



ADC Memorial Brussels
Rue d'Edimbourg 26
1050 Ixelles, Belgium

adcmemorial.org



Russian LGBT Network
Ligovsky avenue, 87 15H
Saint-Petersburg, Russia

lgbtnet.org

**Alternative information
on Russia's implementation of the UN Convention
on the Elimination of All Forms of Discrimination Against Women**

**For the 78th Pre-session Working Group of the UN CEDAW
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**Violation of women's labor rights;
persecution of female activists;
discrimination of female members of vulnerable groups -
female migrants, women from traditional and Muslim communities, and LBT women**

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Violation of women's labor rights;

ADC Memorial has repeatedly drawn the Committee's attention to the employment discrimination of women in the Russian Federation as expressed in the "**list of banned occupations for women.**" The authorities explain the need for employment restrictions as "concern for women's reproductive health," which in and of itself speaks to the stigmatization of women and their imposed role of mother in detriment to their professional realization. In 2019, the government announced significant cuts to the list of banned professions (Order of the Ministry of Labor of Russia No. 512 of July 18, 2019). Women will gain access to over 100 specializations on January 1, 2021 (almost all the restrictions on jobs in public and cargo transportation, the maritime industry, and other industries have been lifted), but they still will not be able to hold 320 positions, including in-demand and well-paid ones. Women earn on average one-third less than men, not least because large numbers of women work in low-paying spheres. Just under half of women work in the shadow economy, without any benefits. Women were the first to experience pandemic-related job cuts, losing not just their salaries, but also social payments and support.

Over 230 medical workers have lost their lives during the pandemic. The medical field, where salaries are not high, mainly employs women (doctors, nurses, orderlies, pharmacists, administrators, clerks, lab technicians, and cleaners). Out of necessity, they are forced to work in arduous and dangerous conditions: there is not enough personal protective equipment or rest time, shifts have been lengthened, and it is impossible to take a sick day because of lack of personnel. There have been cases where female medical workers who spoke publicly about the lack of equipment at hospitals have been fired (for example, in Leningrad Oblast, April 2020) and prosecuted (for example, in Kalach-na-Donu, Volgograd Oblast, April 2020) or faced the risk of firing or persecution. These high risks (particularly in the republics of the North Caucasus and in Chechnya) have forced female medical workers to hide the dire situation of their hospitals or become the objects of prosecution by the authorities, who deny these problems and ban any talk about them. Female journalists have also been prosecuted for reporting on the epidemiological situation in Russia: A criminal case was opened against the St. Petersburg correspondent for Radio Liberty. At the same time, female activists who attempted to hold single person pickets during quarantine while observing all safety rules to express disagreement with the government's intention to introduce amendments to the Russian Constitution (including revoking the primacy of international law) have been arrested for "violating quarantine."

The situation of women during quarantine, when many have lost their jobs and means of existence, has been complicated by government attempts to restrict voluntary termination of pregnancy. The pandemic has been the cause of a **new wave of anti-abortion initiatives** on the part of religious and government figures (for example, the children's ombudsman) and has resulted in real-life consequences: Some women have not been able to terminate their pregnancies because hospitals have refused them, while others have had to turn to expensive private clinics and bear additional expenses that are beyond the means of many, especially during a time of mass unemployment (cases like this have occurred in many regions of Russia).

The problem of sexual harassment at work and educational institutions has started to be publicly discussed in recent years after a number of flagrant cases at universities and institutes (the most frightening example was the November 2019 murder of a female graduate student at Saint Petersburg State University by her teacher, who had an intimate relationship with her), at media outlets (for example, Meduza) and NGOs, and among deputies (State Duma deputy Slutsky was accused of harassment). The victims of harassment and people who report harassment face censure and accusations of slander and persecution. Norms providing protection from harassment and ethical codes that implement ILO recommendations for the workplace are generally absent from Russian

institutions, while calls for developing employee codes of behavior are met with resistance even in the intellectual environments of academic and scientific institutions.

Discrimination of members of especially vulnerable groups - female migrants, women from traditional and Muslim communities

The situation of women from vulnerable groups who face multiple discrimination as women and as minorities (ethnic and religious minorities, foreign women, and others) is cause for particular concern.

Female migrants live in fear of document checks and raids, which are regularly accompanied by blackmail and abuse, and systematically encounter xenophobic treatment in various areas of life, including healthcare. They are often forced to risk their own lives and health by turning to unofficial medical offices, particularly in relation to questions about maintaining or terminating a pregnancy. Refusals to admit female migrants who have not been under prenatal observation to maternity hospitals during the pandemic have forced these women to seek expensive or unofficial birth options.

Women who violate migration rules are held in foreign national detention centers. This includes pregnant women, even though these centers do not provide the conditions required for pregnancy (personal hygiene products, medication, special food, exercise). Migrant mothers are separated from their children, who are placed in special institutions for minors. The children of foreign and stateless women who have been taken from their parents are often listed as abandoned. Their personal information is changed and they are put up for adoption, which deprives them of the ability to ever learn anything about their birth parents.

Roma women and girls who live in dense settlements face multiple discrimination conditioned by the negative impact of the patriarchal values and gender stereotypes of a closed society and a high level of xenophobia from outsiders. The practice of segregation in elementary schools and the creation of “separate” Roma classes and schools results in early withdrawal from the educational process. Most girls from Roma settlements do not obtain a complete school education.

The lack of personal documents and education leads to unemployment and poverty, which are exacerbated by instability and, in recent times, the pandemic. Roma women are discriminated against when they try to receive various services, including government, medical, and social services. Female residents of dense settlements suffer from checks and raids by law enforcement bodies, including checks and raids justified by “suspicion of violating the rules of quarantine. These women can be traumatized by police measures like widespread photographing, fingerprinting, and groundless interrogations (for example, the raid of a Roma settlement in Leningrad Oblast, March 2020).

The lack of legal norms banning harmful traditional practices (early and forced marriage, bride kidnapping, forced loss of virginity, and surgical mutilation like female circumcision, which is practiced in several Muslim communities) means that only very few of the guilty parties are ever prosecuted. When prosecutions do occur, the criminal behavior is generally misclassified. For example, virginity checks of brides, which are forced by older women, are classified as sexual abuse, which does nothing to reveal the problems of “traditional practices” or help fight these practices when there is no comprehensive plan to fight harmful practices.

Women from Muslim communities experience pressure related to religious and gender stereotypes in combination with repressions. The authorities in Chechnya and the North Caucasus essentially cover up instances of polygamy, forced marriage, violence (all the way up to murder) against women suspected of violating traditional law (so called “courts of honor”), and domestic and everyday violence.

Activism by women from Muslim communities is hobbled: female participants in public events must stand several meters from men, participation in political life is viewed as “unwomanly,” and the tenet stating that men (father, husband, brother) answer for women complicates life for single women. An unmarried activist who participated in a public event in the North Caucasus was the only woman charged under a number of articles, including extremism, regardless of proof of her innocence (Ingushetia). Repressive measures make it difficult to overcome traditional stereotypes so that women can participate in political life.

Female activists and human rights defenders are being prosecuted in Crimea, which is under de-facto Russian jurisdiction. In 2019, five women were arrested for their activities. These included: Zarema and Alie Mamutova for single person pickets in support of political prisoners, Mumine Salieva and Lutfie Zudieva, who came out against Russia’s repressive policies in Crimea, and the activist and daughter of the political prisoner Gulsum Aliev, who has been arrested repeatedly.

Female members of indigenous peoples of the North and Siberia have also faced repressions when demanding protection for the environmental, land, cultural, and linguistic rights of their peoples, which have been violated as a result of the exploration and mining of mineral resources. Female defenders of the rights of indigenous peoples are subjected to state persecution. For example, Yana Tannagasheva and her family were forced to flee Russia in 2018 when the Center to Combat Extremism threatened this activist, who spoke out against the coal industry in Khakassia in 2019, with problems with the FSB.

Discrimination against LBT

LBT and queer women in Russia enjoy only limited protection from state. Both political discourse and the law do not introduce any LBT-specific provisions or guarantees that would correspond with the needs of LBT and queer women. By contrast, Russian legislation excludes LBT women from some industries that comprise interaction with minors, by imposing responsibility for so-called “propaganda of non-traditional sexual relations”, and bans representation of queer identities in public. Queer women face discrimination that constitutes typical background for the community.

According to the annual poll on discrimination conducted among homosexual, bisexual and transgender people in Russia, the rate of human rights violations based on sexual orientation and gender identity (SOGI) has grown from 16,6% in 2014 to 64,4% by 2019¹. In comparison to the data found by the research on discrimination over the last 5 years, the number of respondents, who reported psychological abuse, has increased from 47% to 56%. The statistics show, that physical abuse rate preserves within 16-20%². The majority (70%) of respondents identify as women of various sexual identities.

Discrimination forged by the law banning “anti-gay propaganda”

All paragraphs concerning LBT women discrimination, which the Committee highlighted in its concluding observations, continue putting obstacles on the way to equality for queer women. Unconstitutional **law adopted at federal level banning the “promotion of non-traditional sexual relations to minors”** reinforce homophobia and negative stereotypes, against lesbian, bisexual and transgender women that are generated in society and supported by state’s negligence to sexuality and gender issues.

The law is predominantly used to threaten LBT teachers at schools and educational institutions with dismissals for “breaking the moral code”. Such reason for a discharge means a dead-end to the

1 Monitoring discrimination against LGBTQ+ people in Russia. Quantitative data (2020) Kseniia Kamarina, Daniil Zhaivoronok https://lgbtnet.org/sites/default/files/monitoring_data_report_2019.pdf

2 Russian LGBT Network Legal Help Program and Monitoring 2015-2018 years

persons' careers. LBT women are hesitant to protest and fight for the job seat, when accused of propaganda by their employers and agree to quit a job voluntarily to avoid problems and preserve ability to work in the area of their expertise.

Lesbian and bisexual women continue suffering from incompetent response, when visit health care institutions. Mostly LB women report insults or bias attitude, which reflects on the methods of therapy and affects mental health of LB patients. Stigmatization of same-sex relations and bigotry to queer people compels LB women to hide their identity and give false information to doctors, which can lead to wrong diagnostic resumes. Access to medical care is specifically restricted for transgender persons. Women of transgender identities report facing inadequate therapy prescriptions, humiliations and disclosure of their gender status among other clients.

Family members of LBT women (mostly ex-partners, biological parents of minors or their relatives, who consider same-sex relations inappropriate) and anti-LGBT+ activists, refer to the law "on child protection from harmful information"³ and threaten to take children away from lesbian couples and other queer families, by reporting to guardianship services that a child is brought up in LBT family and instantly becomes "a subject to homosexual propaganda". In 2019, ex-husband of a heterosexual woman filed a suit to the court asking to restrict his ex-wife – a mother of his underage children, in parental rights, because she was sharing the apartment with her homosexual adult son, which according to the plaintiff, is "harmful for the minors".

Russian LBT activists are persecuted for advocacy and public actions in support to LGBT+ and feminists' rights. There's been a number of cases, where the departments of the Ministries of Internal Affairs and Federal Security Service officers intervened to identify LBT participants of public actions and demonstrations, invited them for informal conversation, followed their online social activities, and initiated examinations upon the pictures, statements or other media files posted in social networks. The alarming case of Yulia Tsvetkova, Russian LGBT-fem-activist from Khabarovskiy kray (Khabarovsk region) explicitly shows the link between the state legal prosecution and LGBT-activism. Tsvetkova was fined for discussing equality issues and stereotypes on male and female roles in society with teenagers, questioning the adapted norms. She did not stop fighting for the women's rights as an artist and drew innocent bodypositive pictures of female body, which evoked law-enforcement to open a case on "pornography distribution" against her.⁴ Soon, Prosecutor's office in Khabarovsk charged another activist from the same far-east region with the same crime for reposting intimate video at his private account. The courts' decisions statistics on cases related to porn-charges does not show that Khabarovsk' region is determined to battle pornography distribution, and the reasons for the case initiation seem to be politically motivated.

Hate crimes against LBT(Q) women

Monitoring Program of the Russian LGBT Network, annually documents around 70 **cases of violence and discrimination motivated by sexual identity**. Among these crimes are physical assaults, that radical LGBT-opponents orchestrate, attacks committed by strangers or law-enforcement officers, domestic violence, including family reprisals and honor killings; rapes, other sexual and physical abuse from acquaintances.

Due to social stigma and public demonization of homosexuality and queer identities, LBT survivors of hate crime barely report crimes and violations to the police or state sexual identity as the reason for violence against them, if report to the police, out of fear to face double discrimination. Police officers abuse authorities when it comes to SOGI disclosure and reluctantly respond to the

³ Federal law N 436-ФЗ "On Child Protection from information, harmful to their wellbeing and development"

⁴ Human Rights Watch news release: Russian Activist Faces Unfounded Pornography Charges (December 3, 2019) <https://www.hrw.org/news/2019/12/03/russian-activist-faces-unfounded-pornography-charges>

complaints. In some cases, police homophobia and transphobia can affect investigation run or result in police violence. According to the reports of transgender women, who experienced detention for administrative offenses or were summoned to give testimonies as witness or a suspect, police officers beat, humiliate and harass them sporadically.

SOGI-based violence very often remains underreported or uninvestigated. In case of a trial, investigators and judges do not consider crimes as committed on grounds of hatred to a social group of people united by diverse sexualities of gender identities, despite the Criminal Code of the Russian Federation stipulates stiff punishment for it. In April 2019, transgender woman from Kursk N.Surgutskaia was brutally killed by a man. The criminal defendant choked the victim, dismembered the dead body, corned its parts and threw to the waste bins next to his house, after he learned that the woman he spent time with was a transgender. In course of the investigation, the murderer was immediately recognized as irresponsible. During the legal examination of the case, investigation did not even consider a hatred motive.

Transgender women are most vulnerable to the hatred-motivated aggression in general. The poll corroborates that by the violence rate: transgender women more often face sexual, physical and mental pressure in comparison to cis-men and women and even trans-men.

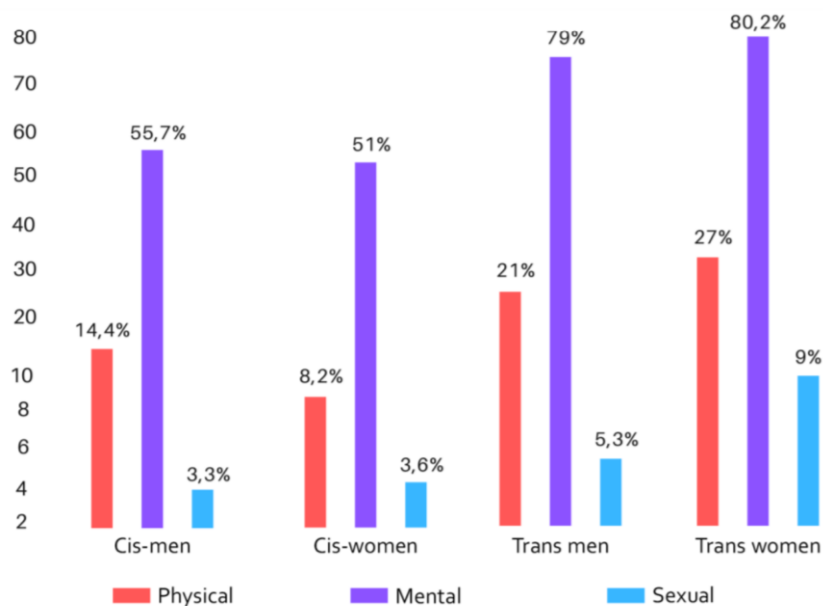


FIG. Distribution of types of violence according to gender identity.

LBT women’s rights and female human right defenders in the North Caucasus

The survey’s data on discrimination demonstrates that **LBT women from the North Caucasus** Republics are most intimidated to uncover their sexual identity – almost 20% of the respondents do not have social interaction with other queer persons and never discuss any topics related to homo/bisexuality or transgender identity even with close friends. There is also the lowest ratio of family admission. Less than 7% feel safe to share identity-related aspects with any of family members. Considering that a female body within the neo-traditionalist rhetoric, which is popular in the North Caucasus, and male-dominated spaces are objectified and rendered invisible, the voices of Caucasian lesbian, bisexual and transgender women cannot be heard.

In April 2017, through a series of publications of the Novaya Gazeta⁵, an independent media outlet, the world learned that the Chechen authorities and law enforcement officers persecuted, unlawfully detained, tortured, and even killed LGBT people because of their sexual orientation and gender identity⁶. Despite international experts proved the evidence and facts of persecution, no adequate response to these blatant crime against queer persons has ever been made neither by local nor federal authorities. The Head of the Chechen Republic Ramzan Kadyrov uses hate speech when commenting SOGI-related persecutions, denying that queer people even exist in Chechnya. Since most of the victims were publicly said to be gay and bisexual men, the international civil society labeled the crackdown as the “anti-gay purge.”⁷ Yet, LBQ women are also targeted by their kin and local authorities, even though not through the mainstream means. Just in 2019, the LGBT Network assisted 7 LBQ women and recorded 3 instances of forced psychiatric treatment of lesbian and bisexual women, 5 instances of prolonged domestic abuse, including extreme cases of handcuffing to heating units and violent practices of exorcism. Four women were subjected to sexualized violence and blackmailing from their male relatives and extended family.

Mr. Kadyrov also publicly expresses **threats to human right defenders, who help people of various sexual and gender identities**, and calls for reprisals towards them. On April 13, 2020, Mr. Kadyrov, explicitly voiced public death threats to Ms. Milashina, a journalist at ‘Novaya Gazeta’, who uncovered various human rights violation in Chechnya, including the LGBT purge, in reply to her article, where she criticized the methods used by the Chechen officials to combat the COVID-19 pandemic. The Russian higher officials refused to respond properly to these threats. Meanwhile, earlier this year, on February 6, a group of Chechen residents attacked and beaten Ms. Milashina and Ms. Marina Dubrovina, an attorney at law, in Grozny, where they attended a trial. The investigation into this attack is stalled and perpetrators have not been identified or brought to justice.

We recommend the Committee to address the following issues to the Russian Federation:

- 1. What measures are planned to improve access to jobs previously banned for women (information campaigns, educational programs)? Is it planned to abolish the list of banned professions or at least make further steps to reduce it?*
- 2. What specific measures are planned to support women in the situation of Covid-pandemic?*
- 3. When is the law against domestic violence going to be adopted? Are the women’s rights defenders and gender experts going to be consulted while preparing the law? What measures are planned to promote adoption and effective implementation of anti-harassment policies at working places (joining the ILO Convention 190)?*
- 4. What is going to be done with the repressive practice of separation of migrant women and children, detaining separately mothers and their migrant children (and even pregnant women)?*

5 See: Milashina, Elena (April 1, 2017) “Honor killings: How Ambitions of a Famous LGBT Activist Woke up an Old Terrifying Tradition.” Novaya Gazeta. Retrieved at: < <https://www.novayagazeta.ru/articles/2017/04/01/71983-ubiystvo-chesti>>; Gordiyenko, Irina and Milashina, Elena (April 4, 2017) “Executions of Chechen Gays” Novaya Gazeta. Retrieved at: < <https://www.novayagazeta.ru/articles/2017/04/04/72027-raspravyy-nad-chechenskimi-geyami-publikuem-svidetelstva>>

6 ISM “Russian LGBT Network” LGBT Persecution in the North Caucasus “They said that I’m not a human, that I should rather be a terrorist, than a fagot” https://lgbtnet.org/sites/default/files/doklad_web.pdf

7 Kramer, Andrew K. (April 1, 2017). “Chechen Authorities Arresting and Killing Gay Men, Russian Paper Says.” New York Times. Retrieved at: < <https://www.nytimes.com/2017/04/01/world/europe/chechen-authorities-arresting-and-killing-gay-men-russian-paper-says.html>>

5. *Will be adopted a comprehensive action plan on improvement of the situation of Roma minority, with the special focus on the rights of women and girls, their access to education, employment, social and medical care?*
6. *What measures are planned to oppose harmful traditional practices existing in some communities (female genital mutilation, early and forced marriages, polygamy)?*
7. *What measures are planned to protect women's freedom of expression and to stop persecution of women activists protecting their communities' rights in Crimea, North Caucasus, indigenous peoples' territories?*
8. *What impedes the abolition of discrimination law that bans "the promotion of non-traditional sexual relations" among minors? What is the reason to maintain and reaffirm social inequality between heterosexual and non-heterosexual people in Russia?*
9. *Which cases the Russian Federation can emphasize to prove that a legal investigation of hate crime and violence against LBT persons have been carried out thoroughly and with the consideration of the crime circumstances as aggravating, due to the hatred motive to the social group, united on grounds of sexual orientation and gender identity according to the Article 63. 1(e) of the Criminal Code of the Russian Federation?*
10. *What preventive measures are being taken by the Russian Government to axe intolerance and bigotry towards lesbian, bisexual and transgender women in Russia?*
11. *Which position does the Russian Federation takes concerning the hate speech and extremist calls, voiced against lesbian, bisexual and transgender women? Could you share an example of the measures taken to bring Mr. Kadyrov and other men in power responsible for death threats and hate speeches sounded against brave women, who spread a word on blatant crimes in Chechnya? Which measures Russian Government intends to take in order to ensure safety of female human right defenders, working with severe human rights violations in the North Caucasus?*
12. *What plans does Russian Government has to guarantee protection for LGBT+ female activists, who are legally prosecuted upon the alternate or fabricated grounds, which prevent their usual activities? Does Russian Government consider that drawings of caricature female-like body can only express pornography, and art form of public questioning of stereotypes, that oppress women, and social norms imposed on women, are sufficient to deprive freedom?*
13. *What educational programs, including for law-enforcement, does Russian Government plans to elaborate in order to raise awareness and tolerance towards lesbian, bisexual and transgender women in Russia, which would explicitly state that LBT women are one of discriminated and vulnerable groups that experience xenophobic attitude in society and state institutions?*
14. *What educational and other measures are to be taken by the Russian Government with the view to eliminate all forms of discrimination and violence against women in the North Caucasus, including honor killings, considering that this region is traditionally governed by strong patriarchal discourse, which does not tolerate women's independence and severely punish for it?*