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Вышивка на обложке: Мария Мотылева для ОВД-Инфо

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Older women and freedom of assembly in Russia

INFORMATION ABOUT THE ORGANIZATION SUBMITTING THIS MEMORANDUM

OVD-Info, www.ovdinfo.org, is an independent human rights media project aimed at monitoring cases of political persecution in Russia and providing legal assistance to victims of such persecution. OVD-Info was founded during mass protests of December 2011 as a volunteer project to give publicity to information on arrests of protest participants. Today OVD-Info operates a twenty-four-seven federal hotline to collect information on all types of political persecution and coordinate legal assistance to its victims, provides legal education to activists, and researches different types of political persecution in Russia.

Due to the specifics of our expertise, in this memorandum, we present information on the situation with freedom

of assembly for older women in Russia. Although we do not possess extensive experience in monitoring gender issues and especially the problems of older women, in 2020, we published our first study on gender and freedom of assembly: [Violations of the Right to Peaceful Assembly for Women and Girls in Russia from 2010 to 2020](#). This time we invited [Anastasia Khodyreva](#), feminist historian, researcher, and activist, to work together on this memorandum.

The memorandum is structured in the order of questions suggested in the call for contributions by the Independent Expert.

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THE RIGHTS OF OLDER WOMEN IN INTERNATIONAL, REGIONAL, AND NATIONAL LAW, POLICIES AND PROGRAMS

1. What legal instruments, policies, and programs exist to address the particular challenges faced by older women, and how are they implemented and monitored?

Under its [international and national obligations](#), the Russian Federation recognizes women's rights as an essential part of human rights and acknowledges its obligations «to create favorable conditions for full and equal participation of women in political, economic, social, and cultural spheres of society as a priority of state policy of the Russian Federation». In other words, the Russian Federation agrees with the necessity of additional positive efforts to improve the status of women. For these purposes, the Ministry of Labor and Social Protection of the Russian Federation is assigned

to develop, adopt, implement, and monitor a periodic action plan called the **National Strategy for Women**. The **current plan** is designed for 2017–2022 and focused on the following main areas: employment of women, including addressing the issue of discrimination on the labor market, support for small and medium-sized businesses, and payment raise in the spheres financed from the state budget where women are mainly employed, social benefits and maternity capital, medical care in the context of motherhood, as well as the support of NGOs that are focused on social assistance to women, families, and children.

The state obligations towards older women are mainly related to the recognition of their «large number» and the need to «provide them with support in the form of promoting feasible employment, access to meaningful leisure, as well as taking other measures that contribute to their active longevity. Older women need to maintain their ability to self-care, physical and functional activity, and independence from outside help in daily routine».

As for the challenges experienced by older women, the Russian Federation has an unsigned draft of the **action plan for the benefit of elderly citizens to 2025 in the Ministry of Health of the Russian Federation** (similar to the National Strategy for Women), where women are mentioned in the context of the gender gap in life expectancy, the overall significant increase in the share of the retirement population in Russia (comparison between the early 2000s and the second half of the 2010s), as well as the involvement of both women over 55 and men over 60 in the decision-making process: «Women over 55 years old and men over 60 years old are involved in the sphere of state social policy for older citizens, as well as institutional structures and entities involved in its implementation, including state and local government bodies, political parties, employers, trade unions, commercial and non-profit organizations, public and religious associations.»

A brief review of the adopted National Strategy for Women demonstrates the priorities of the Russian Federation in supporting the traditional forms of women participation in public life related to reproductive work, care (including self-care), and employment in small and medium-sized businesses and areas that are financed from the state budget, such as education, science, health, culture, and social protection.

In terms of freedom of assembly/access to justice:

Even though the value of women's political participation comes first in the introduction to the National Strategy, there is no mention of political rights in the text itself, neither active nor passive, except for the participation in socially-oriented NGOs. In the **context of legislation** regarding non-profit public organizations, political activity is interpreted incredibly wide and at the same time is separated from social, or socially-oriented work, which involves a significant number of women. As a result, a very specific niche of activity is created that does not involve interaction with the state or local self-government bodies, as well as influence on their legislative decisions on the regulation of human and civil rights and freedoms, for instance, by the means of direct appeals, publications of their own opinions or its formation via public surveys. This means that women can be employed in NGOs but without the ability to provide critical assessment or demand legislative adjustments in the area of their professional expertise, which diminishes their work to the performance (or duplication) of social functions of the state, if they want to avoid special attention to their activities from the prosecutor office, who actively recognize **organizations** or even **individuals** as «foreign agents», which entails fines and restrictions to work.

Thus, contrary to its preamble, the National Strategy does not include provisions that support women's political rights. Generally speaking, this is confirmed by observations and

ratings, for example, the Davos forum experts' [study](#) or the [General report on human rights work in Russia from Amnesty International in 2019](#). You can read about how law enforcement agencies react to attempts to carry out activities that Russian legislation labels as «political» at the end of 2020 in the [AI report](#).

According to the OVD-Info [report «Violations of the Right to Peaceful Assembly for Women and Girls in Russia from 2010 to 2020»](#) on the issue of the right to freedom of peaceful assembly, Russian legislation does not distinguish between women and men, legally women are subject to general guarantees and restrictions. Nevertheless, the researchers note evidence of specific situations during detentions: «Law enforcement agencies frequently exploit traditional gender roles when interacting with women. Sometimes this is reflected in the fact that police officers patronizingly lecture women that they should not participate in protests. In other cases this is reflected in legal accusations from law enforcement agencies. In those accusations, they claim that a woman by coming to a protest compels male protest participants to defend her against the police and thus uphold their masculine honor. Hence, in those accusations, a woman becomes a deliberate instigator of violence against the police by merely coming to the protest.» Although there are gender-specific areas of protest (according to OVD-Info: «Gender equality, feminism, criticism of patriarchal values, domestic violence, harassment, women's rights, social rights, and guarantees for mothers of three or more children, and women's solidarity with victims of political repression and acts of terrorism, — all of these issues have been raised at protests over the last ten years»), the very public discussion around the protest of women is often devaluing towards women's political agenda, attempting to shame them for not fulfilling traditional gender roles, etc., which can be considered as an indirect obstacle for women to enjoy their rights for freedom of assembly.

«Another form of restriction of the right to a peaceful assembly that women face in Russia is compulsion into participation in pro-government events.» This point is directly related to what is described in the National Strategy. If we take into account the peculiarities of the pension legislation in Russia (even after the 2018 amendments, Russian women are among the first in Europe to retire at the age of 60), as well as the general specifics of the labor market, which strongly discriminates women and people of the retirement age, it can be assumed that women of pre-retirement age who are employed in the public sector are the most vulnerable to such requirements. The concentration of women in the public sector makes them disproportionately vulnerable to the demand for participation in pro-government public events. Subsequently, this contributes to the formation of a negative image of the role of women in the current political situation. It is not uncommon in the liberal-democratic opposition circles to say that women pensioners are the main electorate of the current president of the Russian Federation. Followed accordingly by comments about the interests, preferences, and other features of this social group, older women may face additional public pressure from «progressive» circles in the form of the widespread negative image that devalues work and contribution of older women, which undoubtedly worsens their access to enjoy their rights. With such exoticized attention, even a positive assessment of the participation of older women in protests may suffer from discriminatory public language that appeals to the age and gender of the participants (for example, artist Osipova E. A. who always manifests against war, repressions, etc., is often referred to as «the grandmother of protest», «conscience of St. Petersburg», etc.).

2. What type of statistical data is collected on older women, if any, and is it disaggregated by age, gender, and other relevant factors? How are older women defined for the purposes of law, policy, and data collection?

Publicly available [official judicial statistics of the Judicial Department of the Supreme Court of the Russian Federation](#) do not aggregate data on gender and age, meaning it is impossible to find out the proportion of women and men convicted under certain articles, nor is it possible to tell their age from the open sources. In addition, there is no official quantitative information on public events, their thematic focus, notifications submitted, refusals, etc. Also, the official data on detainees from public protests is not available for monitoring. OVD-Info and local ad-hoc groups, such as the Group for assistance to detainees in St. Petersburg, were created to address this issue among other things.

Monitoring of violations of the rights to freedom of assembly and association is carried out by independent NGOs, such as OVD-Info, [Apologia of Protest](#), the [International Human Rights Group «Agora»](#). However, their data is also not aggregated by age and gender and cannot provide a valid quantitative overview on the involvement of older women in the exercise of their political rights. International organizations (AI and HRW) collect data, for example, on the global situation of [human rights defenders](#), but in their regional/country annual reports ([AI 2019](#), [HRW 2020](#)) on human rights, they do not mention older people, nor do they include older women.

Non-governmental organizations that work specifically on women's rights focus mostly on tasks that are consistent with the priorities of the National Strategy in the interests of women (see paragraph 1). This is especially true for the last decade, except for the historical focus on the problem

of gender-based violence (mainly domestic and sexual violence), and recent projects like Woman Prison Society, which is aimed at helping women in prisons — yet they haven't specifically focused on freedom of assembly apart from **several occasions**. Some organizations that provide psychological consultations to survivors and witnesses of gender-based violence, such as the **Sisters Center** and **Nasiliyu.Net** as well as the **Open Space** in Saint-Petersburg, responded to the increasing numbers of detentions during the protests with the provision of free psychological help to the detained or those who witnessed the police brutality at the peaceful protests. However, this data is not published (possibly just yet). The organization **Vykhod** (Coming Out) in St. Petersburg, which consistently monitors and protects the right to freedom of assembly in the context of the protection of LGBT rights, should also be mentioned as it was able to achieve «limited progress» in this area **according to** the Council of Europe's Committee of Ministers.

3. Please indicate how older women take part in participatory mechanisms?

As noted in the answers to questions 1 and 2, the political participation of women is not a priority of the national policy of the Russian Federation, and there are no public statistics on the proportion of women, including the older women, who would somehow participate in the exercise of the right to freedom of assembly. On the other hand, NGOs, both socially and human rights-oriented, do not aggregate statistics on the participation of women/older women and, thus, it is impossible to provide quantitative data on these issues. The exceptions may come from private monitoring, such as the grassroots project **White Counter** and the Current Folklore monitoring group. Researchers Alexandra Arkhipova and Alexey Zakharov compared data from four mass protests in Moscow in 2019 and 2020 and presented statistics on the memorial march in 2020: «Out

of 453 participants in the Nemtsov March (2020): 60,3% men, 39,7% women. The median age is 47. Therefore, this is the event with the highest median age of participants at which we interviewed, except for the Communist Party rally on August 17, 2019. For comparison, on August 3 last year, the median age was 30, on August 10 (the big authorized rally on Sakharov street in Moscow) — 32.» Among the participants of the rally, the researchers counted 29,1% aged 51–65, and 66 and more — 11,5%.

However, there is some qualitative evidence. According to OVD-Info, women, including older women, participate in the exercise of their right to freedom of assembly in the following ways:

- **Direct participation in public events (protests)**

On the OVD-Info website, in the period from January 1, 2018 to March 22, 2021, older women (as pensioners) were mentioned in the context of violations of the rights to freedom of assembly 46 times; 13 times out of 46 in the context of fines; 14 mentions — detentions; 4 pieces of news are related to beatings of older women during protests; 12 pieces of news are about court cases involving arrest, three more pieces of news related to various kinds of pressure from the law enforcement, such as repeated calls for questioning and placement in a psychiatric facility.

«In Moscow, in the Kitay-gorod district, the police detained an 80-year-old solo demonstrator Lyudmila Kirova. This was reported by the detainee herself to OVD-Info. ‘I have the slogan ‘I’m dying of hunger and cold’ and the Russian flag. I am 80 years old, I am disabled by cardiovascular diseases, I have a prosthesis in my right leg. I was pushed, shoved, insulted, and at this moment they do not release me, 6 policemen guard me, ’ the detainee said.»

The narrative of reports about the detention of older women at public events is mainly built around threats and health

risks:

Health: The data by OVD-Info contains information about cases when detained older women needed medical care and the police either prevented or allowed it in conditions that humiliate the dignity of the detainees: «[Cardiogram in the police cell: the story of a pensioner detained on November 5](#)»; «[‘I could have died instantly’. The detainee in Khabarovsk was hospitalized for surgery](#)».

Threats/use of punitive psychiatry: «There are fewer bees in the hive than there were police: «On June 17, in Chekhov (Moscow region), two residents of the village of Manushkino in the Chekhov district were detained for distributing newspapers, participating in protests demanding the closure of the landfill site near their village. One of them, 82-year-old Olga Churikova, spent three days in a psychiatric hospital because during a rough arrest by the police, she [said](#): ‘Give me kerosene and I will commit suicide, just not to tolerate such treatment.’»

In the context of the participation of older people in street protests, it is worth mentioning the restrictions imposed in connection with the pandemic. [According to](#) OVD-Info, «since March 26, 2020 residents of Moscow over 65 years old or with a number of diseases have been obliged to self-isolate. On March 29, 2020 a mandatory self-isolation regime was introduced in [Moscow](#) and the [Moscow region](#) for all of their residents. From March 28 to April 5, 2020 a week-long weekend was announced throughout the country, during which it [is recommended](#) not to leave their houses. On April 2, the regime of weekends and self-isolation throughout the country was extended until the end of April.» It is obvious that a complete restriction on leaving a house in the sense of the phrase ‘obliged’ is a significant restriction on the rights of, for instance, working people over 65 years old, among whom there are a significant number of women.

- **Volunteering, including legal volunteer assistance in courts and during detentions in police stations (accounts by OVD-Info members):**

Coordination of defense lawyers in the courts

«In 2017, M., along with another woman, E., took turns on duty in the corridors of the Tverskoy District Court of Moscow, informed the detainees that there were lawyers of OVD-Info and other human rights organizations in the court, and helped to contact those lawyers. They organized the duty and came in shifts every day for several weeks after the mass arrest of protest participants on March 26 and June 12, 2017, and after other major protests. At some point, M., and E., developed a trusting relationship with the guard service of the court, so guards even informed new detainees how to find M. and E. They could ask visitors: „Are you after the protests? Well then go to M. or E“. And M. and E. sat near the court registry on the first floor with a notebook where they registered those who needed help, kept lists and contacts of lawyers. Moreover, there were a lot of people around them, they talked about the courts, about human rights organizations, about the European Court of Human Rights (the ECHR) and how and why to appeal.»

Representation in the courts

Volunteer E. born in 1956, has helped in different courts since 2017. She defends the detainees, writes appeals and applications to the ECHR. We partially compensate her for her work.

Lawyer T., helps detainees in the police stations, less often in some courts. She also helps in criminal cases after protests.

- **Financial support**

The share of crowdfunding support to OVD-Info from citizens over 55 years old varies from 9 to 13% of the total number

of donations (2018: 13%; 2019: 13%; 2020: 8,6%, there was a decrease during the pandemic, which is generally understandable). According to Google Analytics, the share of men and women over the age of 65 who donated through the OVD-Info website in 2020 was approximately the same and amounted to 5–6% (women, 65 — 5,4%; men, 65 — 5,7%). Over the past period in 2021, the share decreased, and it fell more noticeably in men (2.3%), women over 65 years of age transferred 3,4% of donations in 2021.

There are likely more of them — this data only takes into account electronic donations, but there are also bank transfers; that is probably a more convenient way of financial support for this age group.

- **Online participation**

The General assessment of the involvement of citizens over 65 years old in the use of the Internet **shows** that people of this group are the least active users. However, this group has the highest increase.

Taking into account the demographic gap in the generation over 65 years old, we can say with some degree of probability that this increase is taking place in the group of older women, which may in the future affect the share of their participation in online support for the right to freedom of assembly (CCPR/C/GC/37, §13). OVD-Info is aware of a fine imposed on an older woman, who suggested holding solo demonstrations in connection with the election of the chairman of the city council in a WhatsApp group. Based on these circumstances, «an older woman was found guilty of organizing an unauthorized public event (Part 2 of Article 20.2 of the Code of Administrative Offences). She was charged with organizing a series of solo demonstrations that took place on September 17, 2020 in Berdsk».

As for the general dynamics of women's participation in the online public sphere, an interesting study **was conducted**

by Alisa Shishkina in 2019. She registered an increase in the share of women among Internet users in the North Caucasus region taking Dagestan as an example: «Active participation of women in public life is also possible thanks to the Internet access and social networks (35 women respondents said that to access information they use social networks, 20 — Internet media, 11 — television, 4 — read the printed press, 2 — listen to the radio); 30 women respondents named Instagram among the most popular social networks, Whatsapp — 24, Facebook — 14, and VKontakte — 8.

More to read



The “Palace Case”: Russians under criminal prosecution after the protests of early 2021

Датасет на русском языке: Dozens of criminal charges have been brought as a consequence of the protests on January 23 and 31, February 2 and April 21, 2021 in Russia.