

PROSTITUTION IS NOT A «WORK» BUT A CRUEL FORM OF EXPLOITATION AND DISCRIMINATION

Interview with Grégoire Théry, Co-founder and executive director of the
Coalition for the Abolition of Prostitution (CAP international)

How do you establish a link between prostitution and women discrimination?

All over the world, and throughout History, the most discriminated and vulnerable women and girls are overrepresented in prostitution. Migrant women and girls, refugees, victims of conflicts or natural disasters, ethnic minorities, indigenous communities, low castes groups are disproportionately targeted and affected by prostitution.

- In Vancouver, indigenous women – Native Americans - represent 3% of the population but 52% of prostituted persons.
- In Several US States, African American represent 15% of the population. But more than 50% of minors arrested for prostitution are African American.
- In South Africa, the vast majority of women in prostitution are from the poorest rural communities or from the townships.
- In Lebanon, a vast majority of prostituted women are Syrian refugees.
- In India, the lowest castes and adivasis are the vast majority of prostituted persons
- The same goes for victims of the armed conflicts in Colombia
Etc...

When it comes to Western Europe, the category of the most discriminated women and girls, and thus of primary targets and victims of prostitution are migrant women. In France, Germany, Spain, the UK or The Netherlands, more than 80% of prostitution victims are migrant women from Romania, Bulgaria, Albania, Nigeria China, or trans people from Latin America.

And among these nationalities, the most discriminated groups are always the primary victims. For example, 90% of the Bulgarian women we meet in prostitution in Western Europe belong to the Roma or to the Turkish speaking community.

Prostitution is thus at the intersection of multiple forms of oppression: patriarchy/sexism, racism, colonisation, economic exploitation of poverty, militarisation etc...

Furthermore, all over the world, a large majority of prostituted persons have faced severe sexual, physical or psychological violence before their entry into prostitution. Victims of incest and children placed in the foster care system are also massively overrepresented in prostitution.

So, while ideologists speak of prostitution as a “choice”, prostitution is actually always the “choice” of those who have the less options, choices and rights.

The purchase of sex is a violence in itself. Paying for sex equals to imposing a sex act by the financial constraint. Sex buyers exploit the precariousness and vulnerabilities of women in needs to impose a sex act by the power of money. A true sexual liberation is a sexuality free from violence, discrimination and domination, including economic domination.

What are the different approaches regarding the protection of women in prostitution?

Historically, most countries in the world are prohibitionists. In this system, all stakeholders are criminalized. Selling sex -or being sold for sex-, buying sex and making profit of someone else's prostitution are illegal. But in reality, prostituted persons are the most targeted by the repression. Clients remain unpunished and there is a tolerance towards brothels. Prostitution is considered a bad thing in society but no explanation is given for such position.

Another model is the “legalisation” or “sex work” model. In this model, prostitution is considered as a fatality. It has always existed, it is inevitable, it would limit the amount of rape. Men are seen as sexual predators and prostitution would be an outlet for

their “irrepressible needs”. But it has to be controlled and regulated. So pimping, procuring and the running of a brothel are legalized.

This “legalisation of sex work” model has been adopted in Germany and the Netherlands in 2000 and 2002. They said that they would legalize prostitution but in reality, they decriminalized pimping, reopened brothels and gave pimps a status of “sex entrepreneurs” with an operative licence (just like for alcohol or tobacco). As a result, in 2013, there were about 400 000 prostituted persons in Germany. 10 times more than in France. And only 44 individuals had applied for the status of “sex workers”.

Sexual exploitation is a legal market, and the worse legal practices exploded: paying for a “gang bang”, a “golden shower” (urinating on a woman), pooping on a woman etc... Brothels started to offer sales on women, “all inclusive” offers: unlimited access to food, drinks and women's bodies for a fixed amount.

In the Netherlands, according to an official report by the police from 2008, 50% to 90% of persons in prostitutions in legal brothels are actually victims of human trafficking. Furthermore, legal prostitution is just the tip of the iceberg, illegal prostitution is even much more important.

In 2017, the Netherlands and Germany passed a law that forces prostituted persons to take the status of sex workers. In Germany local authorities are in now charge of interviews with prostituted persons to determine whether they are fit or not for prostitution.

Abolitionist model:

The abolitionist model recognises prostitution as a violence, an obstacle to equality between men and women, an obstacle to the principle of non-commodification of human body, and human relations. The objective is to build a prostitution

and exploitation free society. But in order to do so, and contrary to other models, the abolitionist model qualifies what is wrong with prostitution. The abolitionist model does not consider that what is wrong with prostitution is the action or situation of prostituted persons. It does not consider prostitution as a public order or a morality issue.

The abolitionist model also tailors specific measures for all stakeholders. Under this model:

- Prostituted persons are fully decriminalized. They are offered protection, support and exit options. Discriminatory and arbitrary registration, controls, compulsory medical checks etc... are repealed.
- Pimps, procurers, brothel owners and traffickers are criminalized.
- The purchase of sex (but not the selling) is prohibited and recognized as a form of sexual abuse.

This model has been adopted by Sweden, Norway, Iceland, Northern Ireland, Canada, France and Ireland.

SEE below, detailed provisions of the French abolitionist law aimed at reinforcing the struggle against the prostitutional system and at better supporting prostituted persons.

Why – in your view – is the criminalization of clients more efficient than the legalization of prostitution?

Legalizing prostitution actually means legalizing pimping. It leads to direct impunity for sexual abusers (buyers) and exploiters (pimps and traffickers) and increases the number of prostitution and trafficking victims. It does not give access to rights for people in prostitution and increases demand for prostitution. There are ten times more victims in countries that legalized prostitution. People are not emancipated.

In Sweden, the first country that adopted abolitionist measures, there are about 1 000 persons in prostitution because it stopped the demand. In France, 37 000 persons in prostitution, 90% are foreign women, victims of human trafficking. And in Germany, 400 000 prostituted persons, 90% are victims are foreign women, victims of human trafficking

On the contrary, targeting the demand is very efficient. Trafficking in women is not only a human rights violation. It is also one of the most lucrative form of organised crime.

Women and girls are trafficked internationally and domestically for one main reason: meeting the male demand for paid sex, and thus, generating huge profits for pimps, procurers, brothel owners and traffickers.

According to the ILO1, trafficking in human beings generates 150 billion USD profits to the traffickers. 66% of these profits (99 billion USD) are generated by the exploitation of prostitution of others. Trafficking in women and girls will never decrease if States parties do not criminalise the exploitation of prostitution of women (pimping, procuring, running of a brothel) and the demand for paid sex.

What are the countries that adopted a legal framework that protects women in prostitution? What are the perspectives in other EU countries?

Countries that adopted abolitionist legislation:

In chronological order : Sweden, Norway, Iceland, Canada, Northern Ireland, France, Republic of Ireland and Israel.

Countries that decriminalized pimping: Netherland, Germany, New Zeland, Australia.

Perspective :

In 2014, the European adopted a resolution that qualifies prostitution as a violation of the principle of equality between women and men guaranteed by the Charter of fundamental rights of the European Union. In this resolution, the EP also recognized that the criminalization of csex buyers and the decriminalization of prostituted persons was the most effective model: PACE said the same thing in an April 2014 resolution

How can you explain the link between migration and prostitution? In terms of legislation, how can we protect migrants? Can you elaborate on the link between the legalization of migrants and the fight against sexual exploitation?

Answered above:

When it comes to Western Europe, the category of the most discriminated women and girls, and thus of primary targets and victims of prostitution are migrant women. In France, Germany, Spain, the UK or The Netherlands, more than 80% of prostitution victims are migrant women from Romania, Bulgaria, Albania, Nigeria China, or trans people from Latin America.

And among these nationalities, the most discriminated groups are always the primary victims. For example, 90% of the Bulgarian women we meet in prostitution in Western Europe belong to the Roma or to the Turkish speaking community.

Prostitution is thus at the intersection of multiple forms of oppression: patriarchy/sexism, racism, colonisation, economic exploitation of poverty, militarisation etc...

In 2017, the IOM has highlighted that the trafficking for sexual exploitation of Nigerian women and girls to Italy had increased by 600% over the last three years. NGOs and IOM perfectly know that these women are trafficked to be exploited in prostitution in Europe, where they will have to pay their "naira" (debt).

We advocate for the automatic delivery of residency permits for all victims of trafficking in human beings. We also see and denounce how repressive migration policies empower traffickers and exploiters.

What term should we use and why? Some people don't use anymore the expression "prostitution", some others refuse to use "sex workers"

We recommend to use the language established by international human rights law (article 6 of CEDAW, UN 1949 Convention, Palermo protocol): "prostitution", "exploitation of prostitution", "trafficking in human beings for sexual exploitation.

The term and concept of "sex work" aims at introducing a distinction between a theoretic "good consensual sex work" and a "bad trafficking in human beings". All countries having "legalized sex work" have actually decriminalized the exploitation of prostitution of women (legalization of pimping, procuring and running of a brothel).

What do you think of the situation in Eastern Europe and Central Asia? What measures should be taken to improve the situation of prostitutes in these countries?

I am not an expert on the situation in EECA and It is difficult to identify frontline NGOs providing specific support to victims of prostitution and trafficking. But I think that most of EECA countries are prohibitionist. This model is very harmful since it criminalises prostituted persons themselves, does not offer protection, support and exit options to victims. Furthermore, it does not target effectively prostitution and its exploitation because there is no recognition of prostitution as s sexual violence, an obstacle to equality and a violation of the human dignity. As a consequence, the criminalisation of sex buyers, and even often pimps, is not implemented as long as they cooperate with the police. The exploitation of prostitution is thus often formally prohibited but de facto tolerated, and sometimes controlled, by authorities.

MARCH 8 – A DAY OF RIGHTS, WITCHES, FLOWERS, OR MOTHERS?

I don't know if there's any other holiday celebrated by millions of people that combines so many seemingly incongruous ideas and meanings as March 8.

As we know, it all started with female revolutionaries, socialists, and suffragists prepared for radical protest in the fight for equal rights with men, which at the time was mainly aimed at equal voting rights. Equal pay also soon became one of the most important goals of the struggle as more and more women started working at factories but earned much less than men. Ladies in hats mobilized the mass of toilers in industrial society, calling for them to come out to demonstrations and become active participants in the political process. For them, solidarity became the foundation of the women's movement. Rich and poor alike were arrested for protesting, but women never retreated. Over just two decades, they were able to achieve a great deal—women gained the right to vote in countries where they fought for it, and work conditions and pay improved.

But behind this brief and historic success story, meaning, form, and even understanding of the “roots” of “women's day” celebrated on March 8 were already being distorted. The communists declared that this day was their invention (even though in 1910 Clara Zetkin supported the tradition of women's demonstrations that had come to held around the same time). The Soviet government chose March 8 to promote the achievements of “working women” in the Soviet Union and to glorify the colossal milk yield and overfulfillment of plans. When, during Khrushchev's thaw, people were given the chance to breathe, March 8 was declared a day off, thus becoming not a “day of struggle,” but a national holiday for Soviet people. It gradually came to be called a “spring holiday,” and its emblem became a branch of mimosa or other flowers with no connection whatsoever to women's struggle for equal rights. This holiday replaced an array of cancelled holidays needed to bring joy to people, from Easter or Purim to Valentine's Day (boys decided that they should only treat their classmates gallantly on March 8 and frequently used this “legal holiday” for half-confessions).

But there were also official formalities: on the eve of March 8, all companies held events where speeches were pronounced and awards and prizes and bouquets and cakes were handed out. Men brought women presents, gave up

their seats for them on public transportation (the one time a year that that happened), and in some families men even triumphantly washed the dishes. The notion of a holiday of “mothers and grandmothers” was instilled in children. All of this only served to offend the dignity of women who were not entirely indifferent to the idea of equal rights.

Meanwhile, with a push from Communist countries, the United Nations also declared March 8 women's day, and Western countries also started to celebrate it. I recall how surprised we were in the early 1990s by the Western style of posters for March 8: they almost always had pictures of witches on broomsticks, which did not jibe with either the Soviet aesthetics of “international women's day” or with the revolutionary values of the original idea.

Gradually, the images and ideas of Western feminism wormed their way into former Soviet lands, where this day continues to be celebrated by those who hold dear the tradition of a drink at work and flowers from their beloved. At the same time, the few feminists we have demonstrate under violet or rose-colored flags, chanting “freedom, equality, sisterhood” and other topical slogans. In our times, the question of fighting violence, sexual harassment, and the demeaning treatment of women has taken priority. Meanwhile, the history of this matter has become overgrown with myths. The media provides its interpretation: for example, the following assertion about March 8 was apparently made in all seriousness: “This holiday finds its roots in women's centuries-long battle for participation in society on the same par as men. In Ancient Greece, Lysistrata organized a sex strike against men in order to end a war”.

With all due respect for the efforts of progressive women to end war, Lysistrata should certainly not be presented as a real historical figure! And the strange idea about March 8 as a holiday with roots in antiquity does not stand up to criticism. But it's not just in Russia that people believe that the ancients taught us this holiday. In Tajikistan, there's no talk at all about equal rights (never mind “sex strikes”)—the country's leader ordered people to celebrate “mother's day” on this day. But even here grounds for this were found in the traditions of the ancient Greeks: “By order of the Founder of Peace and National Unity, Leader of the Nation, President of the Republic of Tajikistan, His Excellency Emomali Rahmon, Tajikistan has celebrated Mother's

Day since 2009. ‘The figure of the mother has always been and will remain the embodiment of all that has been sacred and eternal for our nation since the dawn of time,’ Rahmon has stated repeatedly in his speeches. Mother's Day has a long history. This was the time of year when ancient Greeks and Romans honored the goddess of fertility”.

The dichotomy of the supposedly classical undertakings of sex strikes and cults of female fertility is actually fairly modern. We can find among people who consider themselves feminists those who support a mother's right to take her infant to work and breastfeed in public, as well as others who categorically insist on childlessness, separatism from men, and flat-out asexuality for all legal norms (including “maternity” leave and childcare leave). Some proclaim that the very concept of gender is politically incorrect and demand that any differences in address, first names, and last names be abolished (more and more children are being given non-gender-specific names). Others insist on marking all words used in relation to women with gender because they believe this is the only way to overcome discrimination. All this creates a vast expanse for the struggle for equal rights and provides a bedrock for great disputes, controversies, and eloquent arguments. This is probably necessary and useful; the truth may not be born in arguments, but diversity—that is, pluralism—is.

But how far all of this is from the idea of solidarity, primarily with women who have it hardest of all! With women who simply will not understand what “My Body, My Business” means or how unpleasant it is to be looked at or treated the wrong way. I remember the faces of young “second wives” (whom I met not just in Muslim countries, but also in other traditional societies) with their missing front teeth, which they always explained with embarrassment had “fallen out on their own, were aching.” And the aging “first wives,” as well, who paint a sad picture: they compensate for their resentment and pain with their power over the young women brought into the home by their husbands, who have cooled towards the mothers of their oldest children. Neither young wives or “old” ones (usually slightly over 35) can leave the house.

The never-ending cycle of abortions is the only recognized form for regulating the birth rate in places where all power lies with jealous husbands, since

preventing pregnancy always carries the risk of deception in their eyes. Many women enter the hospital every few months and experience pain, shame, fear, and humiliation from these abortions—possibly dozens of times in their lives!

The stories of sexual exploitation are the stories of older relatives, lovers, and pimps chasing women “down the highway.” I know of a case when a husband who had been arrested paid for cigarettes and other items he needed from guards (and other prisoners) with his wife’s body. And successful, well-paid female human rights defenders tell us that “sex work is a job, like cleaning; after all, both involve work with bodies,” while at the same time explaining that “I don’t like quickies in the bathroom, I wasn’t raised that way, but other women really enjoy it.” Who likes what is, of course, a matter of taste (upbringing, if you wish, but this already reeks of arrogance), but we’re not talking about a means of achieving pleasure, we’re talking about sex under duress, about exploitation. Exploitation that is clearly discriminatory in nature: the absolute majority of victims here are women. Equally hypocritical and arrogant, in my opinion, are the arguments of successful women who call themselves “sex workers” (using the masculine gender for some reason [rabotnik (male worker) instead of rabotnitsa (female worker) – Trans.]) and assert that they represent everyone who is driven out onto the pavement by the “organizers of the business.” They tell us that sex is their favorite thing to do and that it pays well too. It’s possible, but what percentage of women came to prostitution of their own free will? And can we really say that this miniscule percentage is representative?

It’s as if some of the “young wives” announced that they are rich, educated women who love living in a polygamous family. If you like it, please, go right ahead, but we’re not talking about people who have freedom to make this choice. We’re talking about people who are dependent, discriminated against, sold, and betrayed.

While we live in a world where women suffer so, but all conversations are about “how terrible it is to be a cis-woman and forced to play the piano in childhood,” all we can say is that this is feminism of the elite and not solidarity.

Stefania Kulaeva

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blog of Radio Liberty*

SITUATION OF WOMEN HUMAN RIGHTS DEFENDERS Report of the Special Rapporteur on the situation of human rights defenders

During the 40th session of the Human Rights Council, the week of February 25 to March 1 was declared a week in support of women human rights defenders. Michel Forst, the Special Rapporteur on the situation of human rights defenders, presented a report drawing attention to the additional risks and barriers that women human rights defenders face, including the difficult conditions in which they work and the impact of patriarchal cultures, gender policies, militarization, and other factors on them. Women human rights defenders are frequently perceived as challenging traditional views of the division of male and female roles in society, which can give rise to hostility from government structures, society, the media, and other non-State actors. Women human rights defenders face stigmatization and ostracism from community leaders, religious groups, families, and neighbors who believe that their work poses a threat to religion, honor, culture, and traditional ways of life.

Although often ignored, women have been at the forefront of social change throughout history. Eleanor Roosevelt was the driving force behind the Universal Declaration of Human Rights. In 1956, 20,000 women of diverse backgrounds mobilized to protest apartheid in Pretoria. Tawakkol Karman in Yemen and Asmaa Mahfouz in Egypt played critical roles in sparking the mass uprisings in 2011 that led to regime change. Eleven-year-old Malala Yousafzai wrote about her life under the Taliban in 2009 and continues to be a passionate advocate for the right to education. In 2016, on what was known as Black Monday, thousands of women and girls in more than 60 Polish cities took to the streets, successfully stopping a total ban on abortion. In 2017, women and girls launched the powerful #MeToo movement, which continues to reverberate globally.

Women of diverse backgrounds promote and protect rights in very different contexts. There are, for instance, women calling for gender equality, indigenous women fighting

SUPPORTING WOMEN HUMAN RIGHTS DEFENDERS AT
WHRD ADVOCACY WEEK
AT THE HUMAN RIGHTS COUNCIL
FEBRUARY 25 – MARCH 1, 2019

WHRDS DEFEND

**RIGHTS EVEN
WHILE THEIR
OWN RIGHTS ARE
VIOLATED**

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for land and environmental rights, women in rural areas pressing for socioeconomic rights, girls campaigning on social issues, trans women speaking up against discrimination, lesbians calling for equality, migrant and refugee women advocating for their rights and security, homeless women demanding the right to housing and shelter, women fighting for justice for the disappeared, gender non-conforming persons resisting gender-based violence, women promoting choice and bodily autonomy, women expanding digital rights, women with disabilities fighting for independent living and women involved in peace processes.

Because of decades of action by feminist defenders, women in many places now enjoy greater equality, including before the law, in politics, education, workplaces and marriage and at home. Because of feminist defenders, more women are able to enjoy the right to vote, the right to bodily autonomy, the right to privacy, the right to family life, sexual and reproductive rights and many other rights.

Nevertheless, many women defenders continue to face significant risks in their human rights practice. They often face the same risks that defenders who are men face, for women defenders, too, are subject to restrictions on rights and fundamental freedoms and live in the same social, cultural and political milieus that shape responses to human rights. However, women defenders often face additional and different risks and obstacles that are gendered, intersectional and shaped by entrenched gender stereotypes and deeply held ideas and norms about who women are and how women should be. Women, for example, can be stigmatized for the very same actions for which men are venerated. Women are often perceived not as agents of change but as vulnerable or victimized persons in need of protection by others, typically men. The rights of women to promote and protect human rights continue to be challenged by those who believe that women do not have these rights or that they should fight for them only in limited, circumscribed ways.

In the current political climate, in which there is a backlash against human rights, women defenders are often the first to come under attack.

The Special Rapporteur calls on the international community to recognize the specific problems, challenges, and risks that women human rights defenders face in different conditions and secure recognition and support for them and for the possibility of their equal, constructive, and active participation in activities to promote and protect human rights. After consulting with women human rights defenders, the Special Rapporteur identified eight interdependent priorities requiring atten-

tion, resources, and cooperation between states, national human rights institutions, donors, civil society, human rights defenders, and other interested parties. In consultation with women defenders, the Special Rapporteur has identified eight interconnected priorities for action that require attention, resources and cooperation among States, national human rights institutions, donors, civil society, human rights defenders and other stakeholders.

Priority 1: Publicly recognize the importance of the equal and meaningful participation of women human rights defenders at every level and in every institution in society, devoting resources to achieve this aim in accordance with the principle of substantive equality

Priority 2: Ensure that women human rights defenders enjoy freedom of movement and have safe spaces and communication channels that enable them to meet and share ideas, experiences, resources, tactics and strategies regularly.

Priority 3: Build a safe and enabling environment for women and all other human rights defenders to promote and protect human rights, ensuring that all non-State actors respect human rights and that all State actors respect, protect and fulfil human rights.

Priority 4: Document and investigate all forms of risk, threats and attacks against women human rights defenders, ensuring that perpetrators – both State and non-State actors – are brought to justice and that these defenders have access to an effective remedy, including gender-responsive reparations.

Priority 5: Develop protection mechanisms and initiatives that incorporate the Special Rapporteur's seven principles underpinning good protection practices.

Priority 6: Recognize that security must be understood holistically and that it encompasses physical safety, digital security, environmental security, economic stability, the freedom to practice cultural and religious beliefs and the mental and emotional well-being of women defenders and their families and loved ones.

Priority 7: Recognize that sexism and discrimination against women, girl and gender non-conforming defenders exist in communities and human rights movements and take measures to address them.

Priority 8: Ensure that funding enables women defenders in their diverse circumstances to promote and protect human rights in a continuous, sustainable and effective manner.

The report is available on the United Nations Human Rights Council's webpage



Gulzada Serzhan, Kazakhstan

I am a lesbian, a feminist, and a human rights defender. I accept other people as they are, no matter what they are. I respect their dignity. So, I demand the same treatment. I believe this is fair in relation to myself and others.



Ukey Muratalieva, Kyrgyzstan, chair of the NGO Nazik Kiz

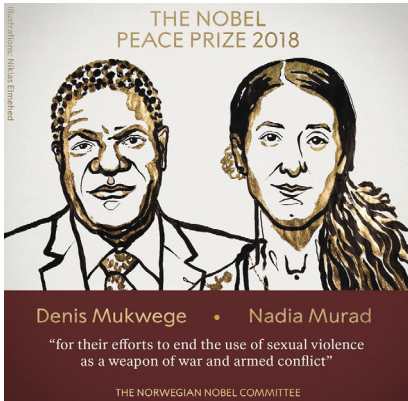
What does it mean to be a woman with a disability in Central Asia?

You are literally rejected from even the stereotypical image of femininity, from the set of characteristics which includes beauty, intelligence, the right to create a family, to be a mother, to be sexually active or, on the contrary, passive. The right to choose in general. Instead, your gender identity merges with your disability and you become pathetic, full of suffering. Weak and tragic. On top of that, your disability stops being just one of the realities of your life and your gender identity is determined by your disability.

If you're a woman with a disability, then one stereotype overflows into the other. You have to fight against the image of "sub-woman," you have to prove to everyone: "I want. I can. I decide."

So, what do I long for? Respect for human dignity. Recognition of the value of human rights. And the creation of equal rights and opportunities.

SOLIDARITY IN FIGHTING AGAINST VIOLENCE



The Nobel Peace Prize this year was awarded to Nadia Murad and Denis Mukwege. On December 10, 2018 they delivered speeches that are certainly worth listening to for everybody. Everybody, including those who did not listen before, did not want to hear, did not consider it important to listen to them in the past, although for many years we all had the opportunity not only to learn their names, but also to pay attention to the cause of life of Murad and Mukwege, who were fighting against sexual violence in the Middle East and Africa. And this is not only about recognizing the merits of these undoubtedly heroic persons. The matter here is to recognize the existence of the problem, of the fact that the world had suffered from unacceptable evil for all these decades, more precisely it was the women of Africa, Iraq and Syria who suffered from this evil, but the world tolerated it and indifferently turned away.

As Dr. Denis Mukwege already said six years ago, speaking at the United Nations: "I would like to say that I have the honor of being part of the world community represented here – but I cannot say this to you, representing the world community, which has been showing cowardice for 16 years (disasters) in the Democratic Republic of the Congo ... The achievements of our civilization are being destroyed, they are being destroyed because of barbarism in the Democratic Republic of the Congo and Syria, but also because of the silence and lack of courage on the part of the international community".

Mukwege called on the world to act, demanded that immediate measures be taken to stop the violence, to arrest the perpetrators of crimes, to stop the cruelty and savagery of the demonstrative group sexual violence that thousands of women in Congo were subjected to. But Dr. Muk-

wege not only demanded and reproved, he used his hands to operate hundreds of women dying from the effects of brutal rape, he treated them in his field clinic, he engaged in psychological rehabilitation, helped them to continue their lives and protected their rights in court. Realizing that the monstrous crimes against women in Congo were not simply the arbitrariness and cruelty of the warring clans, but a deliberate tactic to intimidate the population of the country, Mukwege knew about the serious danger that he brought onto himself by making his accusatory speeches. After his sharp speech at the United Nations in 2012, Mukwege was attacked near his home in Congo, he was shot at, his daughters were taken hostage – they all managed to escape and then left the country by miracle. But Mukwege could not help returning to his patients. As he said in the same speech at the UN: "No, I do not have the honour, nor the privilege to be here today. My heart is heavy. My honour, it is to be with these courageous women victims of violence, these women who resist, these women who despite all remain standing".

The women he had rescued and defended expressed their readiness to defend him themselves, and this was the most touching, but also the most important part of the story of solidarity. Mukwege was right: the world was inactive while he had been fighting to save women, but these women themselves were ready to act and defend their defender, being armed only with their determination against the machine guns in the hands of gangs of rapists and murderers. And in the light of this real story isn't it outrageous to hear the purely theoretical question of some "feminist separatists": is it possible to accept help from a man in protecting a woman from discrimination and male violence?

This was not a question for those women in Congo, as their defender, now a Nobel prize winner, had no doubt himself about accepting help from women, who had been raped by inhuman creatures and it was an honour for him.

I remember how back in 2012, when Mukwege blamed the world for inaction, when he risked his own life and the lives of his children, we also discussed with our colleagues a profoundly theoretical question: does the problem of mass sexual violence in Congo concern us, Russian human rights activists? Are we also responsible for this horror? I was shocked then by an interview of a woman, who had been brutally raped by the "participants of the conflict" in Congo, her husband having been killed before her eyes, her daughter

having been raped in front of her. That woman then dedicated her life to saving the children of those women, who had died from rape, she wandered through the jungle, where she found babies in remote homes and abandoned villages, crawling over the bodies of mothers raped to death, and she took these children to her home. These dangerous campaigns more than once led to herself being raped. But for some reason I especially remember how simply she said: "I thought that I could not bear it the fourth time, I wanted to commit suicide".

It was painful and shameful to listen to her speaking and to know that at the same time we live in peace and do nothing, not even being aware and not wanting to know about her misfortunes. To my surprise, many of my respected colleagues, lawyers and human rights activists, did not consider that this was something to do with us in the Russian Federation at all.

Do the sufferings of Nadia Murad and Lamiya Aji Bashar have anything to do with us, the sufferings of persons, who had been abducted, raped and tortured by the ISIS fighters in Iraq? Is the present-day Russian civil society ready to sympathize in some way not only with the victims of the war in Syria (of the same war, in fact), in which the Russian Federation is involved directly?

Receiving the Sakharov Prize in 2016, awarded by the European Parliament for their contribution to the fight for human rights, Nadia Murad also urged the world not to remain indifferent to the tragedy of Yazidi women: "We would like to prosecute the perpetrators of this massacre in the International criminal court and defend small ethnic communities such as the Yazidis and Christians who live in Iraq and Syria".

It seems to me that separatism in matters of solidarity and even simple compassion – be it the division of people, who are ready to help others, onto men and women, or divisions of the countries into "areas of our responsibility" and "not ours", of people onto our compatriots and all the others – is a deeply flawed approach.

People are divided only onto those, who like Nadia Murad and Denis Mukwege are active in their solidarity and consider this to be the main thing in their lives, and the others, who know how to give the peace prizes, and even this is done some 10-20 years later than it was necessary.

Stefania Kulaeva

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ISTANBUL CONVENTION IN EASTERN EUROPE

According to the WHO, one of the most common forms of violence experience by women globally is intimate partner violence. Almost one third (30%) of women worldwide reported that they experienced such kind of violence. Any kind of violence, within domestic violence, is a violation of human rights. Every state should combat this violation and also prevent it by challenging gender inequality and gender stereotypes which cause violence. The problem of domestic violence touches not only women, but also has long lasting effects on children who have experienced it. The issue of domestic violence is very serious and a complex approach is needed to change the situation.

The Council of Europe, realizing the scale and complexity of domestic violence, decided to prepare measures that would allow to combat such kind of violence effectively. In 2011 in Istanbul, it opened for signature The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). The Convention is a ground-breaking step and provides a legal framework for prevention of all forms of violence against women (with a strong accent on domestic violence) at European level, as well as for preventing, prosecuting and eliminating it. The convention also provides a special monitoring mechanism of its provisions – “GREVIO”.

The Russian Federation, the country where every month more than 600 women are killed in their own homes, 36,000 women everyday experience domestic violence (according to police statistics, this might therefore be understated), victims are blamed and stigmatized, and the police seems not to care, is together with Azerbaijan, the only member of the Council of Europe to not have signed the Convention.

The RF on numerous occasions was called to without any further delay sign this convention. During the last Universal Periodic Review organized by UN Human Rights Council regarding the Russian Federation (May 2018) participating countries and UN Committees had a lot of concern regarding the situation of women in the country. 37 times countries were appealing in cases for women rights, and 9 times in particular about domestic violence or appealed to ratify the Istanbul Convention. The Committee on the Elimination of Discrimination against Women were concerned about the persistent patriarchy in the Russian society, which significantly limits women to their socially imposed role, in private as well as in political life. It appeals to the Russian government to apply an exhaustive policy to defeat stereotypes and patriarchal attitudes. The CEDAW

raised again a concern of the high level of violence against women, especially domestic and sexual violence and urged the RF to “to introduce ex officio prosecution of domestic and sexual violence and ensure that women and girls who are victims of violence have access to immediate means of redress and that perpetrators are prosecuted and punished.” The Committee on Economic, Social and Cultural Rights raised similar concerns and appealed about criminalization of domestic violence. Moreover, the Human Rights Committee remarked negligence in investigation of domestic violence cases, and that victims do not receive due support (such as psychological help, educational centers, shelters).

Russia dismissed recommendations to ratify the Istanbul Convention and criminalize domestic violence. According to the national report prepared for the session, some of its provisions do not accord with “the country’s principal approaches to the protection and promotion of traditional moral and the framework for the State family policy (...)” The Russian state does not see the negligence and the lack of sufficiency of their legislation as well as executive power in combating the gender-based violence, claiming that it in fully sufficient way combat domestic violence and prevent women against it. The Russian Federation only promised to improve already existing legislation.

These promises however are doubtful. The national experts of violence against women claim that in the last 10 years more than 40 times new legislative initiatives were introduced to the RF Duma, but there is still a lack of federal legislation to combat domestic violence. Alexander Shishlov, the ombudsmen from Sankt Petersburg, during a round table “Domestic Violence – one of the form of discrimination” in November 2018 in Sankt Petersburg said that domestic violence is one of the most common and dangerous manifestations of gender inequality, counteraction to which is one of the priorities of all ombudsmen and again appealed to sign the Convention.

Ukraine has signed the Istanbul Convention in 2011. Although, it is still not ratified, the daylight is already seen. After the 37th Session of the Human Rights Council in March 2018, Ukraine accepted the recommendations regarding the ratification of the Istanbul Convention and announced that the ratification is on the agenda of the Parliament of Ukraine. Besides, the law on combating domestic violence came into force in January, 2019, which is a step forward in protection the rights of women in Ukraine.

In Belarus the domestic violence is a pervasive phenomenon as well. Still, it has neither signed nor ratified the Convention. Although the government has imple-

mented some measures to counteract gender-based violence, there is still a lack of profound protection. The UN experts considering a women’s situation in Belarus, have noticed patriarchal attitude which is a significant factor of lack of gender inequality and urged Belarus to implement due instruments to eliminate it.

Russia, Ukraine and Belarus should ratify the Istanbul Convention in order to have a tool to combat and prevent all kind of violence against women. Unfortunately, as it can be noticed on the example of Poland, just a change of a legislation is not enough. The Conventions’ provisions should be implemented and actively supported.

Poland, not without a stormy discussion, has ratified the Convention in April 2015. However, remarks and decisions of the current government, still strongly supported by the Church, in reality seem no to aim combating domestic violence. There were governmental ideas (and already some steps were taken in this direction) to withdraw from the Convention or to change the national law- not in favor of women. Fortunately so far the public opinion and medial storm could stop it. Still, the leading Party (PiS) and its proponents seek to keep traditional roles of man and women and even destroyed already achieved progress. The state money is going mostly to organizations supporting the traditional model of family, and at the same time donations for organizations helping victims of domestic violence and promoting gender equality are limited.

One can wonder why some countries, such as the ones mentioned above, have such a negative attitude against the Convention. The key factor is still widespread patriarchy in these countries, and governing political parties which are conservative and mostly male. A significant factor is also the important role the Church plays in the society. Several misconceptions about the Convention prevail, willingly propagated by the above mentioned agents. The Convention talks about the ‘famous’ socio-cultural gender. Additionally, it requires, among others, the fight against stereotypes related to the social role of the sexes, recognizing them as a source of violence and inequality. In the opinion of these conservatives, its implementation will undermine the nation’s traditions and history, Christian religion and the binary definition of women and man. The Convention is often seen as an attempt to destroy the family and a to popularize ‘Western’ sexual deviation, such as homosexuality and transsexuality.

Patrycja Pompala

REVISIONS OF PROFESSIONAL BANS FOR WOMEN: An Ill-Conceived Shortening of the List of Banned Professions in Kazakhstan and Red Tape in Russia

In advance of a review of the situation of women in Kazakhstan by CERD and CESCR as part of the Universal Periodic Review process, the Kazakh government has adopted a new version of the listed of professions banned for women, which shortens the list by almost one-fifth and limits itself to 219 professions instead of 287.

From now on, women are permitted to hold jobs in print production and metalwork positions involving forge pressing and high temperatures. Bans were lifted from several branches of the textile and light industries, including the production and processing of cotton, linen, and wool, and felt-making. A number of jobs are now open to women in the food industry; pulp, paper, and cardboard production; the stone industry; construction, installation, and renovation; and even in nonferrous metallurgy, geology, and surveying.

Even though these positive trends in reducing the number of bans on female employment must be acknowledged, over 20 areas of employment, including important and essential areas like transportation, remain inaccessible: women cannot become machinists, truck drivers, or tractor operators. All of these professions are in demand in Kazakhstan, where agriculture and cargo shipping are well-developed. In spite of recommendations from international experts to avoid excessively broad interpretations of norms to protect motherhood, women in Kazakhstan still cannot work in a number of common professions. Jobs at heights and underground, jobs involving hot or cold temperatures, jobs in receptacles, containers, closed chambers, and double bottom and between-hull spaces, jobs involving vibration, and jobs on floating cranes and aggregate vessels are banned. Women in Kazakhstan are also not allowed to put out fires, work as divers, or operate dozens of kinds of cargo and transport vehicles.

The existing government bans, however, still do not protect women from the arduous work they must perform in their own households. At the same time, the state also acknowledges that women's salaries are not even 70 percent of men's salaries. While jobs in the oil, gas, and mining industries pay the most, women cannot work in these areas under the pretext of concern about their reproductive health. The state makes the decision for women about which spheres they can work in while knowingly limiting their economic opportunities. Can we really speak about freedom to make decisions and choose a path of professional development in these conditions?



In Russia, revisions to the list of banned professions, which were announced long ago, have dragged on for no reason. Lawmakers were impelled to make changes not just to execute a court decision, but also to implement the recommendations of international bodies and a judgment issued by the RF Supreme Court. After this list was subjected to amendments, debate, and expert opinions several times in 2018, a final version of the draft was completed in December 2018, but this draft was not published until February 2019. In other words, we can expect another public debate and expert review while approval of the shortened list of banned professions will again be postponed: now the new list is expected to enter into force only on January 1, 2020, and not six months from its publication date, as previously planned.

The list's structure has been altered several times in various drafts, and, unfortunately, the current version does not divide professions by sphere and contains only the names of more general types of activities without any indication of specific professions and spheres. This complicates not just the actual counting of the number of banned specializations, but also their definition by the employer, including jobs involving vibration and chemical agents.

A positive result of the reform is that the bans will only apply to women aged 18 to 49. A large part of the banned professions relate to manual labor, while production is becoming more widely automated. After public debates including participants from several large organizations, dozens of previously banned jobs were excluded from the list, including the specializations of sev-

eral of the heroines of the #All jobs for all women campaign. Although these women themselves consider the bans discriminatory in principle, they are all anticipating the new version, which will open their chosen professions to them, even though they have managed to circumvent the bans and are already working in these jobs.

It is interesting to note that Russia and Kazakhstan view jobs that are "harmful to a woman's reproductive function" differently. For example, felting and wool production, production of pulp, paper, cardboard, and products made from them, and the pouring of stone foundry products are allowed in Kazakhstan but banned in Russia if they are performed manually. At the same time, specializations in various spheres of transportation (maritime, river, railway, cargo shipping, dozens of specializations for operators and assistants) are open to Russian women but banned for Kazakh women. Medical grounds for the harmfulness of various professions are raising more and more questions, particularly as bans on several specializations are being lifted in individual countries. To a certain degree, the most progressive Russian list could borrow from Kazakhstan's positive experience and remove some jobs that are deemed safe there. At the same time, some of the bans may lose their relevance over the three years it takes to debate and adopt a law. This means that the optimal solution to replace undue loss of time and resources would be to cancel the list of banned professions entirely, as required by contemporary international human rights standards.

Inessa SAKHNO

OFFICIAL DOUBLESPEAK WHEN IT COMES TO SUPPORTING MOTHERS

Interview with Aina Shormanbayeva,
president of the International Legal Initiative Foundation (Kazakhstan)



Six months ago, Kazakhstan shortened the list of professions banned for women and removed 68 jobs from it, but another 219 specializations remain banned. Curiously, these jobs do not match bans proposed for introduction in Russia. How do employment bans impact the situation of women in Kazakhstan?

Of course, it's very strange that different countries somehow have different understandings of which jobs women can and cannot hold, but it's bad that these bans exist at all. For some reason, they're forgetting that during the most difficult times for our countries, women were involved in everything, even the most difficult jobs. Somehow, women carry all these burdens on their shoulders in the most critical moments. I believe having these lists is an unjust anachronism. If a woman wants, she can do anything, so there's no need to stand in her path. I believe that work restrictions for women must be cancelled.

To what extent are the lists of banned professions based on stereotypes and traditions?

Five hundred years ago, our women were real Amazons. They were always ready for battle, but this didn't stop them from doing household chores and bearing children, from being a woman and a protector at the same time. Now people in Kazakhstan have the idea that women need a patron, that they're weak and can't handle anything on their own, so someone—including the state—must determine what women can be engaged in. But times changed long ago, and many, many types of work have become easier because of machines and robots.

The state justifies the bans as necessary to protect women's reproductive function. What does the state do to support women, families with lots of children, and single mothers?

It's a paradox, really. By banning some kinds of "arduous" professions

that could prevent women from bearing children, the state appears to be stimulating the birth rate. But, on the other hand, we see how mothers with many children are actually treated: they do not get the support they need, and, oddly enough, the labor of a mother with many children is the most arduous both morally and physically. So, this is where I see the doublespeak. If the government wants women to realize themselves as mothers, then conditions are needed for this. If these conditions are absent, there can't be any restrictions on a woman working in a job that she likes.

What was the agenda of the recent protests by mothers with many children?

In February 2019, five children perished in a fire while their parents were at work at night. And mothers all over Kazakhstan rose up: there's no support from the state, parents have to leave their children alone at night and work around the clock. Many families have several loans to cover their basic needs, they end up in indentured servitude and see no other way out than to work, work, work... And children are left alone during this time and grow up on their own, take care of one another. These kinds of families live in terrible conditions: in unsuitable huts, containers, without registration. They heat their stoves with toxic coal and hook up their electricity themselves—this is how fires start. So, it cannot be said that the state is promoting having many children. The state does not guarantee the right to life for these children by refusing them social support.

Is there any hope that the situation will change?

Of course, the authorities know about these terrible living conditions and the difficulties large families face. Our government recently resigned because of the public protests by these mothers, among other things. But there have been times when these kinds of protests were suppressed. The state must stop tying social payments to registration. These payments must be made to people regardless of whether or not they have a registration or a taxpayer ID number; the government's goal should be to provide housing for these families.

DISCRIMINATION DISGUISED AS LABOR PROTECTION: #ALLJOBS4ALLWOMEN IN BELARUS

Irina Solomatina, head of "Gender Route" project, interviewed Mikola Sharakh, Deputy Chairman of the Free Trade Union of Belarus, about the situation of women workers at "Polotsk-Steklovolokno" glass fiber production company.

– "Polotsk-Steklovolokno" company website reports that women in the workshops of glass fiber production have been working as Continuous Filament Glass Fibre (CFGF) machine operators since at least 1957.

– Yes, that's true, women worked at the old factory, which is located in the city of Polotsk itself and is not functioning now, while the new production facilities, built in 1985, are based on new technologies and provide for full cycle of glass fiber production and processing. However, since 2009, when the new version of the Labor Code was adopted, new sanitary norms have been introduced. The Ministry of Health has determined the standards for manual lifting of weight for women: not more than 7 kilograms can be lifted and moved constantly throughout the working shift. When alternating with other work, lifting and moving weights up to 10 kg is allowed, but not more than two times per hour.

When I came to work at the factory in 1986, there was an almost equal share of men and women working as CFGF machine operators. There was a vocational school, which trained both young girls and boys to be operators of continuous glass fiber production machines, and both underwent practical training at the factory.

The old equipment used the 3.5-5 kg spools, and they were to be changed about once an hour, so there was no such problem as a violation of the sanitary norms for moving weights. But with the introduction of new equipment, when the spools now weigh almost 10 kg each, theoretically there was a possibility of violation of the sanitary norms. Since the employer is responsible for observing the working conditions, the company administration decided to stop accepting female machine operators for the enterprise. But women operators, who have already worked in the shops, were left in their positions. Some of them are still working, although, strictly speaking, they should not be allowed to work.

– Was it only about observation of sanitary standards?

– The company administration decided to get rid of women workers gradually, not only because of the new sanitary standards, but also because generally it is more complicated to have female employees because they call in sick if their children are sick, they get pregnant and have to leave their jobs in order to take care of the babies. In the past they used to be transferred to the old factory, where the machines used lighter spools, but the working conditions there were even worse: old equipment, problems with ventilation of the shops and

poorer standards of labor protection. It was difficult for women to work there, and they asked to be transferred back to the new factory. There were cases when we helped members of our trade union to return to the new factory, where working conditions were better.

In fact, the problem is not so much to do with lifting weights – there were no complaints about lifting weights. The fact is that the work of CFGF machine operator is practically the best paid in the company. Women were worried because they were deprived of these jobs. Women are employed en masse as weavers, for unwinding and twisting, and I would say that it is physically more difficult to work in these positions. Unwinding operation itself is not so difficult, but the workers there have to pick up carts with products and transport them from one end of the shop to the other, but pushing these carts with wheels that barely turn or which have three wheels instead of four, this can be overstrained. Women undermine their health working in these jobs more than if they work as CFGF machine operators, where one only needs to remove the spools from the device and send them to the quality inspection centre. This constitutes the principal work of the operators, it is one of the initial stages of the technological chain, on which all the other stages depend. In addition to that, the operator needs to watch out for tearing, the glass fiber threads are thin and it is easier for women, who have thinner fingers, to do this work. But now the work of the operator is entrusted to men only, and women work at all other stages of the production process.

– How did the company administration decide who to leave on the job and who not?

– The criteria were both objective and subjective. First of all, women of retirement age who have already worked out their term in harmful conditions were removed. But they were not sacked, as there were quite a lot of different vacancies in other workshops. They were transferred to lesser paid positions.

Most likely, there were also some internal recommendations from the company administration to do something some way and not the other. Women operators were not removed in one day, it was a long process. They were offered some other job. If women resisted, they were transferred to other workshops. We have three workshops which produce the same type of products. People could be transferred within the same profession from one shop to the other. One of the shops has better working conditions, another has working conditions which are harder, and the third one has the best conditions of labor protection, better working conditions and workers are transferred there based on cronyism. In general, the procedure for transfer is carried out based on an agreement of the parties and

agreements between the administration of workshops. For example, one woman was transferred to workshop №12, and working conditions there are inferior compared to workshop №7, where she used to work before, and the salary at her new workplace was lower. But she was told that if she wanted to work as machine operator, she should be transferred to workshop №12. There were cases when workers were transferred to another workshop temporarily, and later the transfer was fixed as permanent. Some people simply quit and left the work altogether, because it was too difficult for them to work in harder conditions.

– Were there any cases when women fought to remain in their previous workplaces?

– Yes, we had a case when a woman was transferred to the old factory, she worked there for some time and then refused, because different equipment was used there, other skills were needed, production process was arranged differently. She decided to get transferred back to her previous workplace and appealed to the trade union. We managed to get her transferred back to workshop №7. The company administration, including the deputy general director and the general director himself, participated in the negotiations. Everything went well, as the woman herself declared that she did not agree with the state of affairs, and it was her who demanded to be transferred back. It is more difficult when a person complains that everything is bad, but there are no formal appeals either to the bosses or to the trade union. After all, we cannot solve these problems without the participation of a particular person.

– In your opinion, what arguments can be used to achieve a review, or even better, abolition of sanitary regulations that lead to violations of the workers' rights?

– Sanitary norms should be recommended in nature, that is, a person himself should determine where he can and wants to go to work, whether it is suitable for him or her or not. And if sanitary norms are imperative, then there is no longer labor protection, but discrimination. Freedom of choice of job and profession cannot be abolished for a person, as it would be a violation of civil rights. Therefore, you can make legal appeals about this to the Constitutional Court. But we need female applicants who are ready to go to court and appeal against the refusal of administration to employ them as CFGF operators. At the initial stage, you can contact the trade union for support and protection of your rights, you can appeal against the prohibitive regulations. There is an article [in Labor Code], which deals with "unreasonable refusal of employment".

Now we are seriously concerned about potential changes in the Labor Code, which were initiated by the government and which imply the incorporation into the La-

bor Code of the provisions of Decrees No. 5 ("On strengthening the requirements for managers and employees of organizations") and No. 29 ("On additional measures to improve labor relations, strengthen labor and executive discipline"). According to Decree No. 5, workers can potentially be punished by deprivation of up to 3/4 of their salary. There is also deprivation of bonuses, and at some enterprises this amounts up to half the salary, and there is also deprivation of up to three monthly salaries for violation of labor and executive discipline. These decrees worsen the legal status of workers in the sphere of labor relations and, in general, they worsen the image of Belarus and create obstacles for the country's integration into the international political and economic space. The situation is close to hopeless. On the one hand, none of the workers, both men and women, want to lose their jobs. On the other hand, the contract system is built in such a way that any worker can lose his or her job at any time. Any conflict with the immediate superior is enough to lose your job. In practice, the foreman becomes the employer, and as soon as a conflict arises with him, he can immediately get rid of the worker. The existing legislation allows to dismiss employees for a single violation of labor, technological and executive discipline. But what is this "executive discipline"? It is not spelled out anywhere. This means that there is more than enough leverage for dismissal of workers available to the bosses, but both female and male workers have no means to protect themselves.

– Are you able to defend the rights of workers for safe working conditions?

– We are currently in a legal battle related to an occupational disease. In 2014, a female worker discovered that she had an occupational disease, which resulted in 30% disability.

The woman turned to the employer for compensation, however, while she was undergoing treatment and rehabilitation, the Medical and economic control service reviewed the status of her illness at the initiative of the company, and an "occupational" illness became a "common" illness. The court confirmed the illegality of this revision, and the status of occupational disease was re-established. The employer began to make supervisory legal complaints against this court ruling and appealed to the Ministry of Health in order not to pay compensation to the employee.

Moreover, as the lengthy ongoing judicial case in the case of weaver Elena Polovchenya v. "Polotsk-Steklovokno" demonstrates, neither the Department of State Labor Inspection of the Ministry of Labor and Social Protection of the Republic of Belarus, nor other departments of the Ministry of Health and the Ministry of Labor take the side of the worker or show their concern about a fair trial.

THE SITUATION OF FEMALE TRACTOR OPERATORS IN CONTEMPORARY BELARUS

In contemporary Belarus, the profession of tractor operator/machinist is classified as a job "with harmful and (or) dangerous work conditions banned for women." In other words, the government of Belarus believes that women should not operate tractors and justifies this restriction with concern about motherhood and women's health. A tractor operator's responsibilities include operating tractors, combines, and trucks, repairing these vehicles (operators must make sure that they are in working condition), ploughing and sowing the earth, transporting the harvest, preparing fodder, removing snow, and cleaning up the area.

In the summer of 2018, many media outlets in Belarus wrote about the story of Galina Kozhanova, a tractor operator from Buda-Kashalyova District, Gomel Oblast, whose tractor "from the president" was taken from her. Kozhanova received awards from the Belarusian president three times, has licenses for almost all categories of vehicles, and has worked on many types of equipment. At the Dozhinki-2017 regional festival of agricultural workers in Zhytkavichy, she was awarded a certificate and the keys to a Belarus-82.1 tractor engraved with her name.

However, after the best female tractor operator of Gomel Oblast was fired, she was forced to return this award. Pursuant to the requirements for recording material assets, the Belarus-82.1 tractor was transferred to the balance sheet of the Collective Farming Unitary Enterprise Krivsk and assigned an inventory number. Thus, even though there was an inscription certificate to the tractor, it became the farm's property. When Galina Kozhanova wanted to transfer to a job at another farm, she was not allowed to take her tractor with her.

The only female tractor operator to be gifted a tractor in Soviet years was Hero of Socialist Labor Nadezhda Kunistkaya, who received an MTZ-52 in 1972 from the first secretary of the Central Committee of the Communist Party of the Soviet Union of the Belarussian Soviet Socialist Republic Petr Masharov. She ended her days in a nursing home in Zhdanovichy, where she moved with her tractor, which was her only piece of property. She cleaned snow from the tractor and cultivated a plot of land until the age of 80. After her death, her relatives refused to take the tractor and requested that it be returned to the tractor factory and placed on a pedestal.

The Belarusian president has continued the Soviet tradition of awarding tractors to the best female workers. According to media reports, in 2006 there were 42 female tractor operators who received a trac-

tor with "Жанчынам зямлі беларускай от Президента" ["To Women of the Belarussian Land from the President" – Trans.] inscribed on the hood. However, the tractors were not officially the property of these tractor operators but instead belonged to the farms where they worked.

In speaking about their work in male collectives, female tractor operators frequently complain of biased treatment and a kind of "envy" from their male colleagues regarding their high qualifications. They even noted that their tractors had been damaged to prevent their professional superiority and their victories in workplace competitions.

Even though women responded to the famous Soviet call "Women to your tractors!" in the late 1930s, they made up only 8 percent of the total number of tractor operators and now number in the single digits. Both then and now, work on a collective farm was not the standard. All the female tractor operators written about in the Belarusian media say that they did not have vacations. Moreover, payment for their "groundbreaking labor" on farms was not even enough to acquire housing. The main source of income for families remains plots, which are to a significant extent in women's hands.

Even though female tractor operators demonstrate a high level of labor productivity, law enforcement practices and public opinion about "the place of women" in Belarus remain traditional, which leads to an undervaluation of female labor. On top of this, farms where female tractor operators work receive their "presidential gifts" (tractors inscribed with "To Women of the Belarussian Land from the President") on Mother's Day, not Labor Day. In this way, the state shifts the focus to the "natural functions" of a woman instead of trying to even out the social consequences of gender stereotypes in an economic crisis and respect women's personal choices. This practice of giving appears backhanded in the context of Belarus' existing ban on allowing women to operate tractors.

Both the Belarusian government and the press continue to undervalue the professional contribution of tractor operators, describing them as "women with 'non-female' jobs." However, today every woman must have the right and opportunity to develop their abilities. Revoking the list of "non-female" jobs could weaken the manipulation and moral control of women by both the government and society. Then questions along the lines of "is this work suitable for women" would fall away for people who want to hold "non-female" jobs and for employers and the press.

Irina SOLOMATINA

CEDAW AND CESCR EXPERTS CALL FOR REPEAL OF THE LIST OF JOBS BANNED FOR WOMEN

During its 71st Session, the Committee to Eliminate Discrimination Against Women made a recommendation to the Government of Tajikistan to repeal articles 160, 161, and 216 of the country's Labor Code and the list of professions banned for women. CEDAW experts believe that the restrictions should be applied on a case-by-case basis to avoid impinging on the rights of all women.

While welcoming measures taken by the Tajik authorities to support women entrepreneurs and to regulate domestic work and work from home, CEDAW recommended reviewing the strategy for labor market development from the gender perspective and taking measures to increase women's access to higher paying and male-dominated sectors. It also noted the gender pay gap, vertical and horizontal occupational segregation in the labor market, and the high concentration of women in the informal sector and in low-paid jobs in healthcare, education, and agriculture. Only 40 percent of women work officially, while almost 60 percent of men do. The absence of

social security programs, the shortage pre-school facilities, and conflicting family responsibilities force women to remain unemployed. Women with reduced competitiveness, for example, women with disabilities, mothers with many children, single mothers, pregnant women, and women left behind by male migrants, do not have sufficient opportunities for employment. Committee members recommended that the government ratify the ILO Maternity Protection Convention (No. 183) and the ILO Workers with Family Responsibilities Convention (No. 156).

The Committee for Social, Economic, and Cultural Rights also considered restrictions on the employment of women to be an important topic and compiled a list of questions for the state reports of Belarus and Ukraine.

Experts asked the government of Belarus to provide them with information on measures taken to remove the legal prohibition on women's right to work in 182 professions and on the impact of these measures on the elimination of strong gender role stereotypes.

In an alternative report submitted to the Committee, ADC "Memorial" pointed out the consequences of discriminatory restrictions, which have resulted in unemployment and have been particularly harmful to women in rural districts.

CESCR members asked Ukraine to provide information about the impact of the revocation of a list of banned professions restricting women's access to over 450 jobs and inquired about concrete steps taken to promote training and employment for women seeking previously banned jobs. In spite of positive steps to revoke discriminatory norms, Committee members asked Ukrainian authorities to report on progress amending articles 175 and 176 of the Labor Code, which envisages labor restrictions for women.

The ADC "Memorial" campaign All jobs for all women calls for the revocation of the list of banned professions and other gender restrictions in the labor sphere for women in former Soviet countries.

CESCR RECOMMENDED TURKMENISTAN TO ABOLISH PROHIBITIONS ON PROFESSIONS FOR WOMEN

Based on the results of the 64th session of the UN Committee on Socio-Economic and Cultural Rights, experts of the Committee made recommendations to the authorities of Turkmenistan aimed at achieving gender equality within the framework of implementation of the International Covenant on Economic, Social and Cultural Rights.

According to members of the Committee, the pervasive and long-standing problem of discrimination against women continues to exist in Turkmenistan both at the legislative level and in everyday life. Experts noted with regret the continued existence of prohibitions for women's access to certain professions, low level of their participation in the labor market and the pernicious influence of deeply-entrenched gender stereotypes.

Seven years ago, while considering the last state report of Turkmenistan, members of CESCR expressed their concern about the lack of access of women to certain professions under the pretext of protecting their physical well-being, and

also noted the inequality of opportunities for men and women in work and employment. Although in 2011 Turkmenistan has already received recommendations to adopt measures aimed at increasing women's access to all types of work, it is clear that this was not done. The list of questions to Turkmenistan, which was submitted in October 2017, featured inquiries made by the experts of the Committee about the progress in revision of professional prohibitions for women. However, the authorities of Turkmenistan explicitly stated that, according to the laws of Turkmenistan, neither pay differentials nor other differences caused by special care for persons in need of special social and legal protection (women, minors, disabled, etc.) were considered discriminatory.

Anti-Discrimination Centre "Memorial", which continues #AllJobs4allWomen campaign to fight against professional restrictions for women in post-Soviet countries, welcomes the position of CESCR: the Committee's experts recommended that all gender-based professional prohibitions be lifted as well as effective

measures be adopted to overcome the wage gap between women and men. The Committee's experts confirmed the position expressed by their colleagues earlier: it was just in July 2018 that the UN CEDAW, after considering the 5th state report of Turkmenistan, recommended to cancel the lists of jobs prohibited for women, because they were considered discriminatory, and recognized that protective measures could be acceptable only for pregnant women and mothers caring for babies. Members of both Committees drew attention to the need of abandoning discriminatory practices against women and girls that impede their education and professional fulfilment. UN CESCR also recommended to adopt measures to change the public awareness of stereotypes and gender roles by actively educating the population of the country.

Among other important issues affecting the observance of economic, social and cultural rights, the Committee discussed the need for Turkmenistan to adopt a comprehensive anti-discrimination legislation, as well as to decriminalize same-sex sexual relations of men.

GUL – A NEWSPAPER FOR FEMALE MIGRANTS IN SAINT PETERSBURG

Ayym Baky and Safina Khidzhobova, Editorial Board Members

The word гул/gul/gül translates from the Kyrgyz, Uzbek, Tajik, Azerbaijani, and Kazakh languages as “flower.” For us, the flower is the symbol of wisdom, strength, and spiritual beauty. A flower grows in spite of everything. It overcomes barriers and makes the world more beautiful.

This newspaper first appeared in December 2016 under the auspices of the “Children of Saint Petersburg” project and is intended for female migrants from Central Asia and their family members. We publish in four languages: Tajik, Kyrgyz, Uzbek, and Russian. The paper is meant to be educational and informative, and includes legal advice on how to find a job, how to get the necessary documents, how to enroll a child at school, and how to obtain a registration. On the last page, we print a list of organizations where women can seek free advice if their children are rejected from a school, if there is violence in the home, if their labor rights are being violated, or if they need an appointment with specialists.

The paper is published by us—young women with experience as migrants. We do all the writing, translating, illustrations, pagination. Then we distribute it by the Full-Service Migration Center and at markets. We regularly get together at meetings and have become like family. We even do the translations ourselves: Safina and her sister - into Tajik; Ayym - into Kyrgyz; Nargiz - into



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Uzbek. The founder and publisher of the Russian version is Yulya Alimova, the coordinator of the “Children of Saint Petersburg” project. There are other special aspects: before allowing Nargiz to come to the meetings, her parents invited Yulya over to see if they could trust her.

We teach Russian for migrant children in the “Children of Saint Petersburg” project. We get them ready for school and help with their school subjects. Mothers and children who learned about the chance to improve their Russian specifically from Gul come to us. But the newspaper itself owes every-

thing to the Russian language classes—mothers, aunts, and sisters brought their children to our courses and said that they lacked a community specifically for women. Female migrants live closed lives and they’re not used to voicing their opinions. Our hope is that these women understand that their opinions are important, that they are a part of society. We write about important women in the history of Asia, like Toktogon from Kyrgyzstan, who raised 150 children brought out of blockaded Leningrad; a female lawyer from Uzbekistan, who helped migrants; and Mavzun Chorueva, an athlete from Tajikistan who won a bronze medal in boxing at the 2012 Summer Olympics in London. To show that girls need to be given freedom of choice, that their goals and aspirations must be respected, we came up with a comic strip about Farangis, who is a boxer and dreams of going to the championship, but whose father is opposed to her hobby. To celebrate March 8 last year, we published an issue about the history of this date and explained how this day is important for women. Our readers are thrilled that they can read this paper in their native languages, since it is very difficult for them to read in Russian. We try to include lots of illustrations and infographics.

We’re preparing a coloring book that tells the story of a girl who wants to go to school, but her parents can’t send her there because she has to watch her younger brother and help her mother. It’s based on the true story of a family that came to us at “Children of Saint Petersburg.” We want to explain that all children—both boys and



girls—must receive an education. We inserted a leaflet into this coloring book with an infographic explaining the step-by-step process of enrolling a child in school. Everything worked out well for the real girl from this story—Yulya Alimova convinced her family that it was important for her daughter to get an education and helped them get together the documents they needed. At “Children of Saint Petersburg,” we frequently see girls up to the age of eight or nine who have not started school because they help their families at home, while 14- to 15-year-old girls don’t go to school because they have to get jobs and help their families financially.

In Central Asia, it’s traditional to believe that girls must stay home, then get married, and then have children. Pressure is stronger on women in some places than in others. In Tajikistan, the situation with women’s freedoms is worse than in Kyrgyzstan, but there is also a major difference between cities and rural areas. There is domestic violence in many families, but women don’t even realize this because they believe it is the norm. We frequently raise the topic of violence in our articles and try to change the silent acceptance of this “custom.” A psychologist at our newspaper’s crisis center talked about different types of violence in the family, how to recognize them, and where to go for help.

The adolescent social center Ostrovok, where “Children of Saint Petersburg” prepares migrant adolescents for university entry exams, has twice offered master cooking classes for local mothers and migrant mothers. By sharing the habitual process of preparing food, these mothers were able to come out of their shells and speak freely. We would like to create a space like this that is always available where women could come to sew, since not all of them have enough money to buy clothes and it is cheaper to sew them from scratch or alter them. This would also be a space for women to talk. Migrant mothers generally feel embarrassed about their appearance, are not well-educated, don’t speak Russian well, and have a low position in society. This space could help them gain confidence in themselves and make friends. It’s important to us that people living in Russia think about the problems that migrant women face and the we—migrants ourselves—are indifferent to them.

ART AGAINST HARASSMENT, VIOLENCE, STEREOTYPES

Interview with Marifat Davlatova, feminist artist

What is the situation with employment for women in Tajikistan?

I obviously knew that banned professions exist in Tajikistan, but I didn’t know that there are 362 of them! These bans are clearly unjust, because women have always done arduous work: in our villages, women chop firewood, graze cattle, build fences, work in cotton fields, which is arduous and hot. If both the man and woman work, then the household chores fall entirely on the woman. Many women can’t find work: employers don’t hire them because they fear maternity and sick leave. So they can write that they’re only looking for single women.

How do stereotypes prevent women from overcoming inequality?

There are a lot of these stereotypes in Tajikistan, and society restricts women in many ways under their influence: women are told how to dress, when to return home, how to speak. Girls are shown their place from a very young age: “What kind of girl are you if the house isn’t picked up yet? No one will marry you.” Their upbringing is aimed at marrying them off, they’re not allowed to study. The law prohibits early marriages, but girls can be proposed as a wife as early as 5. If you haven’t married by the time you’re 25, you “have a defect” or you’re “loose” or “lazy.” You can only end up an old maid or a second wife (this is illegal, but marriages following nikah rituals happen frequently). Take me. I’m 25, and everyone is telling me that I need to get married as quickly as possible, but I think that everything is just beginning. I don’t think marriage is obligatory. In Tajik families, restrictions mainly affect women. But why is that? You’re a person too, just like the man. You perform more functions, but there are more bans for you.

Tell us about what you do and how you ended up doing it?

I studied to be a visual artist and a painter. I’ve been drawing since I was seven. I started studying the nude genre and have been working in that area. I saw people’s reactions: “this kind of thing shouldn’t be created in our society, young women can’t do this.” No one has any complaints about men who work in this genre, but I’ve always received criticism. The most offensive thing is that this criticism comes from both men and women.

Have there even been threats?

In August 2018, I had an exhibition in Dushanbe devoted to women. I wanted to show the beauty of a woman’s body, of a woman’s soul as a protest against harassment on the streets, violence, stereotypes. I depicted women in national costumes. I received positive reaction, but also negative criticism along the line of “this girl is sick, she didn’t get married like her parents told her to and now she’s gone mad.” There were also verbal threats that I needed to be burned alive or hung. These threats even came from women, and they were real. People threw stones at me on the street several times when they recognized me. One of the main complaints against me is that I depict actual women: “these are our sisters, daughters, and future mothers, and you’re disgracing them.” My models are very brave. Like me, they have also had problems. Some of their friends even stopped talking to them.

Were you prepared for this kind of reaction?

I didn’t think that people would talk about this in remote villages of Tajikistan or beyond the country’s borders. I have been sent words of support and words of disdain from CIS countries. I was shocked for the first few days, but in general I was prepared, because I knew what kind of society we have and what I was presenting to it. But my relatives’ relationships towards me changed for the better after the exhibition.

Did the reaction to your exhibition influence your current project on anti-discriminatory education for women and girls?

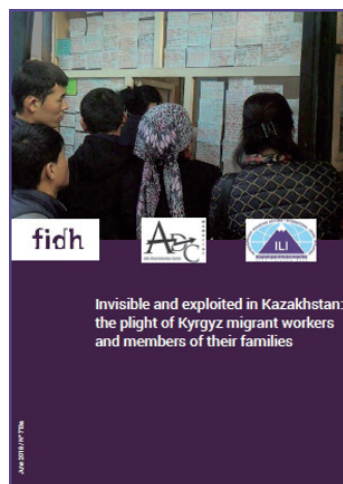
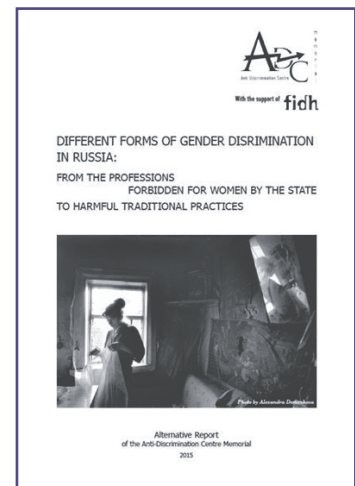
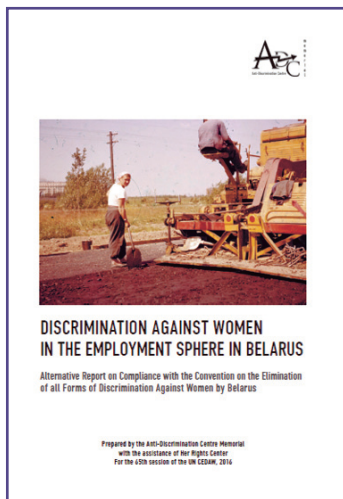
Yes, after the exhibition I became convinced that I need to work more in this area. If nothing is done, then women are always going to suffer. I went to a conference where I met a group of activists, and now we are going to advance the topic of equal rights for women. We have achieved the adoption of a law against violence, which happened in the summer of 2018, and there have already been cases where people have been held responsible (fines, community service). I would like to do some sort of project on domestic violence, suicide as a result of early marriages, when girls are given away in marriage without asking their opinion, while they have no education or understanding of how to live or who to turn to for help. I would like to have an exhibition to show that all people, including LGBTI people, have equal rights.

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