



Russian Federation – Researched and compiled by the Refugee Documentation Centre of Ireland on 23 September 2013

Russia: Reports on deficiencies of Social Services – whether children are taken into care unnecessarily, or as retaliation for actions of the parents against the authorities, or as an abuse of power.

A report from the Interfax News Agency states:

“Russia's guardianship services took care of more than 30,000 homeless or abused children, placing them in specialized institutions, the country's ombudsman for children said on Tuesday. ‘In 2009, 4,240 children who were homeless or neglected were sent to medical institutions by court order. Via out-of-court proceedings, guardianship services took 25,835 children away from their families,’ Pavel Astakhov, presidential commissioner for children's rights, told a news conference at the Interfax headquarters in Moscow. ‘We know that the only reason for [taking a child away from their parents] is a threat to their life or health. That is what is written down in the law, and so it's fair to say that the guardianship services are coping with their task, and without any juvenile courts as well, by the way,’ Astakhov said.” (Interfax News Agency (1 June 2010) *Russian social services rescue 30,000 homeless or neglected children in 2009 – ombudsman*)

A Wall Street Journal article states:

“In Russia's vast and poor agrarian regions, which have largely failed to recover from the collapse of Soviet collective farms, unemployment and alcoholism are rampant. Many parents there leave infants at the hospital because they can't afford to care for them, especially if the children have chronic illnesses or birth defects. But critics of Russia's orphanage system say the state also has enormous discretion on when to take children from their parents. A 2008 law strengthened the mandate by specifying that the government can take custody when parents are a hindrance ‘to the normal development of the child.’ The wording gives government officials ‘a very broad mandate to take away a child,’ said Elena Alshanskaya, founder of a nonprofit group Volunteers for Orphaned Children. With Russia so far offering few subsidies to families who offer foster care, many such children end up in orphanages. Ms. Alshanskaya and other critics say officials in the resource-rich country could take small steps, like helping to buy firewood. Instead, these people say, officials are spending money to put infants in dormitories, where every new child means an addition to orphanage budgets.” (Wall Street Journal (24 January 2013) *After Adoption Law, Russia Debates Seizure of Children*)

Referring the effects a proposed adoption ban in Russia a New York Times article states:

“In a telephone interview, Mr. Altshuler described the proposed adoption ban as the latest in a long series of bad policy decisions related to housing, education and social services, resulting in a system that actually encourages parents in financial trouble to cede custody of their children to the state, at least temporarily. While more Russian children are adopted into homes in the United States each year than any other foreign nation, the overall numbers are relatively small — fewer than 1,000 out of 3,400 international adoptions in 2011. More than 7,400 were adopted by Russian families that year, according to the education and science ministry. Still, Mr. Altshuler said a ban would be devastating. Some of Russia’s orphanages are badly overcrowded, with children institutionalized throughout their young lives, and many are ill-equipped to deal with the wide array of physical and mental problems common among the children, including fetal alcohol syndrome and congenital disabilities.” (New York Times (23 December 2012) *Citing Broken System, Critics Fight Russia’s Adoption Ban*)

The 2012 US Department of State country report on Russia, in a section titled “Children” (paragraph headed “Displaced Children”), states:

“Citing Ministry of Internal Affairs statistics in 2011, a Public Chamber representative stated that each year nearly 120,000 children were orphaned and each day an average of 200 children were taken from neglectful parents.” (US Department of State (19 April 2013) *2012 Country Reports on Human Rights Practices – Russia*)

An article published by the government-owned newspaper Rossiyskaya Gazeta states:

“A package of bills has been submitted to the Russian parliament aimed at providing a legal framework for removing children from families because of poverty and ‘mistreatment.’ The parents will be prosecuted for using physical punishment, including light spanking, and other types of ‘cruelty and neglect.’” (Rossiyskaya Gazeta (4 June 2010) Parents in Russia may be prosecuted for disciplining children)

This article also states:

“Parents would be legally prosecuted for anything the inspector would see as child abuse, including all kinds of punishment, even minor ones, and may face up to three years in prison. These bills have aroused controversial response in society. Supporters of the new system of family law argue that it is absolutely necessary to punish abusive parents, remove children from ‘bad’ families and place them into ‘good’ ones. Opponents, however, are confident that the new system will crudely interfere in people’s private lives, and that the government does not need to replace family, but should rather assist and support it.” (ibid)

A Moscow Times article states:

“A bill redefining the conditions under which children can be seized from so-called ‘socially vulnerable families’ has provoked fear among critics that more minors could be taken into state care due to petty infractions. Amid a renewed push by authorities to decrease the number of children in state care, 84 percent of whose parents are still alive, the bill’s opponents are concerned

that it could have the opposite effect. Critics also say it follows a Western model that they say allows the government to overstep its rightful authority, and that it could breed corruption at social services agencies, whose funding depends on the number of children in their care.” (Moscow Times (19 February 2013) *Child Welfare Bill Sparks Fears Among Parents*)

A document published on the SOS Children’s Villages website states:

“Filipova recently lost both her children to an orphanage. The mother, in St Petersburg, said the police had taken away her two sons, aged six and two, in May. She told a BBC correspondent that they were taken because ‘I cannot walk and my husband does not work’. She is desperate to get her children back. ‘I feel that my children are crying,’ she said. ‘I sleep very badly at night and when I wake up they are not there. I really miss them.’ The Russian authorities are far too keen to take children away from families in difficulty, with poverty often given as the official reason, say experts. ‘The social services need to work with families when they start getting into difficulty so the families can sort themselves out and keep their children,’ said Alexei Golovan. ‘Often here we only intervene when families have got into a complete crisis and then it’s easier to take the children away.’ Some 10% of children who have been in orphanages in Russia later commit suicide, according to EveryChild.” (SOS Children’s Villages (20 November 2009) *24 million children without parents*)

A report from Front Line Defenders states:

“Vera Drobinskaya is a former neo-natologist and is the legal guardian of seven disabled children, four of whom had been living at the Raznochinovka children’s home. On 16 January 2012, at approximately 5.30 pm, a group of around ten individuals called to the home of Vera Drobinskaya to take her seven foster children to a rehabilitation centre. The group included a representative of the local police, two representatives from the children’s home, a representative of the Ministry of Social Development and Labour, and a psychologist from the rehabilitation centre. According to information received, none of the group showed any identification documents. They failed to produce the requisite legal document authorising them to take the children away. On that basis Vera Drobinskaya refused to allow the children to be taken from her and signed a statement to that effect.” (Front Line Defenders (27 January 2012) *Russian Federation: Campaign of harassment against children’s rights defender Mrs Vera Drobinskaya*)

A Radio Free Europe/Radio Liberty report states:

“A prominent environmental activist says the Russian authorities are threatening to take away her children. Yevgenia Chirikova, leader of a movement seeking to prevent the Moscow region’s Khimki Forest from being felled to make way for a new highway, says somebody unexpectedly rang her doorbell on February 21, but she did not answer. She didn’t know it yet, but her visitors were from Russia’s Child Protection Service. One of her neighbors later told her that the service had come to their door asking about Chirikova. They told the neighbors that they had received a complaint that Chirikova had been mistreating their two daughters, who are 4 and 9 years old. All of Chirikova’s neighbors deny having made any complaint and the Child Protection Service says the tip was anonymous.” (Radio Free

Europe/Radio Liberty (1 March 2011) *Russia's Khimki Activists Say Authorities Targeting Children*

See also Radio Free Europe/Radio Liberty report which, in a section headed "Civil Society, At A Heavy Price", states:

"Chirikova says her new political role is an extension of her efforts to preserve the environment. 'I don't want gulags, I don't want a revolution, I don't want bloody coups,' she says. 'I have children, I just want them to have a normal, dignified life.' Her defiance of the authorities has come at a price. She has been detained, manhandled by police, and attacked along with other activists at a protest camp in Khimki. Her husband has been beaten and the social services have threatened to take away her two daughters, accusing her of neglect." (Radio Free Europe/Radio Liberty (4 September 2012) *Crusading Anti-Kremlin Ecologist Sets Sights On Russian Politics*)

A New York Times article refers to the possibility of gay parents having their children taken into custody states:

"In the latest sign of government pressure on gay men and lesbians in Russia, a member of the State Duma, the lower house of Parliament, has proposed a bill that would allow the authorities to take custody of children if one or both of their parents are gay." (New York Times (6 September 2013) *Russia: Legislation Would Allow Children To Be Taken Away From Gay Parents*)

See also Radio Free Europe/Radio Liberty report which states:

"When Sasha understood that she was a lesbian, she knew many challenges lay ahead for her in Russia. But nothing prepared the young woman for the possibility of social services taking her child away." (Radio Free Europe/Radio Liberty (22 September 2013) *'It's A Witch-Hunt': Proposal To Confiscate Children Stokes Fear Among Russian LGBTs*)

This report also states:

"The draft law, which comes on the heels of controversial legislation banning 'propaganda of nontraditional sexual relations,' would make homosexuality a condition that can lead to parents losing custody over their children. If passed and signed into law, it would put homosexuality on a par with drug addiction and child abuse." (ibid)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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