

Fifth periodic report

Russian Federation

(Part of A/57/38)

354. The Committee considered the fifth periodic report of the Russian Federation (CEDAW/USR/5) at its 543rd and 544th meetings, on 25 January 2002 (see CEDAW/C/SR.543 and 544).

(a) Introduction by the State party

355. Introducing the report of her country, the representative of the Russian Federation analysed the implementation of the Convention for the period from 1994 to 1998 and the situation of women within the framework of the current socio-economic climate and political situation in the Russian Federation. The country had experienced an unprecedented transition from a planned economy, a totalitarian regime and a one-party political system to a market economy, a democracy and a multiparty system. Such changes had had a profound impact on all aspects of life of the Russian population in general, and on women in particular, with the despair and fear of the early 1990s being replaced by a sense of optimism and hope.

356. The representative noted that the standard of living and personal incomes of the Russian population had started to rise, emphasizing that those positive developments in the economic sphere had allowed the Russian Government to begin to focus on social policy and programmes. For example, in the 2002 federal budget, more resources were reallocated to all social spheres. The priority was to increase investment in human capital, especially in terms of improving education and health care.

357. During the period covered by the report, the Government had introduced various legislative and administrative measures to improve the status of women, protect their rights and cushion the impact of the transitional period. Women had taken an active part in the reform process, resulting in the expansion of the women's movement, especially over the past three years. Women's non-governmental organizations had participated in all major national events and discussions on socio-economic and political issues. The national discussion on the theme "Initiatives of women citizens as a factor of sustainable development" had been organized within the Civil Forum which was held in November 2001. The representative noted that, with the increased dialogue between women's non-governmental organizations and the Government, there was now a real chance of improving the status of women in the country.

358. Pursuant to the 1995 Beijing Platform for Action, the Government had identified five main priorities for the advancement of women in the Russian Federation. They included women's participation in decision-making, women and the economy, human rights of women, women and health, and the elimination of violence against women. The second National Plan of Action for the advancement of women had been adopted for the period from 2001 to 2005.

359. The representative indicated that, as a result of the efforts of the Government, women's participation in political life, especially at the regional and municipal levels, had increased. She emphasized the importance of the adoption, in 2000, of a Law on Political Parties, which in its article 8 ensured equal rights for women and men to be elected to all political positions. Despite new measures and initiatives, the level of women's participation in the legislative branch of power remained low, and out of 442 members of the State Duma (the lower chamber of Parliament) there were 35 women, while out of 175 members of the Federation Council (the upper chamber of Parliament)

there were only four women. The level of women's participation in the executive branch of power was also low. To address that issue, the "Concept of the State Civil Service", currently under development, envisaged the introduction of gender-sensitive training to improve the participation of women at all levels of decision-making.

360. The representative informed the Committee of the adoption of the new Labour Code, which reflected the request of women's non-governmental organizations to limit the number of occupations barred to women. In addition, the Government had developed federal employment programmes for the population that envisaged quotas for women and included social security provisions for the most vulnerable groups of women. She also described plans to conduct a gender analysis of labour legislation and to develop monitoring procedures on women's participation in the labour market. She shared the Government's concern regarding existing discriminatory practices in the recruitment and dismissal of women, especially pregnant women, and the persistence of occupational segregation. Another source of concern was the substantial deterioration in the situation of rural women.

361. In order to reduce poverty, the Government was planning to increase the minimum wage by a factor of 2.5, expand the system of compensation for housing, review tax legislation, increase subsidies and allowances for mothers and children, and proceed with pension reform. Beginning in 2002, maternity allowances would be increased threefold. The representative described efforts to bring the country out of its demographic crisis by implementing measures to stimulate the birth rate, provide assistance for families, improve the health of the population and reduce maternal and infant mortality.

362. The representative described the health situation in the country. In the period of transition, the quality of health of the population had generally deteriorated, but there had been improvement in the reproductive health of women. The efforts of the Government had resulted in a decrease in the number of abortions, with the absolute number of abortions being reduced by a factor of 1.3, with 1,961 abortions in 2000 as compared, for example, with 2,498 in 1997. However, only 23.6 per cent of women used effective methods of contraception. Among other achievements were the reduction of birth pathology, as well as maternal and infant mortality. Efforts were under way to improve access to health services for rural women. Concern existed with respect to the spread of HIV/AIDS and drug addiction among women, and measures aimed at combating those problems had been introduced.

363. The representative indicated that the issue of violence against women, including domestic violence, continued to be a serious problem for society. Surveys suggested that about 70 per cent of women experienced violence at some time in their lives, and women constituted 40 per cent of the victims of premeditated murders. The Government, together with non-governmental organizations, was designing and implementing a wide range of measures and initiatives aimed at eliminating violence against women. They included the establishment of crisis centres, the introduction of new legislation together with the revision of existing legislation, awareness-raising campaigns, the collection of information and statistical data, gender-sensitive training of law officials and other programmes. The Government had also started to pay very serious attention to the growing problem of sex exploitation and of trafficking in women and girls.

364. She reported on further steps undertaken by the Government to strengthen the national machinery for the advancement of women and mainstream a gender perspective into policy decision-making at the national and regional levels. The role and functions of the Women's Commission, which was responsible for mainstreaming a gender perspective into State policies and programmes in all areas, within the Government had been strengthened and expanded.

365. The representative indicated that the Commission on the Status of Women had been established in the upper chamber of Parliament, and the Department of Women's and Children's Affairs had been established in the Office of Ombudsmen on Human Rights. Many regional governing structures had also created women's commissions, departments or councils. The newly created inter-ministerial commission was responsible for the implementation of regional plans for the advancement of women, while the newly established "Round Table" within the Labour Ministry included representatives of non-governmental and non-commercial organizations and contributed to the mainstreaming of a gender perspective in governmental decisions. It also operated an ongoing negotiating forum between the authorities and women's organizations.

366. In concluding her presentation, the representative noted that, despite some definite progress in the implementation of the Convention, the Government was aware that much more needed to be done to ensure the advancement of women and the achievement of gender equality. She articulated her Government's commitment to further efforts in that regard.

(b) *Concluding comments of the Committee*

Introduction

367. The Committee expresses its appreciation to the State party for the presentation of its fifth periodic report, which followed the Committee's guidelines. It commends the State party on its informative responses to the list of issues and questions and the frank and comprehensive oral presentation, which updated the Committee on developments in the country since the submission of the report in 1999.

368. The Committee also commends the State party for sending a delegation headed by the First Deputy Minister of Labour and Social Development.

Positive aspects

369. The Committee welcomes the fact that international treaties, including the Convention, are considered to be a component part of the State's legal system and can be directly invoked in domestic courts.

370. The Committee welcomes the enactment of the 1995 Family Code and the 2001 Federal Act on Political Parties. It welcomes the Government's adoption of the 1996 Outline on the advancement of women's socio-economic status and the National Action Plan to increase women's representation in decision-making positions.

371. The Committee also welcomes the publicity given to the Convention in the Russian Federation and the steps taken to distribute the State party's reports and the concluding comments of the Committee.

Factors impeding the implementation of the Convention

372. The Committee considers that the State party's ongoing transformation has had a negative effect on women and has posed an impediment to the full implementation of the Convention.

Principal areas of concern and recommendations

373. The Committee is concerned that the Constitution which recognizes women's right to equality before the law does not contain a definition of discrimination or expressly prohibit discrimination on the ground of sex. The Committee notes that the Constitution has not become an effective instrument to prevent discrimination.

374. The Committee urges the State party to incorporate in the Constitution a specific right of non-discrimination on the ground of sex,

and a definition of discrimination, in conformity with article 1 of the Convention. It calls on the State party to introduce effective enforcement procedures and take necessary measures, including public awareness-raising campaigns to ensure effect implementation of women's right to equality.

375. The Committee notes that there is a lack of legislation in critical areas where there is discrimination against women. It is concerned that women are not invoking court procedures to combat sex discrimination because of gaps in the law, evidentiary barriers, a general lack of legal awareness and distrust of the legal system.

376. The Committee recommends that specific legislation and effective enforcement procedures be adopted to combat and eliminate discrimination and respond to violence against women. All such legislation and enforcement procedures should be accompanied by access to legal aid and a vigorous awareness-raising campaign to inform women of their rights.

377. The Committee is concerned that the national machinery for the advancement of women, including the Commission on Enhancement of the Status of Women, may be weakened through its lack of clear legal status and mandate, and insufficient financial and human resources.

378. The Committee urges the State party to confer a clear mandate on, and allocate sufficient financial and human resources to, the national machinery for the advancement of women to enable it to ensure the practical realization of equality for women.

379. The Committee notes with concern the persistence of stereotypes and discriminatory attitudes with respect to the role of women and men in the family and society.

380. While commending the introduction of human rights education in school curricula, the Committee urges the State party to emphasize women's rights as human rights, to increase awareness-raising programmes, including those directed towards men, and to take measures to change stereotypical attitudes and perceptions about the roles and responsibilities of women and men in the family and in society.

381. The Committee is concerned that the representation of women in the political arena at all levels has been decreasing steadily.

382. While acknowledging the Federal Act on Political Parties of July 2001, the Committee recommends that the State party take further measures to give practical and concrete effect to the Act. It requests the State party to adopt additional temporary special measures in accordance with article 4, paragraph 1 of the Convention, in order to increase the number of women at all levels of political decision-making.

383. The Committee is deeply concerned at the deteriorating situation of women in employment and that women are the overwhelming majority of workers in lower level and low-paying jobs in the various parts of the public sector. It is concerned that women experience significant discrimination in the private sector, and have a low share of the high-paying jobs in that sector. It is also concerned that women constitute the majority of the long-term unemployed.

384. The Committee urges the enactment of an equal employment opportunity law, prohibiting discrimination in hiring, promotion, employment conditions and dismissal, requiring equal pay for work of equal value and providing for effective enforcement procedures and remedies. It recommends that such legislation include temporary special measures, with time-bound targets, in accordance with article 4, paragraph 1, of the Convention, to increase the number of women in higher-level jobs in the public and private sectors.

385. While noting the State party's policy of protecting women against unsafe working conditions, the Committee is concerned that 12 per cent of women work in conditions which do not meet health and safety standards. It is also concerned about the exclusion of women of childbearing age from a list of 456 jobs, which may result in the effective exclusion of women from certain employment sectors. The Committee notes that the list is under reconsideration and also notes that employers may employ women in the prohibited jobs if the necessary standards are in place.

386. The Committee recommends that the State party require all employers to conform to the mandated standards, which would allow both women and men to work in proper conditions of health and safety. Bearing in mind article 11.3 of the Convention, it recommends continued review of the list of prohibited jobs, in consultation with women's non-governmental organizations, with a view to reducing their number.

387. The Committee is concerned at the feminization of poverty and, in particular, that women constitute a large proportion of single-parent families and of the working poor, and at the disproportionate impact of the remaining debt in unpaid back-wages on women in public employment and the poverty of older women.

388. The Committee recommends that, in addition to the measures to reduce poverty in the Programme for Socio-Economic Development of July 2001, the State party collate accurate data on the extent of women's poverty and its causes and, urgently, take special positive measures to alleviate women's poverty as a distinct structural problem.

389. The Committee is deeply disturbed at the high level of domestic violence and of murder of women in this context. It is very concerned that law enforcement officials, in particular tend to view such violence as a private matter between spouses and family members and not as grave crimes. The Committee also regrets that the State party has not taken urgent necessary effective measures to combat domestic violence and that none of the numerous draft bills on domestic violence has been adopted.

390. The Committee urges the State party to place a high priority on measures to address violence against women in the family and society, and adopt laws, policies and programmes in accordance with its general recommendation 19 and the United Nations Declaration on Violence against Women. The Committee recommends that the State party increase its programmes on violence against women, in particular awareness-raising campaigns. It also urges the State party to provide training for law enforcement personnel at all levels, lawyers and judges, health-care professionals and social workers with respect to violence against women in the household and society.

391. The Committee is concerned about reports of ill-treatment of women in pre-detention centres and in prisons. The Committee is deeply concerned by the fact that, despite credible evidence that police officials have used violence against women in custody, the State party has not, as a rule, investigated, disciplined or prosecuted offenders. The Committee is also disturbed by the fact that, despite strong evidence that members of the Russian forces have committed acts of rape or other sexual violence against women in the context of the armed conflict in Chechnya, the State party has failed to conduct the necessary investigations or hold anyone accountable in the vast majority of cases.

392. The Committee urges the State party to take necessary measures to ensure that custodial violence by officials, including acts of sexual violence against women and girls in detention or under investigation, are prosecuted and punished as grave crimes. It also urges the State party to adopt preventive measures, including swift disciplinary inquiries and

human rights education programmes for the armed forces and law enforcement personnel.

393. The Committee is concerned about reports regarding the great increase in prostitution and, in particular, at the number of girl street children who are exploited as prostitutes. It is concerned that the poverty of women and girls is the major causal factor.

394. Noting the State party's programmes of action to provide street children with shelter, subsistence and education, the Committee urges the State party to continue and extend such programmes and to apply them, appropriately modified and strengthened, to women forced into prostitution by poverty. It also urges giving priority to the prosecution of those who exploit prostitutes and of adults involved in the exploitation of child prostitutes, with the introduction of special legislative provisions, if necessary.

395. The Committee is concerned at the extent of trafficking of Russian women to foreign countries for sexual exploitation. It notes that, in the period from 1994 to 1997, only four court cases were brought and seven persons were convicted for such offences. In addition, the Committee is concerned that the Russian Federation itself has become a country of destination for trafficked women.

396. The Committee recommends the formulation of a comprehensive strategy to combat the trafficking of women, which should include the prosecution and punishment of offenders, increased international regional and bilateral cooperation, in particular with countries of destination and transit, witness protection and the rehabilitation of women and girls who have been victims of trafficking. The Committee requests the State party to provide, in its next report, comprehensive information on the trafficking of women and girls.

397. Noting the measures taken by the State party to combat the effect of HIV/AIDS on pregnant women, the Committee is concerned that the State party regards HIV/AIDS as primarily resulting from the conduct of individuals in the context of drug abuse and alcoholism.

398. The Committee urges the State party to address the gender aspects of HIV/AIDS, including the power differential between women and men, which often prevents women from insisting on safe and responsible sex practices. It encourages the State party to strengthen its efforts to raise awareness and educate women and girls on ways to protect themselves from HIV/AIDS. The Committee urges the State party to ensure the equal rights and the access of women and girls to detection, health care and social services.

399. The Committee is concerned at the deterioration of the health-care system, which severely limits women's access to health care. It is also concerned at the state of women's health, in particular the increase in gynaecological problems and pregnancies among teenage girls. The Committee also notes with concern that, although there has been a decrease in the rate of abortions, abortion continues to be used as a method of birth control and the number of women using effective contraceptive measures is low.

400. The Committee recommends in accordance with general recommendation 24 on article 12 — women and health that the State party fully implement a life-cycle approach to women's health and urges the State party to strengthen family planning programmes and provide affordable access to contraceptive measures for all women in all regions. It also urges the State party to include sex education in the school curriculum.

401. The Committee expresses concern with regard to the situation of rural women and, in particular, their degree of access to income-generating activities.

402. The Committee requests the State party to provide more information and data on the situation of rural women in its next periodic report. It recommends that the State party pay greater attention to the situation of rural women and develop special policies and programmes aimed at their economic empowerment, ensuring their access to capital and productive resources.

403. The Committee welcomes the State party's commitment to ratifying the Optional Protocol to the Convention in 2003, and to deposit as soon as possible its instrument of acceptance to the amendment to article 20, paragraph 1, of the Convention.

404. The Committee urges the State party to respond in its next periodic report to the specific issues raised in the present concluding comments and to provide updated data and statistics disaggregated by sex and age.

405. The Committee requests the wide dissemination in the Russian Federation of the current concluding comments in order to inform the public in general, and government administrators and politicians in particular, of the steps that have been taken to ensure the de jure and de facto equality of women as well as of further steps that are required in this regard. It also requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action, and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".