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The role of the Children's Rights Commissioner in child protection from violence in Russia Propositions for the Europe Council Conference on children's rights protection 2012 – 2015.

1) **According to the Constitution of the Russian Federation, Russia is a democratic federal law-bound State with a republican form of government.** The Russian Federation consists of Republics, territories, regions, cities of federal importance, an autonomous region and autonomous areas – equal subjects of the Russian Federation.

Financing of budget expenses, related to children's rights preservation and protection are fulfilled by the federal budget, local and regional budgets.

Total population of Russia in 2010 was more than 141,9 thousand people. Children aged 0-17 make up 25,980 thousand people (82% of the 2003 amount). At the beginning of 2011, children were 18,3% of Russian population.

The number of children born in 2010 increased by 75 thousand people (+4,4 %) over last 3 years. It summed up to 1788,9 thousand people.

The infant mortality rate decreased by 11.8% - from 8.5 to 7.5 per 1 thousand born alive. The maternal mortality rate has also decreased. Natural decline in population showed 3,5 times decrease over the last five years.

Governmental policy these years aimed to increase birth rate for young families by providing various incentives and subsidies. Among them we can mention money paid for the birth of children, increasing benefits for child care systems, day care, maternal(family) capital, etc.

The efforts of the State resulted in the total fertility rate increase from 12.1 to 12.5 per 1 thousand people and total fertility rate (average fertility of a woman of reproductive age) - from 1.494 to 1.59 children.

In August 2011 second demographic peak after 1991 was recorded. Natural population growth amounted to 10.7 thousand people, highest fertility rate has also taken place - 173.2 thousand children were born.

2) Positive trends in the demographic development of Russia are the result of effective implementation of the Russian Demographic Policy Concept that will work till 2025. 3 priority national projects in the social sphere: "Health", "Education", "Housing", as well as the federal target program "Children of Russia" (2007 – 2010) have also shown good results.

Since January 2010, a new mechanism of state benefit payments to citizens, subject to compulsory social insurance started working. Direct limitation of maximum benefit size for pregnancy and childbirth were abolished. Monthly allowance for child care has significantly increased, as well as the amounts of benefits to insured persons: the size of temporary disability benefit in caring for a sick child (11 to 85% depending on the length of service) benefits and maternity leave (36.0% up), the monthly allowance for child care (85.0% up).

In 2010, the government subsidy for child care was paid to more than 3 million citizens. Annual indexation of state benefits to citizens with children was provided.

Since January 1, 2007 women who gave birth to (adopted) 2 or more children, can get maternal (family) capital, which can be used to improve living conditions, for education of children, to purchaser build dwellings, the repayment of loans for this purposes, formation of funded pension part. The size of the maternal(family) capital is reviewed annually accounting the inflation rate for 2007-2010. More than 2,6 million state certificates were state issued as the maternal capitals from January, 1, 2007 to December, 31, 2010. Since 2010, more than 53 thousand families have decided to dispose the maternal (family) capital.

Tax credits for families with children were established. They are entitled to a tax deduction for each child under the age of 18 years (24years if the child is getting a full-time education). For families with 3 or more children additional tax deductions were established. In regions the monthly allowance for children from large families are paid at a higher rate.

3) Monthly child allowances, allowances for a single mothers, benefits for children whose parents refuse to pay child support or are doing military service, children from large families, disabled children, etc. shall be paid in addition to the enumerated state support steps. About 10 thousand children were meant to get the benefits in 2010.

In the subjects of the Russian Federation different types of low-income and large families are being supported. Low-income citizens get social services in the form of social security benefits, social co-payments for pensions, subsidies, social services and essential goods.

In 2010 the number of indigent people receiving regular cash payments were amounted to be 1394.1 thousand persons. Those who get a lump sum cash payment - 1302.6 thousand people. Citizens with low income receive subsidies to pay for housing and communal services.

4) Housing is one of the most acute issues for young and large families.

Due to the sub-program "Providing housing for young families" of the federal targeted program "Housing" for 2002 – 2010 the government support was carried out to improve the living conditions of young families through the provision of the federal, regional and local budgets, social welfare payments for purchasing (building) of housing, including the payment of an initial payment of mortgage or loan and the repayment of principal debt on a mortgage or loan. In 2010 social benefits and improved living conditions at the expense of federal budget funds were provided to 9.568 thousand young families.

Federal target program "Housing" for 2011-2015 identified priorities for housing for lower class. Some mechanisms aimed to improve the living conditions of young families, families with children were also identified.

Large families are provided with free land for individual housing construction, cottage construction, gardening due to the President's request.

5) Workability of this kind of work contributes to the formation of an integrated independent children's rights defense system in Russia.

Today in Russia there are about 19 federal and many regional agencies responsible for the safety and protection of legitimate rights and interests of children. But among them there is no clear system of interaction. It is not possible to use their whole potential.

An important role in the public system is played by the Children's Rights Commissioner for the President of Russia, established by the Presidential Decree.

Over the past two years, this institution has emerged to be an independent public-law institution, free of vested interests, performing an important social function, directing and coordinating the activities of all other bodies of child protection, it functions as a link between the state and civil community.

The main social purpose of this institution is improving the situation of children in Russia, enforcing of children's rights and freedoms, remedy of children, including independent monitoring of the activities of federal and regional authorities, local authorities, different organizations and officials.

Commissioner's actions contribute to refocus the efforts of the authorities towards the priority of child protection. Without substituting the work of departments, they encourage them to work effectively and responsibly to indicate law violations, identify cases of children's rights and interests neglecting, publicly declare the inaction of officials.

In many regions Commissioners sign agreements on cooperation with enforcement agencies, law enforcement, migration authorities, public associations.

Children's rights commissioners are greatly involved in shaping public children policy, they strengthen children's legal status, improve the legal and material guarantees of children's rights, develop system proposals to improve the overall situation for youth.

6) Among the most important activities of the Children's Rights Commissioner are:

-compliance of children's rights in all spheres of life by state agencies, local governments, officials, organizations;

-restoring the rights of children, with special emphasis on the most vulnerable groups: disabled, orphans, victims of abuse, sexual exploitation and other criminal acts, neglected and homeless children; juvenile offenders; other children in difficult life situations.

The work of the Federal Commissioner for independent monitoring of children's rights in the regions is a topic of particular importance. He receives information about the most critical facts of child rights violations from all regions of the country, information on crimes against children, monitors the work of law enforcement agencies and other entities of the prevention system.

Over the last 2 years the service of Presidential Commissioner considered over 7000 appeals from Russian citizens. Most of them concern the rights of orphans and children without parental care, ensuring their safety, their right for education and development.

In recent years the number of these children decreased by 26.2%. About 14 thousand of them are now in educational institutions for orphans and children left without parental care, the rest - in family-based institutions substituting families. The spread of "social orphans" is a very acute problem: among the children left without parental care, more than 85% are those whose parents are alive.

An increasing number of applications for participation in the trials of the Commissioner for the protection of children legitimate rights and interests.

Regular inspections on the spot, that cover all regions of Russia take place now. They tested over a thousand children institutions: orphanages, children's hospitals, institutions for orphans and children left without parental care and other institutions where children are left without families.

7) The State-legal institutions of children's rights Commissioners today are established in almost all regions of the country. Number of Children's Rights Commissioners in Russia exceeds the number of Children's Rights Commissioners in the whole Europe.

In order to ensure interaction between children's rights commissioners an all-Russian Association of Children's Rights Commissioners has been set up. Six of the eight federal districts operate Coordinating Councils of Children's Rights Commissioner.

The Institution of Commissioner is actively formed at different levels of government and governance: municipal offices are authorized for children's rights; there has been formed an Institution of Child Social Assistant Commissioner.

8) Protection of the children affected by all forms of violence (physical, mental, sexual, spiritual, moral, economic) is one of the most important activities of Children's Rights Commissioner, regardless of whether it is committed against a child in the family, on the street, childcare, educational and other institutions for children, in real life or in cyberspace.

In 2010 we succeeded in reducing the amount of: crimes against children - by 8.2%, including serious and very serious - by 9.5%, violent - by 9.2%, juvenile homicides - by 8.6% ; juvenile victims -7.8%. During the past four years (from 2007 to 2010.) the number of children and young people - victims of criminal acts decreased by 38%.

Involvement of children in commercial sexual exploitation is alarming. Against the backdrop of substantial tightening in recent years, criminal responsibility for sexual violence and sexual abuse against children, in the direction of law enforcement agencies the number of violent crimes against sexual integrity of children has increased two times in comparison with 2009. The amount of evidence production and distribution of child pornography increased by 72.2%, and 92.8% of them are committed to using the Internet.

Children's Rights Commissioners in the center and regions take control of all cases of these kinds of crimes against children, especially when they take place in families and social institutions. They immediately respond to violations of minors rights and provide the inevitability of criminal responsibility and punishment for perpetrators of all acts against children.

Enhancing the effectiveness of protecting the rights of children-victims of crimes and sexual abuse, including usage of new information technologies is now very actual. There was a special session of the IV Congress of Children's Rights Commissioners in the RF (10 - 11.10.2011).

1. The problem of child abuse, including child abuse in families is still acute. In 2010, about 3.8 thousand crimes were committed against minor children by their parents. The authorities are carrying out preventive work with 165 thousand “problem” families. In 2011 45.5 thousand parents were identified as not working on the education of minors.

2. The effectiveness of preventive work with unscrupulous parents is proved by reducing of the number of administrative cases against parents accused of involvement of minors in consumption of beer, alcohol, drugs; failing to perform duties in the maintenance and education of minors.

9). In Russia abuse and violence against children is considered to be the most dangerous kind of abuse of parental rights.

In recent years, this sphere has achieved reducing of the number of: children whose parents are deprived of parental rights; of children taken from their parents in a situation of dangerous for the child conditions. The number of parents deprived of parental rights has also reduced. This indicates a great reduction of family problems and governmental interest in it.

Children are victims of criminal acts by adults and in children institutions. Often it can be a consequence of the formal approach to the selection of candidates for positions in such institutions; admission to work with children of persons with previous convictions, including those for violent and sexual crimes against children.

10) Our victories and achievements. Through the efforts of the state and public institutions responsible for children’s rights, it was possible to reduce significantly the number of orphanages (for the last 5 years the number decreased by 11%). We also managed to increase the number of orphans, sent to substitute families (up for adoption, custody and guardianship, in foster family).

Special attention is paid to training for persons wishing to adopt children and their subsequent professional and social support. Currently, the State Duma has been working on the bill.

At the end of 2010, a special procedure for admission to the work-related contact with a minor in education, training, health care and other spheres of life of children was established. There was established a ban on such activities for persons prosecuted or convicted for crimes against sexual integrity of children. Similar requirements are imposed on the people (adoptive parents, guardians), taking charge of orphan's education.

The cases of juvenile victims of sexual abuse were transferred to the jurisdiction of the Investigative Committee of the Russian Federation, where they have established a special unit.

In 2011 there was introduced a special legal regime to establish the administrative supervision of persons with still enforced conviction for crimes against sexual inviolability and sexual freedom of minors. Bans work in certain places, at mass events, the departure from the court established the territory is also forbidden.

Regional laws have restrictions on the children stay in public places at night, allowing them to provide protection from violence, engagement in antisocial acts and crimes.

Now the State Duma is working on a number of bills significantly increasing criminal liability for sexual violence against children, their sexual abuse and exploitation. They proposed, in particular, to fix definitions for "pornography" and "child pornography"; to criminalize the production and possession of child pornography without the purpose of propagation; impose more stringent penalties for crimes against children, using information and telecommunication networks to introduce chemical castration for persons with an abnormal attraction to children, etc.

Adopted in 2010, federal Law "On protection of children from information harmful to their health and development" and the related amendments to sectoral laws established the rules of information security of children in Russia in conditions of releasing Mass Media, printed, audio-visual products for all types of media, information posted on the Internet and mobile communications, the Act introduced strict measures of administrative responsibility.

These innovations should contribute to the improvement of children safety in Russia, preventing the commission of crimes against them, including the use of modern means of communication.

11) The problem of preventing violence against children in cyberspace, protecting them on the Internet and mobile networks becomes more and more acute.

During the first week of September, Children's Rights Commissioners in all regions of Russia held in schools lessons of media safety. This initiative was supported by the President of Russia. The lessons were planned in educational institutions on an ongoing basis, commencing with the first grade in the school curriculum (including life safety lessons.)

In order to develop the initiative and independence of children to protect their rights, and prevent child abuse and violence in educational institutions there was created a Children's Community Council. In 2010 high school students, members of the Council held a questionnaire on violence against children and Internet security in 23 regions of Russia, which was attended by 5000 people.

12) Russia's contribution to the implementation of the Europe Strategy Council. Considerable attention is paid to the implementation of the

Plenipotentiaries in Russian law and practice of international standards to protect children from violence and abuse.

In 2004 Russia ratified the Report to prevent, suppress and punish trafficking especially of women and children. According to the criminal legislation of Russia, the responsibility for human trafficking, the use of slave labor, the organization of prostitution, including children prostitution was established.

03.04.2008 by the Interparliamentary Assembly of CIS adopted developed by Russian specialists model laws "Fighting human trafficking" and "Assistance to victims of human trafficking", according to the recommendations for the standardization and harmonization of the laws of CIS in the sphere of combating trafficking. Special sections are devoted to fighting child trafficking and sexual exploitation.

According to the Russian Government plan on implementing comprehensive steps to ensure readiness to sign the Optional Report to the UN Convention on the Children's Rights, Child Prostitution and Child Pornography, and the Council of Europe Convention on Protection of Children from Sexual Exploitation and abuse.

The Children's Rights Commissioner's special attention is paid to improving the international legal mechanisms, protecting the rights of children born in mixed marriages, children adopted by foreign citizens, and children -victims of trafficking, sexual exploitation and other transnational crimes.

The result of the Children's Rights Commissioner's work is resolving situations that had great public interest associated with the fate of individual rights and the protection of Russian children abroad. Russian child D. Khokhryakova was returned from the Dominican Republic. A child was also returned to the Russian-Finnish family Rantala. The Children's Rights Commissioner is now supported by court, in questions of juvenile rights protection. As in A. Saveliev's case, who was sent back to Moscow by his American step-mother.

The Commissioner of the President of the Russian Federation on Children's Rights together with the Foreign Affairs Ministry in connection with the U.S. in July 2011 a bilateral agreement was signed between Russia and the United States on cooperation in the field of children adoption. There were 7 negotiation rounds, but the agreement was almost jeopardized several times.

An agreement between Russian and French Governments being developed now. It is aimed to establish a Russian-French Commission on children's rights in family arguments.

The Children's Rights Commissioner took part in international activities organization in the sphere of child protection: he was elected to be an associate member of the European Network of Ombudspersons for Children (ENOC), he was also appointed to be the National Coordinator of the Russian Federation to the Council of Europe on children's rights protection and the elimination of all forms of violence towards children, as well as the National Coordinator of the Russian Federation on combating trafficking of the Council of the Baltic region.

The Children's Rights Commissioner is a member of the Steering Committee of the joint project of the European Union and the Russian Federation, "Hague Conventions on the Rights of Children in the Russian Federation application", that must result in the implementation of the Convention on the Civil Aspects of International Child Abduction, 1980 in the Russian Federation.

13) Russia: the Land Children. Protection of children is a constitutional obligation of the Russian state (Article 38 of the Constitution of Russia). Protecting of children's rights is declared to be unconditional priority of the modern Russian state policy.

It was proved by the annual focus of the President's Address to the Russian Federal Assembly (November, 30, 2010) called by the people "children message." D.A.Medvedev has paid "the most important consideration" to the policy of childhood, emphasizing that care about future generations. It is the most reliable, intelligent and noble investment, according to the President. And the society that protects the rights of the children and respect their dignity, is not only a kind and

humane society, it develops faster and better, has a favorable and predictable future.