Summary:
A compilation of extracts featuring child-rights issues from the reports submitted to the first Universal Periodic Review. There are extracts from the 'National Report', the 'Compilation of UN Information' and the 'Summary of Stakeholder's Information'. Also included is the 'Final Report' and 'Conclusions and Recommendations' from the Review.

National Report


32. The Constitution establishes basic rights and safeguards for individuals belonging to ethnic minorities, including the right to define and manifest their ethnic identity, to use their mother tongue and freely to choose the language in which they communicate, raise and educate their children and go about their business.

81. Russian law governing relations in the family is based on the principles set out in the Convention on the Rights of the Child.

82. Under the Constitution, the State is responsible for defending motherhood, childhood and the family. A series of laws have been passed to provide a legal basis for countering social distress among children and families.

83. For example, there are federal laws such as the Rights of the Child in the Russian Federation (Fundamental Guarantees) Act, the Social Assistance for Orphans and Children Lacking Parental Support (Additional Guarantees) Act, and the Prevention of Child Neglect and Juvenile Delinquency (Fundamentals) Act.

84. In order to protect maternity, paternity, childhood and families, major changes in civil status are registered by State bodies following procedures established by law.

85. The prevention of orphanhood is one of the main fields of action of the Russian authorities. There has been a decline in the number of orphans and children lacking parental support. In 2004, some 132,500 such children were registered; in 2005, approximately 133,000 were; in 2006, about 127,100; and in 2007, the figure fell to 124,000.

86. In 2007 alone, some 126,000 children were placed in foster care with Russian families (as against 106,000 in 2006). For the first time, the number of international adoptions fell twice as fast as domestic adoptions; the number of domestic adoptions was up by nearly 15 per cent over the 2006 figure. In 2007, the Russian education system included 1,688 institutions for orphans and children lacking parental support.

87. The Government’s poverty-reduction strategy is set out in the mid-term (2005-2008) social and economic development programme, and is aimed first and foremost at increasing the welfare and income of the population. The proportion of the population with incomes under the poverty line is gradually declining: there were 42.3 million such people in 2000, 25.2 million in 2005, 21.6 million in 2006, and 19.5 million in 2007.

88. There are social service institutions for families and children in all the constituent entities of the Russian Federation (including psychological and educational assistance centres, emergency psychological assistance hotlines and other such services).

89. The Government’s activities in the field of social security are premised on respect for human and civil rights, equal access to social services and social services oriented towards meeting citizens’ individual needs. Under the Constitution, everyone is guaranteed social security appropriate to their age and in the event of illness, disability or loss of breadwinner, for the upbringing of children, and in other circumstances as established by law.

97. One of the most important aspects of State policy in the field of education is ensuring that children with disabilities can exercise their
right to education. Russia has institutionalized special (remedial) schools. There were 1,884 such schools in operation in the academic year 2007/08.

118. Convicts who are pregnant, breastfeeding, under age, ill or in disability groups I or II are provided with a higher standard of accommodation. The penal correction system has 12 facilities for mothers with children in which 776 children are living.

UN Compilation

5. In 2005, the Committee on the Rights of Child (CRC) welcomed the introduction in the school curricula of education on human rights.16 In 2002, CEDAW welcomed the National Action Plan to increase women’s representation in decision-making positions.17

16. CRC was concerned at reports of incidents of discrimination against children and families without residence permits, as well as against children belonging to different religious and ethnic minorities.37

22. In 2005, CRC was concerned about the use of torture and ill-treatment in boarding and other educational institutions46, including abuse by educators.47 CRC was also concerned that corporal punishment of children remains socially acceptable.48

31. CAT noted the overcrowding and inadequate living conditions in psychiatric hospitals for patients, including children, as well as lengthy periods of confinement.68

32. The HR Committee was concerned about the large number of persons who are being trafficked for sexual and labour exploitation, mainly to destinations outside the borders.69

33. CRC was concerned about the large number of children and young people being sexually exploited70, the increasing number of children living and/or working on street, and their lack of access to public health and education services.71

39. CRC encouraged the State inter alia to expedite the reform of the juvenile justice system to allow for those under 18 to be tried by a specific juvenile justice system and to develop an effective system of alternative sentencing.80 In this regard, UNICEF noted in 2008 that juvenile justice is still an issue under discussion.81

40. UNICEF mentioned that the key right of a child to live in its family is not sufficiently protected.82 CRC was concerned at the increasing number of children in institutional care and that efforts to implement a national policy on deinstitutionalization had not been successful.83 Similar concerns were raised by UNICEF.84

46. In 2003, CESCR remained concerned about the relatively high rates of unemployment, particularly among young people, women, people of pre-pensionable age and persons with disabilities. It was also concerned by the significant regional disparities regarding unemployment rates.96 CESCR remained concerned about the low level of wages.97

52. CESCR was concerned about the high levels of infant and maternal mortality, and that unsafe abortion remains a main cause of maternal mortality.109 UNFPA noted that in the area of reproductive health main problems are connected with adolescent and reproductive health, spread of HIV and maternal health.110

53. UNICEF informed that HIV-infected and affected children face stigma that lead parents to abandon them in hospitals.111 CRC raised similar concerns.112

57. In 2005, CRC recommended that the State take all appropriate measures to ensure that primary education is free.117 In 2003, CESCR remained concerned about reports that a sizeable number of children, due to migration, homelessness and neglect, do not attend school.118 CRC was concerned about the number of adolescent illiterates and the increase in the proportion of girls among them.119

58. CERD noted with concern reports about segregation of children belonging to ethnic minorities, in particular Roma, in special remedial classes, as well as about instances where ethnic minority children whose parents lack residence registration were denied access to education by local school authorities, despite contrary instructions from the Federal Ministry of Education.120

59. UNICEF informed that physical difficulties for disabled children also result in their exclusion from society.121 CRC recommended that the State provide equal educational opportunities for children with disabilities, including by abolishing the practice of “corrective” and “auxiliary schools”.122

60. UNICEF informed that HIV-infected and affected children’s rights to education are often violated.123

61. CERD noted with concern reports about searches of Georgian businesses, police demands for lists of names of Georgian students, identity checks, destruction of identity papers, detention in inhumane conditions, deportations under a simplified procedure and other repressive measures against Georgian nationals and ethnic Georgians in 2006.124

73. UNICEF informed that the country’s progress still lags seriously on the social front as illustrated by incomplete system reforms (child welfare, health education).139 Demography and health are two key challenges, among others, such as socio-economic inequality and child poverty; poor education and health services; fast growing HIV epidemic; and increasing flows of children into institutions.141 A 2007 United Nations Resident Coordinator’s Annual Report noted that social vulnerability and unequal access to the benefits of economic growth are widely seen as key challenges.142

86. UNICEF informed that it supports national processes to address the needs of the most vulnerable children with the greater emphasis being placed on policy analysis and advocacy regarding social welfare issues.157

Stakeholders Compilation
6. Russian Charitable Fund “No to Alcoholism and Drug Addiction” (NAN) noted the adoption of the Family Code in 1995, the Law “On basic guarantees of child rights” (1998), and the law “On the prevention of neglect and delinquency of minors” (1999). Regional legislation and municipal legislative acts, programmes for social rehabilitation of juveniles, correctional programmes and a network of specialized institutions are being developed.10

26. The CoE/Commissioner recommended that the Russian Federation urgently address the problems raised by street children (bezprizorniki); close the gaps between federal laws and regional laws, which prevents any progress in this area; and clearly define the respective responsibilities; and finance the programmes provided for by law.38

34. NAN noted that as the processes for juvenile justice issues are not systemic and lack a unified legal basis, a juvenile justice system could be introduced in its broadest understanding. It further noted that efforts to develop a juvenile justice system undertaken in various regions have led to the following conclusions, inter alia: the implemented elements of juvenile justice system have become an inseparable component of the justice system reform; the use of conciliation procedures have found legal and technical understanding in judicial practice through the introduction of juvenile justice elements; restorative justice is central to the development of a juvenile justice system; being an impetus for developing a system of probation; and juvenile justice enables the development of effective regional programmes on crime prevention among minors.47 NAN recommended the institutionalization of the juvenile judge as a functional component of the judiciary system; and the adoption of the amendment to the Federal Law “On the justice system of the Russian Federation” establishing juvenile justice.48

55. HRW stated that hundreds of thousands of people in Russia, many of them youths and young adults, are dependent on drugs and at immediate risk of HIV infection. While the Russian Federation has made considerable progress expanding access to antiretroviral (ARV) treatment for people living with HIV, its efforts to ensure that injection drug users have access to effective drug dependence treatment services, a key factor in both general HIV prevention and treatment for injection drug users, have fallen far short.74

57. The CoE/Commissioner recommended that the Russian Federation maintain efforts to safeguard minority rights; promote education in the national minority languages and, to this end, meet schools’ needs for teaching materials, textbooks and teacher training.76

58. Russian NGOs stated that most children with disabilities receive education in isolation at home or are segregated in special schools.77

66. AI stated that in Chechnya, internally displaced people, including young children, elderly and disabled people have been forcibly evicted from temporary accommodation centres without adequate consultation and without guaranteed alternative accommodation. When alternative accommodation has been provided, in some cases it has turned out to have disputed ownership, leaving the families vulnerable to eviction.85

Final Report

11. Fourthly, delegation touched upon a block of problems related to country’s multifaceted ethnic, economic and social background, particularly poverty, criminality including cyber crimes, new forms of exploitation of women and children, social passiveness, necessity to reform economy and re-create social infrastructure. Much is being done in this regard, including through international dialogue. It stressed that Russia was one of the first to encounter international terrorism, and the fight against it unfortunately resulted in some negative events and had its impact on migration policy. Reaffirming that human rights violations in combating terrorism should be considered strictly by legal means, Russia confirmed its readiness to co-operate in this sphere. e. #

16. The Czech Republic asked whether and in what timeframe special procedures mandate holders could visit the country and recommended issuing and implementing a standing invitation to all special procedures. It also recommended abolishing completely the system of “propiska” and adopting further measures to ensure that both the legal system and practice complied with the protection of freedom of movement. The Czech Republic also recommended according to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and establishing the corresponding national preventive mechanism; reviewing conditions in prisons, particularly pre-trial detention facilities, to bring them into compliance with international standards; giving all prison guards and law enforcement officials human rights training specifically focusing on protection of human rights of women, children, national minorities and persons of minority sexual orientation or gender identity; ensuring investigation and punishment of all cases of violation of human rights by this personnel; adopting specific law on domestic violence and collecting statistics on cases of violence against women, including domestic violence as a specific crime, and establish for victims of domestic violence shelters and safe housing that were locally accessible, sufficiently and sustainably funded and of appropriate capacity. Regarding judicial reform it recommended establishing a special system of juvenile justice.

22. Algeria praised Russia for its very positive role in facilitating the preparatory process to the Review Conference for Durban. It recommended that Russia continue its positive work to combat racial discrimination and related intolerance; pursue its efforts to improve the situation of detainees and take measures to achieve that goal; continue its efforts to reduce the number of children without parental care, particularly by stepping up the work already undertaken to overcome that phenomenon; and continue to promote equality between men and women and, in the current situation of a world economic crisis, step up its efforts to protect economic, social and cultural rights for the most vulnerable segments of the population, including migrants.

23. Austria, noting the concern of the Special Representative on the situation of human rights defenders that registration laws may aim to stifle criticism and limit civil-society movements. asked about follow-up in that regard. It recommended creating an environment, inter alia through a legislative framework, that promotes rather than restricts the right to freedom of assembly and that encourages citizens to express their diverse views. It enquired about follow-up to the Committee on the Rights of the Child’s (CRC) encouragement to Russia to expedite the reform of the juvenile justice system, to try those under 18 by specific juvenile court and to develop an effective system
of alternative sentencing. Austria recommended establishing a juvenile justice system that strived not only to punish, but rather to help juveniles to re-integrate into society, taking into account existing international standards in that regard. It noted reports of violent racism attacks against foreigners and members of minority groups and asked about measures undertaken to address the issue. It recommended systematically collecting data on racially motivated hate crimes and increasing efforts to bring perpetrators to justice.

27. Liechtenstein noted the concerns expressed by CRC regarding street children and the lack of a strategy to address the situation. It recommended acceding to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and establishing the required national preventive mechanism. It further recommended, as had CRC, enhancing efforts to provide equal educational opportunities for children with disabilities, including by abolishing the practice of “corrective” and “auxiliary schools”, providing the necessary support and ensuring that teachers were trained to educate children with disabilities in regular schools.

29. Cuba praised Russia’s efforts in the implementation of its National Plan in the area of health and education. Cuba enquired about measures Russia intended to take to live up to its commitments in the area of economic, social and cultural rights in view of the world’s financial economic crisis. Cuba recommended that Russia continue its positive efforts to consolidate the areas of health and education, especially for disabled children, and its positive efforts to promote and protect economic, social and cultural rights and combat poverty.

33. Bosnia and Herzegovina noted with satisfaction information on the existence of various human rights protection mechanisms, especially the Office of the Ombudsman. It asked whether Russia intended to abolish the death penalty and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of death penalty. It also requested more information on planned reform processes, priorities and challenges, especially in the field of the judiciary, and on steps to strengthen the national machinery for the advancement of women, mainstream a gender perspective into policy decision-making at the national and regional levels and implement the National Action Plan to increase women’s representation in decision-making positions. It further enquired what measures had been taken to combat violence against woman, especially domestic violence and forced prostitution. It asked whether corporal punishment was prohibited by law in the family and in alternative-care settings and whether there were awareness-raising and public-education campaigns against corporal punishment and in support of non-violent, participatory forms of discipline. It also asked whether Russia was considering signing the Optional Protocol to CRC on the sale of children, child prostitution and child pornography.

38. Saudi Arabia welcomed the delegation and their efforts to promote human rights notably by the establishment of the Office of the Ombudsman. It commended their accession to the largest number of international conventions on human rights. Saudi Arabia recommended pursuing its action plans to protect the rights of the child and of the family. It then posed questions with regard to Russia’s future objectives in order to protect the rights of the family and the child and regarding the implementation of legislation on religious rights.

39. Jordan welcomed the development of a legislative and institutional framework including the establishment of the office of the Ombudsman. It noted with assurance the recent accession to the Optional Protocol on the Rights of the Child on the involvement of Children in Armed Conflict. Jordan encouraged Russia to continue its active participation in the work of Human Rights Council as well as to maintain its contribution to OHCHR.

43. Palestine encouraged Russia to follow its laws for the protection of the dignity of the individual, freedom of thought, conscience and religion. It noted that Russia promotes freedom of economic activities that is essential to economic progress. Palestine noted the efforts in the social protection and services for families and children. It encouraged to continue their efforts in ensuring the respect and promotion of human rights principles despite all existing challenges and obstacles.

46. Uzbekistan highlighted the active cooperation of Russia with United Nations treaty bodies and other international organizations. It noted with great satisfaction Russian achievements in areas of defending the rights of women and children, social security and protection of health, right to education and freedom of religion and other areas. It welcomed the fact that Russia signed the Convention on Rights of the Child and ratified the Optional Protocol to CRC related to participation of children in armed conflict in 2008.

49. Indonesia commended Russia’s commitment to applying international norms, specifically the ratification of the OP-CRC on the involvement of children in armed conflict. It commended Russia on the establishment of an institutional framework for the protection of the rights of ethnic minorities and indigenous peoples. Indonesia asked Russia to elaborate on the issue of registration of political parties as certain mass media allegedly claimed that the basic principles of democracy are not respected as opposition political movements are allegedly excluded from politics, particularly elections.

50. Belarus noted that independent monitoring of the human rights situation is carried out by the Ombudsman institution. It recommended to continue implementation of the package of important programmes aimed at the defending citizens’ economic and social rights; consolidating measures of national and international nature to carry out an effective fight against trafficking in persons; and to continue the policy which ensures gender equality aimed at upholding the rights of women. The national policy in the area of protection
of children rights would strengthen Russia’s ratification of CRC and in this connection it recommended that the whole range of measures be developed and carried out for the practical implementation of provisions of this Convention and its two Optional Protocols.

56. New Zealand while noting the legislative framework put in place to protect human rights indicated that much of the legislative protection is not properly implemented. It welcomed the prioritization of judicial reform and rule of law and asked how proposed reforms incorporate human rights. New Zealand recommended to prioritize the establishment of meaningful and accessible accountability mechanisms to ensure transparency in the investigation and prosecution of human rights violations, provide effective remedies and legal redress for victims, and take measures to increase the independence of the judiciary and strengthen oversight of the implementation, at the State level, of federal human rights legislation and obligations; adopt comprehensive strategy to combat domestic violence. Regarding the marginalization of ethnic and minorities and racially motivated crimes New Zealand recommended to adopt a clear and comprehensive definition of racial discrimination in its legislation; encourage the use of non-custodial options when sentencing or determining pre-trial measures involving pregnant prisoners and prisoners with children and where women are detained, put in place policies to ensure that all children are able to maintain contact with their mothers.

62. Sweden expressed concern by the treatment of lesbian, gay, bisexual, transsexual and transgender persons and their right to peaceful assembly and freedom from discrimination. Sweden recommended to increase their efforts and take concrete policy measures in order to promote tolerance and non-discrimination of lesbian, gay, bisexual, transsexual and transgender persons. Sweden noted reports on violent discrimination of persons belonging to ethnic minorities and non-Russian citizens. Sweden recommended to increase its efforts to ensure full respect of the rights of persons belonging to minorities and indigenous groups, including education of their children. Sweden noted reports of violence against women in Russia. It recommended to enhance the efforts to combat violence against women and to improve women’s access to safe shelter.

67. On the issue of penitentiary, the delegation mentioned that prison reforms started 10 years ago resulting in reductions of the number of people imprisoned, in addition medical care and prison conditions improved since then. The problem of overcrowded prisons was resolved and prison conditions in general were improved to meet sanitary norms. Special measures are undertaken with regard to juveniles and women in prisons. In 2008 the federal law was adopted stipulating establishment of regional commissions, involving members of civil society, which are monitoring prison conditions.

71. The delegation informed that provisions ensuring interests of children and family are part of the national demographic policy and national projects. The foundation was set up to provide assistance to street children ensuring their access to health and education. On the annual basis, orphans are provided with thorough checks in clinics. Since 2007 the family programme was implemented focusing on children who do not have support of their parents. Together with NGOs a comprehensive protection system has been developed for children who were victims of violence. Social rehabilitation programmes and services were developed for domestic violence victims, including juveniles. Concerning gender equality it was noted that domestic legislation does not contain any discriminatory norms with regard to rights of women. However, the situation of women in labour market has number of problems that have not been resolved and the government is currently taking appropriate measures to improve the situation. The delegation recognized that domestic violence is a problem and affects not only women, but also men, children and elderly people. A number of facilities were established providing secure facilities for victims of domestic violence.

75. On the question of accession to various instruments and to the Optional Protocol to the Convention Against Torture (OP-CAT) and Optional Protocol on the Convention on the Rights of Child (OP-CRC) and others, Russian Federation is constantly studying possibilities on acceding and adopting appropriate international obligations, yet it is guided by the idea that domestic legislation must be brought in accordance with international treaties before such treaties enter into force. Therefore, currently, as a part of reforms of the penitentiary system and expanding on social monitoring of the situation in prisons, requests of acceding to the OP-CAT will be considered at the later stage. In relation to OP-CRC-SC, currently, Russian Federation reviews whether domestic legislation corresponds to the standards stipulated in this instrument and it will then decide to accession or non accession to it.

79. While Slovakia appreciated the veto on the draft media law, it noted the lack of progress in the field of media pluralism and the limited space for expressing views. It recommended to improve conditions for proper functioning of independent media, in particular national TV channels, in order to provide more space for expressing diverse views and opinions. Slovakia also recommended to promote the rights of human rights defenders to freedom of expression, association and assembly; to review the extremism and NGOs laws to ensure their compatibility with international human rights obligations and standards including the United Nations Declaration on Human Rights Defenders; to ratify the Rome Statute of the International Criminal Court; and to become party to the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

80. Slovenia encouraged to ratify the protocol 14 of the European Convention on Human Rights and to become a party to the remaining United Nations human rights instruments. Slovenia also encouraged Russia to extend open invitation to all United Nations human rights mechanisms. On children’s rights there are reports of United Nations human rights mechanisms of inadequate living conditions in psychiatric hospitals. Further, in 2003 the CESC.R remained concerned about the sizeable numbers of children do not attend school due to migration, homelessness and neglect. CRC also expressed concern about the number of adolescent illiterates and the increase in the proportion of girls among them, while UNICEF informed that physical difficulties for disabled children also result in their exclusion from society and that the right to education of HIV-infected and affected children is often violated. There are also reports about inadequate policy measures for combating sexual violence against children, in particular with regard to internet pornography. It asked for information on how the competent state authorities plan to improve the situation, i.e. to provide adequate living conditions in psychiatric hospitals for children, to protect children from all forms of violence, including sexual exploitation and abuse. It further enquired on what steps have been taken to sign OP CRC on sale of children and child pornography.

82. As Russia has not signed the Convention for the Protection of All Persons from Enforced Disappearances Argentina recommended to
consider the possibility of signing and ratifying the Convention for the Protection of All Persons from Enforced Disappearances. Argentina noted reports from CESCR expressing concern on large number of children who do not attend classes because of internal migration or because they are living in the streets and on the number of illiterate adolescents, in particular girls. Argentina asked about active education policies which would promote school attendance by all children, in particular adolescents.

83. India welcomed Russia’s stated policy of broadening and strengthening international cooperation in the promotion and protection of human rights. It noted as positive developments the signing by Russia in 2008 of the Convention on the Rights of the Child, and introduction of education on human rights in the school curricula. India asked for more information about the free services provided by state legal aid offices to improve access to social vulnerable groups, and about the success of Russia’s National Action Plan to increase women’s representation in decision-making positions. It enquired about the functioning of the Office of Ombudsman and how State bodies, local administrations and officials observe and respect human rights and fundamental freedoms.

Conclusions and Recommendations

3. Become party to the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (Slovakia);

30. Encourage the use of non-custodial options when sentencing or determining pre-trial measures involving pregnant prisoners and prisoners with children and where women are detained, put in place policies to ensure that all children are able to maintain contact with their mothers (New Zealand);

31. Provide prison guards and law enforcement officials in general, with human rights training specifically focusing on protection of human rights of women, children, national minorities and persons of minority sexual orientation or gender identity; and further to ensure investigation and punishment of all cases of violation of human rights by this personnel (Czech Republic);

33. Develop and carry out the whole range of measures for the practical implementation of provisions of the Convention on the Rights of the Child and its two Optional Protocols (Belarus);

38. Establish a juvenile justice system (Austria, Czech Republic) that not only strives to punish, but rather to help juveniles to re-integrate into society, taking into account existing international standards in this regard (Austria);

39. Pursue its action plans to protect the rights of the child and of the family (Saudi Arabia); Continue its efforts to reduce the number of children without parental care particularly by stepping up the work already undertaken to overcome this phenomena (Algeria);

44. Adopt appropriate measures to disseminate widely and ensure full observance of the Declaration on Human Rights Defenders. The Declaration, as well as all other human rights standards, should in particular be made available to schools and institutions of higher education (Norway);

52. Continue its positive efforts to consolidate the areas of health and education especially for disabled children (Cuba)

55. Enhance its efforts to provide equal educational opportunities for children with disabilities, including by abolishing the practice of “corrective” and “auxiliary schools”, by providing the necessary support and by ensuring that teachers are trained to educate children with disabilities in regular schools (Liechtenstein);

56. Increase its efforts to ensure full respect of the rights of persons belonging to minorities and indigenous groups, including education of their children (Sweden); Implement the recommendations raised by CERD as to how to improve the situation of the indigenous communities (Denmark); Comply with the principles contained in the Declaration on the rights of indigenous people (Mexico);