup> International Labour Organization (ILO), observation of the Committee of Experts on the Application of Conventions and Recommendations, adopted in 2016 and published at the 106th session of the International Labour Conference in 2017. Available at [www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID:329722](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:329722).

<sup>47</sup> UNDP, *Human Development Report 2020: The Next Frontier – Human Development and the Anthropocene*.



77. Discrimination against women workers results mostly from Belarusian legislation, which maintains 182 professions out of reach for women – including work as truckers, tractor or bulldozer drivers, carpenters and crane operators – allegedly for the protection of women’s health.<sup>48</sup> The Special Rapporteur welcomes the announced lifting of that ban.<sup>49</sup> She strongly encourages the Government not to delay this process and to ensure equal working conditions for men and women, in line with the country’s international commitments and the national gender equality action plan for 2021–2025.<sup>50</sup>

### 3. Forced labour, including child labour

78. Various forms of forced labour and trafficking of women and girls persist in Belarus. The Committee on the Elimination of Discrimination against Women recommended that Belarus address the root causes of trafficking and exploitation of women, enforce anti-trafficking legislation and strengthen mechanisms for combating trafficking (CEDAW/C/BLR/CO/8, para. 25). Despite the Government’s efforts to improve the situation, Belarus still has one of the highest levels of victims of trafficking per capita in Europe.

79. “Voluntary” Saturday work (*subotniks*) as an organized free labour practice continues in Belarus, with serious consequences for workers and students who refuse to participate. Under article 1 (b) of the Abolition of Forced Labour Convention, 1957 (No. 105), of the International Labour Organization, member States must undertake to abolish forced or compulsory labour and not resort to any form of it as a method of mobilizing and using labour for purposes of economic development. On 17 April 2021, however, more than 2.3 million Belarusians took part in a nationwide *subotnik*.<sup>51</sup> The Special Rapporteur calls upon the authorities to end this unfair practice. She is also concerned by the data from 2019, indicating that 3.4 per cent of girls aged 5 to 17 years in Belarus were engaged in child labour.<sup>52</sup>

80. In his 2018 report to the General Assembly, the former Special Rapporteur, Miklós Haraszti, reported on “Presidential Decree No. 3, which labelled those not working full time as ‘social parasites’ and fined those not registered as working a minimum of 183 days per year” (A/73/380, para. 69). The Decree and the associated discriminating measures remain in place, allegedly to “promote” the employment of the whole population. Citizens who are not employed in the economy are included in a regularly updated database and are punished for their inactivity or undeclared (including voluntary) activity by being billed full tariffs for hot water, gas and heating. These measures specifically target human rights defenders or civil society activists who perform charity work for unregistered organizations or thanks to foreign grants, with a disastrous impact for human rights protection in Belarus.

## C. Right to form and join trade unions and the right to strike

81. Many women workers have expressed their rejection of government policies through strikes. Workers and trade unionists who have participated in strikes to

<sup>48</sup> See <https://nash-dom.info/69803>.

<sup>49</sup> Interview with Irina Kostevich, Minister of Labour and Social Protection, 18 October 2020. Available at [www.ctv.by/o-snizhenii-rozhdaemosti-podderzhke-semey-i-sokrashchyonom-rabochem-dne-dlya-mnogodetnyh-mam](http://www.ctv.by/o-snizhenii-rozhdaemosti-podderzhke-semey-i-sokrashchyonom-rabochem-dne-dlya-mnogodetnyh-mam).

<sup>50</sup> See <https://pravo.by/novosti/novosti-pravo-by/2021/january/58188/>.

<sup>51</sup> See [www.belta.by/society/view/v-respublikanskom-subbotnike-prinjali-uchastie-bolee-23-mln-belorusov-sobrano-svyshe-br9-mln-437656-2021/](http://www.belta.by/society/view/v-respublikanskom-subbotnike-prinjali-uchastie-bolee-23-mln-belorusov-sobrano-svyshe-br9-mln-437656-2021/).

<sup>52</sup> See [belstat.gov.by/ofitsialnaya-statistika/makroekonomika-i-okruzhayushchaya-sreda/gendernaya-statistika-i-statistika-otdelnykh-grupp-naseleniya/statistika-otdelnykh-grupp-naseleniya/mnogoindikatornoe-klasternoe-obsledovanie-po-otsenke-polozheniya-detey-i-zhenshchin/](http://belstat.gov.by/ofitsialnaya-statistika/makroekonomika-i-okruzhayushchaya-sreda/gendernaya-statistika-i-statistika-otdelnykh-grupp-naseleniya/statistika-otdelnykh-grupp-naseleniya/mnogoindikatornoe-klasternoe-obsledovanie-po-otsenke-polozheniya-detey-i-zhenshchin/).

protest against perceived electoral manipulation and police violence since August 2020 have endured numerous forms of persecution.

82. The ILO Committee on Freedom of Association called upon the Government to protect Belarusian workers' rights "against any acts of discrimination for simply having peacefully exercised their right to strike" and "to ensure that no person is detained in connection with his or her participation in a peaceful strike".<sup>53</sup> However, on 28 May 2021, amendments to the Law on Labour Relations further limited strikers' rights, allowing companies to dismiss strikers who use political slogans.<sup>54</sup> The Special Rapporteur regrets that the Government went against the Committee's recommendations and recalls that suspension from work for taking strike actions is a serious violation of human rights.

#### D. Right to social security

83. In Belarus, female unemployment is relatively low and has declined over the years.<sup>55</sup> According to the Ministry of Labour and Social Protection, at the end of March 2021, 36.1 per cent of unemployed persons were women.<sup>56</sup> The ILO Committee of Experts on the Application of Conventions and Recommendations noted the observations of the Belarusian Congress of Democratic Trade Unions that, in cases of redundancy, women are more likely to be dismissed than men,<sup>57</sup> and that unemployment benefits remain extremely low in Belarus.<sup>58</sup>

84. With the new pension reform implemented between 2017 and 2022, as at January 2017, the required period of contribution for receiving an old-age pension was increased by six months to 20 years.<sup>59</sup> As a result, many citizens, primarily women, lost their pensions or had to wait longer to receive one. The pension reform thus contributed to the feminization of poverty among older women, depriving them of financial security.

#### E. Right to health

85. Like other Belarusians, women in Belarus suffered greatly from the inconsistent response of the authorities to the global COVID-19 pandemic.<sup>60</sup> The official response included denial of the seriousness of the situation, unscientific advice (with the President famously suggesting that vodka, saunas, tractors or playing ice hockey were the best preventive measures) and unsystematic half measures with dire public health consequences.<sup>61</sup>

<sup>53</sup> ILO, 394th report of the Committee on Freedom of Association, GB.341/INS/12/2.

<sup>54</sup> See [www.mintrud.gov.by/ru/news\\_ru/view/press-reliz-k-zakonu-respubliki-belarusi-ot-28-maja-2021-g-114-z-ob-izmenenii-zakonov-po-voprosam-trudovyx-otnoshenij\\_4083/](http://www.mintrud.gov.by/ru/news_ru/view/press-reliz-k-zakonu-respubliki-belarusi-ot-28-maja-2021-g-114-z-ob-izmenenii-zakonov-po-voprosam-trudovyx-otnoshenij_4083/).

<sup>55</sup> A/HRC/WG.6/36/BLR/1.

<sup>56</sup> See <http://mintrud.gov.by/ru/sostojanie>.

<sup>57</sup> ILO, direct request of the Committee of Experts on the Application of Conventions and Recommendations, adopted in 2017 and published at the 107th session of the International Labour Conference in 2018. Available at [www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3343321:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3343321:NO).

<sup>58</sup> See <https://myfin.by/wiki/term/posobie-po-bezrobotice>.

<sup>59</sup> See [www.belta.by/society/view/pensionnyj-vozrast-v-belarusi-novye-dannye-na-2021-god-422866-2021/](http://www.belta.by/society/view/pensionnyj-vozrast-v-belarusi-novye-dannye-na-2021-god-422866-2021/).

<sup>60</sup> Human Constanta, report covering the period from March 2020 to February 2021. Available at <https://humanconstanta.by/koronavirus-v-belarusi-vozdejstviya-na-prava-cheloveka-mart-2020-fevral-2021/>.

<sup>61</sup> Ryhor Astapenia and Anaïs Marin, "Belarusians left facing COVID-19 alone", Chatham House, 16 April 2020. Available at [www.chathamhouse.org/2020/04/belarusians-left-facing-covid-19-alone](http://www.chathamhouse.org/2020/04/belarusians-left-facing-covid-19-alone).

86. The Special Rapporteur notes with regret the increased vulnerability, and mortality, of women during the health crisis, given the overrepresentation of women in health-care services and the poor social protection system in the country. In Belarus, women represent 81.2 per cent of workers in the education sector and 85.6 per cent in health care and social services – hence they were particularly hard hit by the pandemic.<sup>62</sup>

87. According to a poll launched by the Belarusian Organization of Working Women between May and July 2020, only 14.7 per cent of women reported that they had received clear and sufficient information about COVID-19 and 88.7 per cent of women reported that COVID-19 had affected their psychological state.<sup>63</sup> The Special Rapporteur regrets that the authorities did not adequately inform and support citizens during the pandemic. Post-traumatic recovery policies, including psychological support and medical rehabilitation, also appear to be lacking.

88. The Special Rapporteur reiterates her concern regarding the sexual and reproductive health of women and girls, in the light of the lack of adequate education on these matters at schools or public information aimed at awareness-raising.

## F. Cultural rights

89. The Special Rapporteur notes with concern a worrying trend of persecution and harassment of women cultural workers and women athletes. In the first quarter of 2021, the Belarusian PEN Centre recorded 291 cases of violations of human and cultural rights.<sup>64</sup> These incidences of repression were allegedly politically motivated and took various forms, including the detention and interrogation of publishers; blocking of the accounts of publishing houses; termination of contracts for sale of publications; harassment of persons reading “opposition literature”; and harassment of stores selling national symbols and clothes.

90. Several culture workers who had taken part in civic action and protests have allegedly been abusively dismissed; such cases were recorded, for example, in the Mogilev Regional Drama Theatre, the Grodno Regional Drama Theatre, the Yanka Kupala National Academic Theatre, the Museum of History of Mogilev, the Novogrudok Museum of History and Local Lore, the Museum of Belarusian Polesie and the Belarusian State Academy of Arts. In addition, the enactment of the Law on the Protection of Historical and Cultural Heritage allegedly discriminates against artists using the Belarusian language.<sup>65</sup>

91. The State media were used to selectively discredit cultural figures in 2020–2021, with defamatory or offensive statements being recorded against 89 cultural figures. Many cultural figures have been summoned for interrogation, such as the Nobel prize winner in literature, Svetlana Alexievich, who was interrogated after she joined the coordination council; for fear of being arrested, on 28 September 2020, she left for Germany, where she could also receive medical treatment.

<sup>62</sup> National Statistical Committee of the Republic of Belarus, “Labour and employment in the Republic of Belarus”, 2020. Available at [www.belstat.gov.by/upload/iblock/c17/c1758aafc21ec069dafba92b27dea768.pdf](http://www.belstat.gov.by/upload/iblock/c17/c1758aafc21ec069dafba92b27dea768.pdf).

<sup>63</sup> Women’s Liberation Now, “Women and feminism in Belarus: the truth behind the ‘Flower Power’”, 21 September 2020. Available at <https://filia.org.uk/latest-news/2020/9/21/women-and-feminism-in-belarus-the-truth-behind-the-flower-power>.

<sup>64</sup> Belarusian PEN Centre, “Monitoring of violations of human rights in the sphere of culture”, 6 May 2021. Available at <https://pen-centre.by/en/2021/05/06/bel-ru-manitoryng-parushennyau-pravou-chalaveka-u-sfery-kulury-na-pachatak-2021.html>.

<sup>65</sup> Ibid.

## V. Domestic and/or gender-based violence

92. The Special Rapporteur condemns the absence of a concrete definition of domestic violence in the Criminal Code of Belarus. Available protection mechanisms for the victims of domestic violence have proved to be insufficient. The law on crime prevention incorporates a separate definition of domestic violence and stipulates that protective orders from 3 to 30 days can be applied, but with no extension possible, which falls short of international standards. The lack of explicit criminalization of marital rape leads to protection gaps: in practice authorities do not prosecute cases of marital rape in the absence of death threats or other aggravating factors.

93. The Special Rapporteur is concerned that domestic violence remains a pervasive phenomenon that overwhelmingly affects women and children, including girls. According to recent data, one out of three women in Belarus is subjected to physical violence by an intimate partner every year.<sup>66</sup> Every sixth woman has endured sexual violence at least once in her life. Every fourth suicide attempted by a woman is linked to domestic violence. The limited number of protective shelters for victims of domestic violence is therefore a serious issue of concern. To date, there are only five such shelters in Belarus, all of them run by non-governmental or religious organizations.

94. Women who are victims of domestic or gender-based violence or abuse lack access to protection and remedies. Even when acts of violence do not concern children, the police must report the incident to the Department of Education, which is entitled to consider them as being in a “socially dangerous environment” and remove them from their family. Under article 35 of the current Law on Marriage and Family, if a victim of abuse is pregnant or has a child below the age of three with her husband, she needs his permission to file for divorce. As a result, many women are reluctant to report domestic abuse for fear of losing their children.

## VI. Rights of women and girls belonging to vulnerable groups

### A. Human rights of girls

95. The Special Rapporteur noted continuous violations against children deprived of their liberty in Belarus. The Committee on the Rights of the Child noted “increased convictions among girls”, “high detention rates” and “inappropriate conditions of detention” for children (CRC/C/BLR/CO/5-6, para. 42). Despite repeated recommendations, corporal punishment of children remains common in Belarus, with 55 per cent of girls reportedly enduring violent disciplinary methods, and 23 per cent of girls aged from 1 to 14 years old having experienced physical violence.<sup>67</sup>

96. The Special Rapporteur recalls that, in accordance with article 15 of the Convention on the Rights of the Child, “States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly”. She also recalls that the detention of minors should be a measure of last resort and that holding them accountable on an equal basis with adults seriously violates their rights.<sup>68</sup>

<sup>66</sup> See <https://karta-nasiliya.by/>.

<sup>67</sup> See [belstat.gov.by/ofitsialnaya-statistika/makroekonomika-i-okruzhayushchaya-sreda/gendernaya-statistika-i-statistika-otdelnykh-grupp-naseleniya/statistika-otdelnykh-grupp-naseleniya/mnogoindikatornoe-klasternoe-obsledovanie-po-otsenke-polozheniya-detey-i-zhenshchin/](http://belstat.gov.by/ofitsialnaya-statistika/makroekonomika-i-okruzhayushchaya-sreda/gendernaya-statistika-i-statistika-otdelnykh-grupp-naseleniya/statistika-otdelnykh-grupp-naseleniya/mnogoindikatornoe-klasternoe-obsledovanie-po-otsenke-polozheniya-detey-i-zhenshchin/).

<sup>68</sup> See also Committee on the Rights of the Child, general comment No. 24 (2019) on children’s rights in the child justice system (CRC/C/GC/24).

97. A persistent issue of concern is the discriminatory way in which families can be targeted under decree no. 18,<sup>69</sup> which is used to take into State custody the children of families labelled by social services as being in a “socially dangerous situation”. As a result, the children of many parents detained during protests were taken away from their families for up to 6 months.<sup>70</sup> Alena Movshuk – a mother of three daughters, two of whom were still minors – was detained in Pinsk on 10 August 2020 and charged under article 293 (2) of the Criminal Code (participation in mass riots); she was then sentenced to six years of imprisonment. Her husband did not know of her whereabouts for four days until her cellmate informed him that Alena was in detention “naked, barefoot, and beaten”.<sup>71</sup> On 17 September, her 10-year-old daughter was taken to a social shelter. Amnesty International reported another case of an 8-year-old girl who was told by people who came to her school that her family might be labelled “dysfunctional” if her parents protested against the President.<sup>72</sup> The Special Rapporteur calls upon the Government to stop these punitive and intimidating acts and to review the legislation.

## B. Women and girls with disabilities

98. The Committee on the Elimination of Discrimination against Women noted that women with disabilities in Belarus face discrimination in terms of access to sexual and reproductive health services and information, as well as with regard to exercising their parental rights.<sup>73</sup> The Committee recommended that measures be taken to ensure that women with disabilities “may under no circumstances be subjected to any form of pressure or threat to renounce custody of their children”.<sup>74</sup> Belarus drafted a national action plan for the implementation of the Convention on the Rights of Persons with Disabilities, which it had ratified in 2016. A concept for the development of inclusive education for persons with disabilities was approved in 2015. The Government also announced that a law on the rights of persons with disabilities and their social integration would be adopted by the end of 2021.<sup>75</sup> The Special Rapporteur welcomes these developments and encourages the authorities to further implement the recommendations of the Committee on the Elimination of Discrimination against Women on protecting the rights of women and girls with disabilities.

## C. Older women

99. Senior citizens have also expressed their disagreement with government policies and thousands have peacefully protested since August 2020, including by initiating their own weekly protest marches, referred to as “Marches of wisdom”, held regularly on Mondays in October, November and December 2020.<sup>76</sup> Many older persons were reportedly detained on these occasions.<sup>77</sup> According to Our House International

<sup>69</sup> See <http://gancevichi.edu.by/main.aspx?guid=77311>.

<sup>70</sup> Human Constanta, Anti-Discrimination Centre Memorial Brussels and Article 19, “Belarus after the 9 August Presidential Elections”. Available at [https://adcmemorial.org/wp-content/uploads/human-rights-review\\_belarus-1-1.pdf](https://adcmemorial.org/wp-content/uploads/human-rights-review_belarus-1-1.pdf).

<sup>71</sup> Viasna, “Alena Maushuk”. Available at <https://prisoners.spring96.org/en/person/alena-maushuk>.

<sup>72</sup> Amnesty International, “#Stand with Belarus: crackdown on children”. Available at [http://eurasia.amnesty.org/wp-content/uploads/2021/02/belarus-crackdown-on-children\\_web.pdf](http://eurasia.amnesty.org/wp-content/uploads/2021/02/belarus-crackdown-on-children_web.pdf).

<sup>73</sup> CEDAW/C/BLR/CO/8, para. 42.

<sup>74</sup> CEDAW/C/BLR/CO/8, para. 43.

<sup>75</sup> See [www.belta.by/society/view/zakon-o-pravah-invalidov-i-ih-sotsialnoj-integratsii-dolzhen-byt-prinjat-do-kontsa-goda-petrishenko-441961-2021/](http://www.belta.by/society/view/zakon-o-pravah-invalidov-i-ih-sotsialnoj-integratsii-dolzhen-byt-prinjat-do-kontsa-goda-petrishenko-441961-2021/).

<sup>76</sup> See <https://reform.by/169217-pensionery-vyshli-na-akciju-protesta-v-minske>.

<sup>77</sup> Our House International Centre for Civil Initiatives, “How the authorities repress the elderly: monitoring for October–December 2020”. Available at [https://news.house/41904#\\_ftn2](https://news.house/41904#_ftn2).

Centre for Civil Initiatives, on 14 October, a 59-year-old woman from Minsk was detained for 13 days under article 23.34 (1). Some of those detained were fined 540 rubles (equivalent to \$215). A 68-year-old woman was detained on 14 November in Lida after making inscriptions on the fences of the railway department to protest the fact that her son had been arbitrarily detained.<sup>78</sup>

100. The Special Rapporteur is worried about the conditions of detention of senior citizens and condemns the inhuman treatment of older female detainees, in particular. “Unbearable prison conditions, threats of violence to children and grandchildren, refusal to provide medical assistance, insults, cases of teargas usage”<sup>79</sup> have been reported.

101. The Special Rapporteur is also concerned about the cumbersome and politicized registration procedure for civic associations, including public associations for older people. She calls upon the authorities to ease the registration procedures to allow older people to create social structures that would improve their well-being and quality of life.

#### **D. Women and girls belonging to ethnic, religious and other minorities**

102. The Roma population remains subject to systemic discrimination, and is one of the most vulnerable and marginalized communities in Belarus. Considering the prevalent practice of marriage of girls under the age of 18 years, the Committee on the Rights of the Child has strongly advised the Government to take action to eradicate this practice and to conduct awareness-raising campaigns to protect victims of child marriage.<sup>80</sup> Enrolling Roma children in school from an early age would help to combat early and forced marriages of girls. The Special Rapporteur strongly encourages the authorities to address ethnic-based discrimination and to support the integration of Roma communities in Belarusian society.

103. The harassment and repression of civil activists from the Polish minority in Belarus is another issue of concern. In March 2021, five representatives of the Union of Poles in Belarus were detained and the head of this unregistered association was sentenced to 15 days of administrative arrest for “incitement to hatred” and “rehabilitation of Nazism”.<sup>81</sup> On 12 March 2021, the director of the Polish School in Brest was detained at the border.<sup>82</sup> On 25 March, the director of a public school under the auspices of the Union of Poles in Vaukavysk and the head of the Lida branch of the Union of Poles – both women – were detained.<sup>83</sup> They were subsequently released and deported to Poland after signing a paper committing them not to return to Belarus.<sup>84</sup> Having refused this forced expulsion, two other Polish activists remain in detention.<sup>85</sup> The Special Rapporteur urges the Government to end the persecution against citizens of Polish origin and respect their human rights.

<sup>78</sup> Ibid.

<sup>79</sup> “Belarus seniors are sending a ‘SOS’ signal to the international community”, 11 March 2021. Available at <https://telegra.ph/SOS-EN-03-11>.

<sup>80</sup> CRC/C/BLR/CO/5-6, para. 24.

<sup>81</sup> Viasna, “Andželika Borys”. Available at <https://prisoners.spring96.org/en/person/anzhalika-borys>.

<sup>82</sup> See <https://spring96.org/be/news/102667>.

<sup>83</sup> Ibid.

<sup>84</sup> Belsat TV, “Three women involved in Poles’ Union case forcibly removed from Belarus”, 2 June 2021. Available at <https://belsat.eu/en/news/02-06-2021-three-women-involved-in-poles-union-case-forcibly-removed-from-belarus/>.

<sup>85</sup> The First News, “Three activists of Polish minority in Belarus released”, 2 June 2021. Available at [www.thefirstnews.com/article/three-activists-of-polish-minority-in-belarus-released-22359](http://www.thefirstnews.com/article/three-activists-of-polish-minority-in-belarus-released-22359).

## E. Lesbian, bisexual and transgender women and intersex persons

104. Owing to the lack of a specific law banning discrimination on the basis of sexual orientation or gender identity, lesbian, bisexual, transgender and intersex (LBTI) persons are systematically discriminated against in Belarus. According to a survey carried out in 2019, only one third of lesbian, bisexual and transgender women and intersex persons come out to their parents and family; 81 per cent have experienced verbal, psychological and emotional violence in their daily life; 64 per cent have experienced discrimination, including in the workplace.<sup>86</sup> Moreover, the growing official hate speech from political and religious leaders in Belarus<sup>87</sup> directly threatens LBTI persons.

105. Feminist associations and lesbian communities have played a crucial role in advancing human rights in Belarus in recent years. On 5 September 2020, for the first time, a column of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons openly joined the women's march protesters in Minsk.<sup>88</sup> Regrettably, LGBTI persons continue to face legal and societal challenges. In a recent opinion poll, 24.7 per cent of lesbian, bisexual and transgender women and intersex persons claimed that they faced incompetence on the part of medical staff in matters of gender and sexuality.<sup>89</sup> The Special Rapporteur calls upon the Belarusian authorities to adopt comprehensive anti-discrimination legislation, as well as specific mechanisms to combat hatred against LGBTI persons and to provide safe spaces for them.

## VII. Conclusions and recommendations

**106. Systematic violations of human rights have been a protracted problem in Belarus for decades, recorded and reported by multiple national and international human rights organizations, observers and analysts. In her 2020 report to the Human Rights Council (A/HRC/44/55), the Special Rapporteur noted that most violations are caused by deep-rooted institutional deficiencies and deliberate action to curtail, rather than protect, human rights. As evidenced in the current report, the same causal relationship affects the human rights of women, including lesbian, bisexual and transgender women, intersex persons and girls.**

**107. Women in Belarus experience violations of their human rights in several spheres of public and private life. The Special Rapporteur is alarmed at the increasingly restrictive policies and the use of brutal force, threats and other forms of pressure and intimidation against women and girls who express dissenting views, in particular, following the presidential elections in 2020. Even though this is associated with deep-rooted legislative and institutional deficiencies, in practice, the State persistently fails to recognize the particular challenges faced by women and girls.**

**108. The Special Rapporteur notes the unprecedented public activism of women and girls, who showed leadership and resilience in standing up for human rights in the context of the 2020 electoral campaign and subsequent civic mobilization against arbitrary rule. She praises the courage and determination of female**

<sup>86</sup> See <https://delopi.by/news/26-nevidimoe-nasilie-lbtq-women-results.html>.

<sup>87</sup> International Lesbian and Gay Association-Europe, *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe and Central Asia 2020* (Brussels, 2020). Available at [www.ilga-europe.org/sites/default/files/ILGA-EuropeAnnualReview2020.pdf](http://www.ilga-europe.org/sites/default/files/ILGA-EuropeAnnualReview2020.pdf).

<sup>88</sup> See <https://ru.hrodna.life/2020/09/07/diktatura-huzhe-gomofobii-v-minske-lgbt-kolonna-vyshlana-protest-s-plakatami-i-raduzhnyimi-flagami/>.

<sup>89</sup> See <https://womenplatform.net/region/nevidimoe-nasilie-opyt-lbtq-zhenshin-v-belarusi/>.

activists who, despite intimidation and violent response from the authorities, continued defending their rights individually and collectively, as members of the broader civil society. This empowerment of women and girls illustrates the maturation of civil society in Belarus and should be seen as a driver for improving the protection and promotion of human rights for all.

109. The Special Rapporteur urges the Government to demonstrate determination and leadership in ensuring meaningful progress in the implementation of the recommendations made by international and regional human rights mechanisms, including recommendations made previously by the mandate holder, many of which remain valid.

110. In addition, she makes the following recommendations to the Government of Belarus:

(a) Conduct a comprehensive review of the legislation pertaining to the human rights of women, including lesbian, bisexual and transgender women, intersex persons and girls, with a view to bringing it into line with international standards on human rights and gender equality and the corresponding commitments of Belarus;

(b) Adopt comprehensive anti-discrimination legislation to advance gender equality and clearly prohibit discrimination in all areas of life;

(c) Adopt a legislative package and related policies to combat gender-based violence, including domestic and sexual violence;

(d) Criminalize rape, including marital rape, and ensure accountability for perpetrators and protection and redress for victims;

(e) Adopt a law on equal pay for work of equal value and take practical steps to eliminate gender pay gap;

(f) Establish a national human rights institution, mandated to deal, *inter alia*, with the gender dimension of the protection and promotion of human rights;

(g) Ensure that government bodies and action plans regarding the human rights of women and girls broaden their scope beyond social and economic rights, and also address issues and concerns pertaining to the cultural, civil and political rights of women, including lesbian, bisexual and transgender women, intersex persons and girls;

(h) Develop and implement a strategy to combat discriminatory stereotypes and attitudes regarding gender roles and the rights and responsibilities of women and men in society,

(i) Develop and implement programmes and curricula for the judiciary, law enforcement and other relevant State officials or personnel to receive appropriate training on gender-sensitive procedures, as well as on investigation and prosecution of gender-based violence against women, including lesbian, bisexual and transgender women, intersex persons and girls, including domestic and sexual violence;

(j) Conduct prompt, impartial, thorough, effective, credible and transparent investigations into all cases of violence against and torture and ill-treatment of female participants in peaceful assemblies and those detained consequently, and ensure accountability for the perpetrators and redress and remedy for the victims;

(k) Significantly improve conditions of detention in Belarus by bringing them into full compliance with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations



Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules); and also bring the juvenile justice system and the detention facilities for girls into line with the United Nations Rules for the Protection of Juveniles Deprived of their Liberty;

(l) Put an immediate end to the criminal or administrative prosecution of women political opposition figures, civil society activists and lawyers;

(m) Release immediately and unconditionally all women arbitrarily detained or sentenced on political grounds for exercising their legitimate human rights, including the rights to freedom of assembly, association and expression, and discontinue criminal cases against them, as well as ensure their full rehabilitation;

(n) Put an end to the practice of intimidation of women activists and journalists with the threat of removal of their children;

(o) Guarantee in law and in practice a conducive environment for women journalists and other media workers, lawyers and human rights defenders to conduct their professional activities free of pressure and intimidation;

(p) Put an end to reprisals and intimidation of women, girls and LGBTI human rights defenders and other civil society activists;

(q) Implement the 2016 recommendations of the Committee on the Elimination of Discrimination against Women, notably regarding the list of professions inaccessible to women (CEDAW/C/BLR/CO/8, para. 33 (a));

(s) Put an end to the practice of forced labour in all its forms for women and girls, including the so-called *subotniks*;

(t) Address the root causes of trafficking and exploitation of women and girls by providing them with a broader spectrum of work and education opportunities and thus improving their economic rights;

(u) Guarantee equal access to good-quality education for girls and women, including those with disabilities and other disadvantaged or vulnerable groups, such as ethnic and linguistic minorities;

(v) Create a larger number of State-run protective shelters, crisis and rehabilitation centres for victims of domestic and sexual violence and trafficking and ensure that they are accessible to all women and girls throughout the country.

111. The Special Rapporteur calls upon the international community to urge the Government to implement all the recommendations pertaining to women, including lesbian, bisexual and transgender women, intersex persons and girls stemming from her mandate, that of other United Nations special procedures, treaty bodies and the universal periodic review of Belarus.

112. She further encourages all stakeholders including member States of the Human Rights Council, international and national human rights defenders and victims to turn to the Office of the United Nations High Commissioner for Human Rights examination and accountability mechanism on Belarus established by the Human Rights Council in its resolution 46/20 in order to put an end to impunity for crimes of torture and other ill-treatment, enforced disappearances and extrajudicial executions. The Special Rapporteur takes the present opportunity to confirm her readiness to assist the United Nations High Commissioner for Human Rights in operationalizing this accountability mechanism, cooperate with other relevant experts and provide guidance to victims with a view to holding perpetrators accountable.