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GENDER EQUALITY IN RUSSIA – IS THE GOVERNMENT FINALLY FACING UP TO PROBLEMS?

Since November is the month of Equal Pay Day in the EU, we decided to celebrate it by sharing our thoughts on the current situation of gender equality in Russia. The principle of equality and the problems associated with its implementation are a hot topic in Russia at the moment.

To start, ‘equality’ in Russia is defined as the principle of interaction between the individual and the state, establishing a uniform level of rights and freedoms for all people as well as equal access to them and prohibiting any illegal restriction of human rights. The opposite of the equality principle is discrimination, which is characterised by the restriction of human rights and freedoms.

Examples of the general concept of ‘discrimination’ are the violation of human rights due to a person belonging to a particular race, gender, being of a particular national origin or having certain views and beliefs. Any form of discrimination is a violation of the equality principle and, accordingly, of the rule of law. Furthermore, discrimination may be manifested as the infringement of rights by granting certain categories of people unjustified privileges, which can also be based on racial, gender, religious, national, political and other attributes.

We trust that the above resonates quite well with your understanding of equality and discrimination. It is fair to note that there is often (if not always) a gap between principles and reality, though we dare to claim this is true worldwide. At the same time, things are generally on a good track in Russia in that and this gap is growing smaller.

Our topic for this article focuses on problems associated with gender discrimination, and we are not discussing the discrimination or maltreatment that many of our fellow human beings are facing in present-day Russia because of their sexual orientation, skin colour or religion—though these are also serious issues that need to be addressed.

Our particular focus for this article is the absence of equal opportunities for men and women on the Russian labour market. The principle of gender equality is set forth in Part 3 of Article 19 of the Constitution of the Russian Federation, which states that ‘a man and a woman have equal rights and freedoms and equal opportunities for their implementation’. Further, Article 2 of the Labour Code of the Russian Federation provides for the equality of labour rights and opportunities. In reality however, there are considerable gender inequalities in various aspects of life.

The problem of gender inequality and gender discrimination in Russia relates to strong patriarchal views of women’s place in society and their role within families. These views are reinforced by the conservative ideology promoted successfully by the state, with its traditional view of gender relations in which the family breadwinner is always assumed to be a male. This traditionalism stifles the practical exercise of the rights provided for women by law. As a result, even though the equality of rights is supported and is not disputed in modern Russia in a legal sense, the actual equality of opportunities for both sexes is debatable.

Gender asymmetry is particularly evident in the field of labour and employment in contemporary Russia. There is a large gap in the remuneration of men and women based on gender stereotypes of the labour qualities. According to the Ministry of Labour and Social Protection of Russia, the gap between the salary rates of men and women is approximately 30%, while the World Bank has awarded Russia 25 points out of 100 for ‘getting paid’ criteria in their annual review ‘Women, Business and the Law’ in 2019¹.

An analysis of current court practice also reveals a significant number of cases in which women’s access to certain positions has been restricted based on their marital status and whether they have children. Unfortunately it is not unheard of for female employees to be dismissed due to pregnancy. In a country where a woman

¹ <https://openknowledge.worldbank.org/bitstream/handle/10986/31327/WBL2019.pdf>

giving birth to her first child at the age of 25 or higher is officially recorded as 'an old child-bearer' and the pension age for women was until recently as low as 55, age discrimination in working life is a real problem.

Moreover, there are still legal restrictions to female employment in certain types of work. For instance, there is a governmentally approved list of jobs considered 'unsuitable' for women and, accordingly, it is forbidden to hire a woman for these jobs². Even if the list could possibly be justified by medical reasons in the case of, for example, mine workers, it also includes professions, such as truck drivers or tractor drivers, that have long been successfully pursued by women in other countries.

Paradoxically, current governmental policy in Russia is directed at the involvement of more women in the labour market. One may speculate whether this is driven by motives of equal treatment or simply by unfavourable demographics, which are forcing a re-evaluation of old-fashioned patterns. As a result, the list of restricted professions is currently undergoing review, because there is 'a significant change in working conditions, as well as a decrease in harmful effects on the health of female employees'. It is expected that the updated list will be enacted in 2021.

Nevertheless, the legislation currently in force seeks to eliminate gender discrimination and bans and the direct or indirect restriction of rights, hiring decisions based on circumstances unrelated to professional qualities and refusal to conclude an employment contracts with women for reasons related to pregnancy or having children. The real state of affairs falls somewhat short of this. In fact women often face difficulties while seeking a job or trying to maintain a job due to a lack of knowledge of their legal rights.

Legal support for women in modern Russia does not fully meet contemporary requirements and needs fundamental changes. There is still plenty of work to be done in this regard, such as:

- 1) Elimination of gender discrimination by improving the legal framework for ensuring equality, as well as procedures for the protection of equality
- 2) Increasing the competitiveness of women in the labour market by guaranteeing the implementation of their constitutional rights
- 3) Development and creation of conditions providing opportunities for women to combine career growth with family responsibilities
- 4) Promotion of the ideal of equal opportunities for men and women within society
- 5) Development of and free access to education concerning human rights and gender equality
- 6) Replication of positive experiences from foreign countries in the field of the respect for women's rights
- 7) Reduction of female unemployment

One of the first steps towards achieving these goals was the approval of the National Strategy of Actions for Women for 2017–2022 by the Government of the Russian Federation³. The strategy is based on the recognition of the principle of equality and is aimed at creating common opportunities for the implementation of equality for women. The strategy primarily aims at ensuring that women are able to combine motherhood and work and build their careers in such a way that could be comfortable for themselves. The strategy also aims at full and actual participation of women in all areas of public life without gender restrictions.

In our view, the government should also develop institutions that equally support family and professional life for both sexes, such as improved quality of and access to early childcare or flexible forms of employment for both parents. As long as the duties of parenthood are borne by mothers alone, there is no room for equality in work life. As the situation in Russia stands today, it requires so much 'girl-power' to pursue a career, maintain a marriage, care for children and parents and at the same be an active citizen and member of society that few women can hope meet all these expectations. Attitudes change slowly, but the fact that the inequality gap has now at least been recognised as a problem is an important step forward.

² In Russian:

<http://www.pravo.gov.ru/proxy/ips/?docbody=&prevDoc=102095194&backlink=1&nd=102064692&rdk=0>

³ In Russian: <https://rosmintrud.ru/docs/government/179>