

## I. EXECUTIVE SUMMARY

1. **Domestic violence remains a widespread problem in Belarus.** In 2018, it was reported that “every third person killed in the country was killed by a family member”.<sup>i</sup> From January until October of 2018, 115 women were victims of severe domestic violence, and 51 had died from the abuse.<sup>ii</sup>
2. Belarus has taken several measures towards combatting domestic violence, including opening crisis-rooms for survivors.<sup>iii</sup> In 2014, a broad definition of domestic violence was added to The Belarus Law on the Basics of Activities for the Prevention of Offences under which victims may request a protective order.<sup>iv</sup> However, gaps remain in the language of the law and in implementation. This report addresses these challenges and provides recommendations to promote victim safety and offender accountability. Information for this report was gathered from firsthand information received directly from experts within the state and from secondary sources.
3. During its 2015 Universal Periodic Review, Belarus supported the 12 recommendations addressing its response to domestic violence.

## II. BACKGROUND AND FRAMEWORK

4. Belarus has ratified several human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Convention of All Forms of Racial Discrimination (CERD), the International Covenant on Economic, Social and Cultural Rights (CESCR), International Covenant on Civil and Political Rights (CCPR), International Covenant on Economic, Social and Cultural Rights (CESCR), and the Convention on the Rights of the Child (CRC).<sup>v</sup>
5. Belarus has not yet ratified the Council of Europe (Istanbul) Convention on preventing and combating violence against women and domestic violence.

### A. 2015 Universal Periodic Review of Belarus

6. During the 2015 Universal Periodic Review, Belarus accepted all 12 recommendations concerning gender equality and domestic violence.<sup>vi</sup>

#### *Implementation of new legislation*

#### **Status of Implementation: Accepted, Not Implemented**

7. During the 2015 UPR, Belarus accepted five recommendations to continue efforts aimed at combating domestic violence and discrimination thru the implementation of legislation.<sup>vii</sup> While steps were taken to create new domestic violence legislation, the legislation has yet to be passed. Definitions of domestic violence in current laws remain broad.

#### *Increase Victim Assistance*

#### **Status of Implementation: Accepted, Not Implemented**

8. During the 2015 UPR, Belarus accepted five recommendations to increase efforts to address domestic violence and provide victim assistance, including as recommended by

the Committee on the Elimination of Discrimination against Women.<sup>viii</sup> Currently, there remains a shortage of shelters and services for survivors of domestic violence.

### *Protection of Children*

#### **Status of Implementation: Accepted, Not Implemented**

9. During the 2015 UPR, Belarus accepted two recommendations to prevent violence against children, including domestic violence.<sup>ix</sup> While Belarus has made efforts to remove children from homes where domestic violence is occurring, there remains a lack of specific domestic violence that would ensure children are protected.

#### **B. Domestic Legal Framework**

10. Belarus' Criminal Code has no specific definition of domestic violence and does not specifically criminalize domestic violence; it does, however, define various crimes against a person.<sup>x</sup> Under the criminal code, most crimes are considered public prosecution, in which a prosecutor pursues and carries out the prosecution, and a police investigation will take place.<sup>xi</sup> Several provisions that relate to domestic violence, however, trigger private prosecution. There are three specific crimes under the Criminal Code which are considered private prosecutions.<sup>xii</sup> These include Intentional Infliction of Minor Bodily Harm; Defamation; and Insult.<sup>xiii</sup> In private prosecutions, a victim must act as both police officer and prosecutor, investigating and conducting the prosecution herself.<sup>xiv</sup> There are five specific crimes under the Criminal Code which are considered both public and private. These include Intentional Infliction of Less Grievous Harm; Torture; Rape; Defamation; and the Threat to Kill or Cause Grievous Harm or Destruction of Property.<sup>xv</sup>
11. The Belarus Code on Administrative Offences lists several offences, including Intentional Infliction of Bodily Harm and Other Violent Acts; Libel; Insult; and Petty Hooliganism. Violation of these offences, under which acts of domestic violence may fall, may lead to fines or administrative arrest.
12. The Belarus Law on the Basics of Activities for the Prevention of Offences, enacted in 2014, provides a definition of family members as "close relatives, other relatives, incapacitated dependents and other citizens living together with the citizen and leading a common household with him."<sup>xvi</sup> The law also defines domestic violence as "intentional acts of a physical, psychological, sexual nature of a family member against another family member, violating his rights, freedoms, legitimate interests and causing him physical and/or mental suffering". The law provides measures of protection, an example of which is a protective order. This protective order may be granted after an offender has received a previous warning and may last between 3-30 days. When a protective order is in place, an offender is prohibited from attempting to find the place of residence of the victim, from visiting the location of the victim, or communicating with the victim.<sup>xvii</sup> Also, authorities may issue a protective injunction ordering the offender to temporarily leave the home. The

authors were unable to access information on implementation of the protective injunction to inform this report.

13. The government undertook efforts in 2015 to create a separate law to specifically address domestic violence.<sup>xviii</sup> The Ministry of Internal Affairs was charged with the task and began working with other organizations to draft the proposed law.<sup>xix</sup> In 2018, discussion and promotion of the proposed law was initiated.<sup>xx</sup> Lack of political will, notably by the president, stymied efforts. On October 8, 2018, shortly before it was to be adopted, President Lukashenko vetoed the law and stated it was “nonsense taken from the West” and a “good belting [of a child] could sometimes be useful”.<sup>xxi</sup> Consequently, discussion of the law ceased.<sup>xxii</sup> According to one NGO, “what the president has publicly stated has been a major obstacle to the draft law. Everything he says is taken very seriously”.<sup>xxiii</sup>

### **III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS**

#### **Right or Area 29.2 Gender-based Violence against Women**

##### **A. Limited Definition of Domestic Violence**

14. While domestic violence is defined in the 2014 Law on the Basics of Activities for the Prevention of Offences, the definition includes only current family members.<sup>xxiv</sup> The definition excludes mention of ex-partners or ex-spouses.<sup>xxv</sup> Thus, an instance of harm would not be considered domestic violence if the parties involved are separated or divorced.<sup>xxvi</sup> In addition, the current definition excludes intimate partners and fails to address threats of violence.<sup>xxvii</sup>

##### **B. Barriers to Reporting and Accessing Protection**

15. **Victims are reluctant to report the instances of abuse for multiple reasons.** First, victims have a real fear of losing their children. If children are present in the home and a report of abuse is made for violence involving only adults, police still must report to the Department of Education.<sup>xxviii</sup> The children are then considered to be in a “socially dangerous situation” and removed from the family.<sup>xxixxxx</sup> Fear of losing children is a strong deterrent of victims to report abuse. According to an NGO employee, police may use this fear to unduly influence victims not to report.<sup>xxx</sup> Police will inform victims that they may make the report of domestic violence, but that the children will be removed.<sup>xxxii</sup> This often leads to victims withdrawing their report.<sup>xxxiii</sup>
16. Another factor are the weak accountability tools to hold offenders accountable. Officers often inform the victim they are able to arrest the abuser, but this is only a temporary measure.<sup>xxxiv</sup> The aggressor may only be detained for several days, and “who knows what will happen when they return”.<sup>xxxv</sup> Once victims learn this, they frequently withdraw their report.
17. **The Law on Marriage and Family also poses barriers to women seeking to escape violence.** Article 35 prohibits divorce while the wife is pregnant and until the child reaches

three years of age, without the consent of the other spouse.<sup>xxxvi</sup> While divorce alone is not an effective way to end domestic violence, it may be one of the few options to increase her safety, particularly where protective orders are restricted in their accessibility and duration. Under the current law, however, a victim who is pregnant or shares a child under three years of age with her husband must remain married to her abuser unless he gives her permission to divorce.

### C. Protective Orders Provide Weak Protection

18. While the Law on the Basics of Activities for the Prevention of Offences is a first step toward protecting victims and holding offenders accountable, gaps remain in the language of the law itself. **The duration of the protective order falls short of international standards.** The law allows for a victim to obtain a protective order, which can last for 3-30 days.<sup>xxxvii</sup> Best practice standards, however, dictate that a protective order should last for a minimum of one year.<sup>xxxviii</sup>
19. The law also erects an onerous barrier for a victim to obtain protection. **In order to secure a protective order, the victim must experience two acts of violence before authorities will issue the order.**<sup>xxxix</sup> Specifically, there must be two incidents of violence reported to the police within a single year in order to issue the protective order.<sup>xl</sup> Upon the first incident of violence, authorities issue aggressors a warning.<sup>xli</sup> Warnings, however, are not in compliance with best practice standards, as they communicate the message that violence will be tolerated and perpetuate impunity.<sup>xlii</sup> Only upon the filing of a second report of violence can the victim request a protective order.<sup>xliii</sup>
20. **The law allows for a delay in the issuance of the protective order, which places the victim at great risk of further violence and retribution from her abuser.** The local internal affairs office is responsible for issuing this protective order.<sup>xliv</sup> Upon receiving the order for an administrative penalty for the domestic violence, the internal affairs body has three days to issue the protective order.<sup>xlv</sup> This leaves the victim unprotected at one of the most vulnerable times. Research indicates that the most dangerous time for a battered woman is after she ends the relationship.<sup>xlvi</sup> For example, research indicates that women who leave their abusers are at a 75% greater risk of being killed by their abusers than those who stay.<sup>xlvii</sup> Best practices dictate protective orders be issued without delay.
21. **No extensions of the protective order are available.** The law does not currently allow for renewal of the protective order after the 3-30 days expire.<sup>xlviii</sup> Instead, the victim must experience two additional acts of violence within a year to request a new protective order.<sup>xlix</sup> This forces the victim to endure further violence from her abuser to secure additional protection beyond 30 days. Best practices recognize that extensions of a protective order should be allowed without a showing of additional acts of violence, but instead on the victim's fear of harm.

**Protective orders fail to fully protect a victim from an aggressor.** Article 41 of The Law on the Basics of Activities for the Prevention of Offences states that aggressors may not attempt to discover the location of the victim or contact the victim.<sup>1</sup> The law neglects

to specify whether location and in-person contact refer to the location the where victim resides, or if it also refers to other areas the victim may frequent.

#### **D. Victim Services are Limited**

22. **Limited state-run crisis rooms and private shelters are available for victims.**<sup>li</sup> As of January 1, 2016, there were four private shelters dedicated to women victims of domestic violence.<sup>lii</sup> These shelters allow for children and offer services such as counseling.<sup>liii</sup> Currently, there are not enough spaces to meet the needs of victims. There is also a shortage of state-sponsored crisis rooms. According to an NGO employee, even regions such as Minsk, lack the required amount of crisis rooms.<sup>liv</sup> The main requirement to access state-sponsored crisis rooms is that victims must first make a report to the police.<sup>lv</sup> This referral requirement, coupled with the common practice of referring victims to state homes and not autonomous shelters, can inhibit shelter access for victims who are not ready to report their experience of violence to the authorities.<sup>lvi</sup>
23. **Victims have limited access to legal aid.** Many victims have little understanding of the legal process or their rights, help is limited.<sup>lvii</sup> Often, NGOs are unable to provide assistance other than explaining legal terms or documents.<sup>lviii</sup> If the justice system refuses to prosecute a case, victims have the option to pursue private prosecution. Under private prosecution, victims are expected to act as both investigators and lawyers. This also requires victims to bear the financial costs of litigation.<sup>lix</sup> With little legal knowledge or assistance, many victims are unaware of the option to pursue private prosecution and their cases are closed.<sup>lx</sup> Victims often also lack the financial resources necessary for litigation.<sup>lxi</sup>

### **IV. RECOMMENDATIONS**

24. The authors of this stakeholder report suggest the following recommendations for the Government of Belarus:
- Fully implement, without delay, the **2015 recommendations of the CEDAW Committee** concerning gender stereotypes and violence against women.
  - Undertake criminal legal reform to:
    - Amend the **Criminal Code to criminalize domestic violence**.
    - Expand any definition of domestic violence to include “threats of violence”, ex-spouses or ex-partners, and intimate dating partners.
  - **Ratify the Istanbul Convention**
  - **In consultation with NGOs that serve victims and best know their needs**, and without further delay, re-initiate the adoption process of a domestic violence law and ensure it incorporates best practice standards as set forth in the UN Handbook for Legislation on Violence against Women.
  - Provide ongoing and regular training, **led by NGOs and non-system organizations**, to police, prosecutors and judges to respond effectively to instances of domestic violence.
  - Amend the Law on the Basics of Activities for the Prevention of Offences in the following ways:
    - To allow for extensions up to one year of a protective order without a requirement of additional acts of violence. The order should instead be extended if the victim has a

- reasonable fear of physical harm from the offender. There should be no requirement of actual and repeated domestic violence to obtain an extension of the protective order's period of validity.
- Immediately remove its requirement that a victim report two acts of violence before she can secure a protective order. The law should be amended to clearly state that a protective order should be issued at the request of the victim. The law should provide that officials have the authority to issue the protective order based solely on the affidavit or testimony of the victim. No other evidence should be required.
  - To remove the three-day window and instead mandate that the internal affairs body issue the protective order immediately upon receipt of the order for an administrative penalty.
  - To expand the possible remedies available to a victim to include: an order that prohibits the offender from causing further violence to the victim, her relatives or other relevant persons; a restraining order that bans the offender from nearing the victim, stalking, and harassment by the offender or arranging for a third party to do so; temporary financial support of the victim and their shared children; temporary custody of the children or temporary parenting time to the non-violent parent, which gives primary consideration to the safety of the victim and children; temporary use and possession of property, including the residence or dwelling; and a ban on purchasing, using or possessing firearms by the offender.
  - To allow victims to apply for emergency protective orders from the court or police, which may issue the order immediately without a hearing in emergency situations. The emergency protective order should provide remedies to keep the victim safe, including a restraining order against the abuser and third parties, eviction, prohibition against further violence, stalking and harassment by the abuser and third parties, a temporary order of child custody to the non-violent parent, and confiscation of firearms.<sup>lxii</sup>
  - Amend relevant legislation to ensure that the violation of a protective order is a crime under the Criminal Code. Ensure that the breach of the protective order is enough to trigger criminal liability and no further violence or threats are required to constitute a violation.
  - Mandate that the relevant authorities track data on the issuance, duration, violations, and enforcement of protective injunctions that evict an offender from the home.
  - Amend the Law on Marriage and Family to remove the requirement of spousal permission to divorce when the wife is pregnant, or the couple has a child in common under the age of three years.
  - Eliminate private prosecution of domestic violence cases and ensure the state pursues these crimes as they would other violent crimes.
  - Increase access to shelters and crisis rooms for all victims by removing the referral requirement.
  - Fund or consult with NGOS to conduct a gender-sensitive public awareness campaign on legal rights and domestic violence issues.

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<sup>i</sup> United States Department of State, *Belarus 2018 Human Rights Report* p. 31 (accessed Sept. 26,2019) <https://by.usembassy.gov/wp-content/uploads/sites/57/2018-Human-Rights-Report-for-Belarus.pdf>

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- ii United States Department of State, *Belarus 2018 Human Rights Report* p. 31 (accessed Sept. 26, 2019) <https://by.usembassy.gov/wp-content/uploads/sites/57/2018-Human-Rights-Report-for-Belarus.pdf>
- iii United States Department of State, *Belarus 2018 Human Rights Report* p. 31 (accessed Sept. 26, 2019) <https://by.usembassy.gov/wp-content/uploads/sites/57/2018-Human-Rights-Report-for-Belarus.pdf>
- iv Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 1
- v Office of the High Commissioner for Human Rights, “Ratification Status for Belarus,” accessed Sept. 26, 2019, [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=16&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=16&Lang=EN)
- vi *Report of the Working Group on the Universal Periodic Review: Belarus*, (13 July 2015), A/HRC/30/3.
- vii *Report of the Working Group on the Universal Periodic Review: Belarus*, (13 July 2015), A/HRC/30/3. ¶129.27. Make further efforts toward adoption of a comprehensive anti-discrimination law, concerning, in particular, institutive actions to tackle the issue of violence against women (Serbia) ¶127.43. Adequately resource the implementation of the Fourth National Plan on Gender Equality and promptly adopt the draft law on prevention of domestic violence (Lithuania) ¶127.56. Continue developing systematic action, including legislative ones, to combat domestic violence (Bolivarian Republic of Venezuela) ¶127.59. Intensify efforts in combating domestic violence and violence against women including through effective implementation of its Principles of Crime Prevention Act. (Malaysia) ¶127.53. Develop a legislative package for the prevention of and combating of gender-based violence and provide greater financial and human resources to the National Council on Gender Policy (Spain)
- viii *Report of the Working Group on the Universal Periodic Review: Belarus*, (13 July 2015), A/HRC/30/3. ¶127.55. Continue its efforts aimed at combating domestic violence (Algeria) ¶127.58. Continue the national efforts to combat domestic violence (Kuwait) ¶127.60. Further enhance efforts to address the issue of domestic violence and victim assistance. (Myanmar) ¶127.61. Intensify efforts to prevent and prosecute acts of domestic and sexual violence against women as recommended by the Committee on the Elimination of Women (Rwanda) ¶127.57. Continue its efforts in improving protection of women’s rights, including combating domestic violence (Democratic People’s Republic of Korea)
- ix *Report of the Working Group on the Universal Periodic Review: Belarus*, (13 July 2015), A/HRC/30/3. ¶127.54. Actively combat domestic violence and violence against children (Tajikistan) ¶127.62. Continue efforts in the prevention of violence against children (Russian Federation)
- x CRIMINAL CODE art.139-189 (Republic of Belarus)
- xi CRIMINAL CODE art.139-189 (Republic of Belarus)
- xii CRIMINAL CODE art.139-189 (Republic of Belarus)
- xiii CRIMINAL CODE art.139-189 (Republic of Belarus)
- xiv Interview with NGO, Aug. 27, 2019
- xv CRIMINAL CODE art.139-189 (Republic of Belarus)
- xvi Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 1
- xvii Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 31
- xviii Interview with NGO, Aug. 27, 2019; Interview with Lawyer, Sept. 18, 2019
- xix Interview with Lawyer, Sept. 18, 2019
- xx Interview with NGO, Aug. 27, 2019; Interview with Lawyer, Sept. 18, 2019
- xxi Interview with NGO, Aug. 27, 2019; Interview with Lawyer, Sept. 18, 2019; Belarus Feed, President Lukashenko Rejects Domestic Violence Law, Causes Public Uproar, (accessed Sept. 27, 2019) <https://belarusfeed.com/belarus-domestic-violence-law-rejected/>
- xxii Interview with NGO, Aug. 27, 2019; Interview with Lawyer, Sept. 18, 2019
- xxiii Interview with NGO, Aug. 27, 2019
- xxiv Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 31 [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BLR/INT\\_CEDAW\\_NGO\\_BLR\\_25372\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BLR/INT_CEDAW_NGO_BLR_25372_E.pdf)
- xxv Young Women Christian Association of Belarus, Gender Perspectives, Mogilev Women’s Centre for Support and Self-Education, Provincia, Radislava, *Domestic Violence Against Women in Belarus: Alternative Report to CEDAW*, INT\_CEDAW\_NGO\_BLR\_25372, October 2016, [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BLR/INT\\_CEDAW\\_NGO\\_BLR\\_25372\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BLR/INT_CEDAW_NGO_BLR_25372_E.pdf), p. 12 (accessed Sept. 26, 2019)
- xxvi Young Women Christian Association of Belarus, Gender Perspectives, Mogilev Women’s Centre for Support and Self-Education, Provincia, Radislava, *Domestic Violence Against Women in Belarus: Alternative Report to CEDAW*, INT\_CEDAW\_NGO\_BLR\_25372, October 2016,

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- [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BLR/INT\\_CEDAW\\_NGO\\_BLR\\_25372\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BLR/INT_CEDAW_NGO_BLR_25372_E.pdf), p 3. (accessed Sept. 26.2019)
- <sup>xxvii</sup> Young Women Christian Association of Belarus, Gender Perspectives, Mogilev Women’s Centre for Support and Self-Education, Provincia, Radislava, *Domestic Violence Against Women in Belarus: Alternative Report to CEDAW*, INT\_CEDAW\_NGO\_BLR\_25372, October 2016, [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BLR/INT\\_CEDAW\\_NGO\\_BLR\\_25372\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BLR/INT_CEDAW_NGO_BLR_25372_E.pdf) Pg 10-11. (accessed Sept. 26.2019)
- <sup>xxviii</sup> Interview with NGO, Aug. 27, 2019; Interview with Lawyer, Sept. 18, 2019
- <sup>xxix</sup> Office of the High Commissioner for Human Rights, “Committee on the Elimination of Discrimination against Women Examines the Report of Belarus,” accessed Sept. 26, 2019, <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20789&LangID=E>
- <sup>xxx</sup> Interview with NGO, Aug. 27, 2019
- <sup>xxxi</sup> Interview with NGO, Aug. 27, 2019
- <sup>xxxii</sup> Interview with NGO, Aug. 27, 2019
- <sup>xxxiii</sup> Interview with NGO, Aug. 27, 2019
- <sup>xxxiv</sup> Interview with NGO, Aug. 27, 2019
- <sup>xxxv</sup> Interview with NGO, Aug. 27, 2019
- <sup>xxxvi</sup> The Code of the Republic of Belarus on Marriage and Family, Art. 35.
- <sup>xxxvii</sup> Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 31
- <sup>xxxviii</sup> UN Virtual Knowledge Centre to End Violence against Women and Girls, Legislation: Civil Remedies for Domestic Violence, Time Limits on Protection Orders, Section 3.2.5, Jan. 5, 2011, available at <https://endvawnow.org/en/articles/416-time-limits-on-protection-orders.html>.
- <sup>xxxix</sup> Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 31; Interview with NGO, Aug. 27, 2019.
- <sup>xl</sup> Interview with NGO, Aug. 27, 2019; Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 31.
- <sup>xli</sup> Interview with Lawyer, Sept. 18, 2019; Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 31.
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- <sup>xliii</sup> Interview with Lawyer, Sept. 18, 2019
- <sup>xliv</sup> Interview with Lawyer, Sept. 18, 2019; Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 31.
- <sup>xlv</sup> Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 31.
- <sup>xlvi</sup> StopVAW, Lethal and Extremely Dangerous Behavior, Feb. 1, 2006, available at [http://www.stopvaw.org/Lethal\\_and\\_Extremely\\_Dangerous\\_Behavior](http://www.stopvaw.org/Lethal_and_Extremely_Dangerous_Behavior).
- <sup>xlvii</sup> Julian Center, *Women in the US*; Casa de Esperanza, *Myths and Facts*, (accessed Sept 27, 2019) <https://casadeesperanza.org/wp-content/uploads/2015/01/mythsandfactsENG.pdf>.
- <sup>xlviii</sup> Interview with Lawyer, Sept. 18, 2019
- <sup>xlix</sup> Interview with Lawyer, Sept. 18, 2019
- <sup>1</sup> Belarus Law on the Basics of Activities for the Prevention of Offences, Art. 31.
- <sup>li</sup> Interview with NGO, Aug. 27, 2019
- <sup>lii</sup> Young Women Christian Association of Belarus, Gender Perspectives, Mogilev Women’s Centre for Support and Self-Education, Provincia, Radislava, *Domestic Violence Against Women in Belarus: Alternative Report to CEDAW*, INT\_CEDAW\_NGO\_BLR\_25372, October 2016 [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BLR/INT\\_CEDAW\\_NGO\\_BLR\\_25372\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BLR/INT_CEDAW_NGO_BLR_25372_E.pdf) (accessed Sept. 26, 2019)
- <sup>liii</sup> Interview with NGO, Aug. 27, 2019
- <sup>liv</sup> Interview with NGO, Aug. 27, 2019
- <sup>lv</sup> Interview with Lawyer, Sept. 18, 2019



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<sup>lvi</sup> The Advocates for Human Rights, Human Rights Council (List of Issues) -Violence Against Women – July 2012, pg. 94 (accessed Sept. 30, 2019) [http://www.theadvocatesforhumanrights.org/un\\_and\\_other\\_submissions](http://www.theadvocatesforhumanrights.org/un_and_other_submissions)

<sup>lvii</sup> Center for the Advancement of Women’s Rights, Private Prosecution in Courts as an Obstacle to Protecting Women from Domestic Violence in Belarus, (accessed Sept. 30, 2019) <http://www.eeprava.by/2017/10/legal-regulation-of-domestic-violence-in-belarus/>

<sup>lviii</sup> Interview with NGO, Aug. 27, 2019

<sup>lix</sup> Center for the Advancement of Women’s Rights, Private Prosecution in Courts as an Obstacle to Protecting Women from Domestic Violence in Belarus, (accessed Sept. 30, 2019) <http://www.eeprava.by/2017/10/legal-regulation-of-domestic-violence-in-belarus/>

<sup>lx</sup> Center for the Advancement of Women’s Rights, Private Prosecution in Courts as an Obstacle to Protecting Women from Domestic Violence in Belarus, (accessed Sept. 30, 2019) <http://www.eeprava.by/2017/10/legal-regulation-of-domestic-violence-in-belarus/>

<sup>lxi</sup> Center for the Advancement of Women’s Rights, Private Prosecution in Courts as an Obstacle to Protecting Women from Domestic Violence in Belarus, (accessed Sept. 30, 2019) <http://www.eeprava.by/2017/10/legal-regulation-of-domestic-violence-in-belarus/>

<sup>lxii</sup> Such an emergency order is often called an “ex parte” order for protection. Where an “ex parte” order for protection is issued, either the petitioner or the respondent may request a later hearing. Legal system officials should act immediately upon a report of domestic violence to hold the offender accountable and keep the victim safe. The priority of the government should be to protect its citizens from violence and ensure their safety over and above other rights, including property rights. Where no emergency exists, a permanent “order for protection” should be issued after a hearing.