

Delegation of the Russian Federation

**STATEMENT BY THE DELEGATION OF THE
RUSSIAN FEDERATION AT THE SUPPLEMENTARY HUMAN
DIMENSION MEETING ON THE RULE OF LAW IN THE
PROMOTION AND PROTECTION OF HUMAN RIGHTS**

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**Session III: Strengthening the rule of law in the promotion and protection
of civil, political, social, economic and cultural rights**

A comprehensive approach to safeguarding the rights of children

Mr. Chairperson,
Ladies and gentlemen,

Although the issue of “children” is highly relevant, it has received less attention recently from the OSCE than it deserves. Individual aspects, primarily associated with combating sexual violence against children, trafficking in children and the situation of Roma and Sinti children have been reflected in OSCE documents. However, such an approach does not respond to the current situation in this area. Trafficking in children, including for the purpose of removing human organs and tissues, and also including begging, child labour, sexual violence, child pornography, violence in families, including against adopted children, the unwarranted removal of children from mixed families, segregation in schools, limited access to education, social security and medical care – this is by no means a complete list of typical problems encountered, also in the OSCE region.

Against this background, we should like to draw attention to the need for a comprehensive approach to resolving issues of protecting the rights of children in full conformity with the commitments of the OSCE Copenhagen Document of 1990, in which the participating States undertook to “accord particular attention to the recognition of the rights of the child, his civil rights and his individual freedoms, his economic, social and cultural rights, and his right to special protection against all forms of violence and exploitation.”

The following problems in the children’s rights sphere are becoming increasingly serious and acute and necessitate improvements both in legislation and in the development of systems for supporting and protecting children.

1. In some OSCE States, children can be prosecuted from the age of ten, and minors may be imprisoned for life without the right to early release.

2. Owing to the financial crisis, the problem of child poverty is even on the agenda of the European Union countries. There are countries in which around 40,000 children are living in poverty without access to medical services.

3. The use of children in illegal business (in one European Union country alone, over 80,000 children are involved in criminal activities, including drug trafficking and prostitution).

4. There are still serious problems with the access of children from national minorities both to education in general and to education in their native language (the Baltic States, a number of countries of the Commonwealth of Independent States). The segregation of Roma and Sinti children in a number of European countries and that of members of national minorities and children of immigrants in some Scandinavian countries has not been successfully eradicated. Racial segregation continues in State schools in countries with a significant African American and Latin American population.

5. The position of adopted children who have been involved in incidents of violence. This relates not only to the countries east of Vienna, but also to stable democracies, which have always considered themselves quite fortunate. For example, a special study conducted in the Netherlands called "Surrounded by care, still not safe" provides evidence that children in care are subjected to sexual violence 2.5 times more frequently than children in conventional families (143 out of 1,000). According to information from the United States Health Department, more than 700,000 minors have been victims of cruel treatment by close relatives. United States non-governmental organizations report that one in six international adoptions leads to inhumane treatment of children and serious violations of their rights.

6. The consequences of the legalization of the adoption of children by same-sex couples. Decisions of this kind are being rejected by a large section of society in many countries. The majority of the Russian population is opposed to this possibility. We recall the reaction of millions of residents of France. Moreover, by no means all the citizens of the United States support the rush to equalize the rights of same-sex couples with those of traditional families. Opponents of the movement include many congressmen, representatives of Catholic organizations, lawyers, psychologists and other experts. In addition, United States non-governmental organizations estimate that between 270,000 and 2 million minors are already living with parents who belong to a sexual minority.

Furthermore, a recent case of violence by a same-sex couple against their child that shook the world community gives a clear indication of the problems we may encounter. The rapid, harsh decision by the United States justice system to sentence one of the rapists to 40 years in prison can only be welcomed. The other, a New Zealander, is awaiting the court's verdict. This crime was actually discovered by Internet users by chance. What if those rapists had not disseminated information via the Internet together with offers to rent out their son to other perverts? What then? How can children be protected? In this context, we cannot fail to mention a court ruling which essentially recognized the possibility of legal status for organizations that spread propaganda for paedophilia (the "Martijn" club), never mind the fact that in some European Union countries there are precedents for the recognition of child pornography merely as a "violation of public order".

7. The unwarranted removal of children from mixed families. Unfortunately, the practice of the unwarranted removal of children in some Scandinavian countries and European Union countries is leading ever more frequently to genuine family tragedies. There have been cases

of four children, including a week-old baby, being removed from their Russian mother in a mixed family. The fact that judges often decide in favour of the citizens of their States without thoroughly considering the interests of the child is a cause for concern.

8. The fact that child welfare agencies exceed their authority in a number of OSCE States. The recent demonstrations in Trondheim criticizing Barnevern, Norway's child welfare service, are an example. One issue that triggered the protests was the unwarranted removal of children not only from mixed or immigrant families, but sometimes also from local families. The demonstrators confirm that there are more than 50,000 children in institutions, who are given serial numbers. According to Bettan Kjeldstad, the organizer of the demonstration, welfare service representatives stole her nine-year-old grandson on the street on his way to school, and did so without a court ruling. As the protestors say, these are, sadly, not isolated cases. Sometimes reports and complaints of allegedly inappropriate child-raising become a way for neighbours to settle scores. The social workers claim that infants are removed only from asocial families and families in which the parents are not bringing the children up in the traditional manner accepted in the Kingdom of Norway.

What, then, are we to think of our colleagues' calls to safeguard multiculturalism and respect for freedom of religion? Not to mention the commitments of States in accordance with Article 18, paragraph 4 of the International Covenant on Civil and Political Rights "to have respect for the liberty of parents... to ensure the religious and moral education of their children in conformity with their own convictions."

What could possibly be done within the OSCE in order to respond appropriately to calls in this area?

In order to find an appropriate response for strengthening child protection in the OSCE area, it would be necessary to carry out:

- A thorough analysis of the situation of children, touching on all areas of their life;
- An assessment of the most frequently encountered violations of the rights of children;
- A review of national legislation aimed at protecting motherhood and childhood;
- An analysis of the national legislation's conformity with international commitments;
- The identification of gaps in the OSCE commitments regarding the protection of children with the aim of preparing a Ministerial Council decision on this subject;
- A review of national child protection instruments and institutions and an exchange of best practices;
- The development of co-operation with international child protection institutions.

We believe that the most serious attention should be given to the topic of the protection of children, the implementation of the OSCE commitments in this area, their reflection in national legislation and practical application of the law, and that the OSCE participating States should pool their efforts to ensure that every child is raised in decent conditions.