



Convention on the Rights of the Child

Committee on the Rights of the Child

Sixty-fifth session

13-31 January 2014

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the combined fourth and fifth periodic reports of Russian Federation (CRC/C/RUS/4-5)

The State party is requested to submit in writing additional, updated information, if possible before 1 November 2013.

The Committee may take up all aspects of children's rights contained in the Convention during the dialogue with the State party.

Part I

In this section, the State party is requested to submit its responses to the following questions (30 pages maximum).

Please clarify the status of the Convention in the domestic legal system of the Russian Federation. Please inform the Committee on whether the national courts have invoked the rights contained in the Convention, either as grounds for a case or as interpretative guidance for legal norms.

Please inform the Committee whether the National Strategy for Action for Children (2012–2017) has been translated into strategies at the local level and what was the involvement of children and the civil society in this process. Please also indicate the implementation budgets as well as monitoring and evaluation measures for such strategies.

Please provide information on the body responsible for the overall coordination of the implementation of the Convention across sectors at the federal level and at the level of federal subjects, as well as on their mandate and the human, financial and technical resources allocated to them.

Please inform the Committee whether the State party's budgeting process specifies budget allocations to children in the relevant sectors and agencies, including indicators and tracking system both at the federal level and at the level of federal subjects. Please also provide information on whether there are targeted budget allocations for children of migrant workers, Roma children, children of asylum seekers and stateless persons and children who do not possess permanent residence registration.

Please provide information on regulations for businesses, in particular for oil-extracting businesses, to ensure that they do not adversely affect the rights of children, in particular children belonging to indigenous groups.

Please inform the Committee on laws and other mechanisms put in place by the State party to provide protection from discrimination against children in vulnerable situations, such as children belonging to minority groups, Roma children, children of migrant workers, children of stateless persons, girls in North Caucasus, children who do not possess permanent residence registration and children belonging to the lesbian/gay/transgender/bisexual (LGTB) group. Please provide information, in particular on the measures taken to fight and prevent xenophobia and hate crimes.

Please provide information on the effectiveness of the measures taken to prevent sexual abuse and sexual violence against children and to provide rehabilitation services for victims of such offences.

In light of the reports that large numbers of children are forcibly separated from their parents, please clarify what are the criteria and guidelines established for Guardianship and Tutorship bodies and the prosecutor's office in order to initiate such cases. Please also clarify how the State party interprets the "occurrence of difficult circumstances" under article 73 of the Family Code used as a basis for separation of children from their parents.

Please clarify the Government's position on the "anti-juvenile" campaign, which reportedly prioritizes the rights of parents over the rights of children and the collaboration of the campaign with the Russian Orthodox Church.

Please inform the Committee on the status of the Draft Law on Public Inspections of Children's Institutions. Please also clarify which body is responsible for the review of placements in care institutions.

Please provide information on the measures taken by the State party to address the widespread abuse of children in care institutions and foster families as well as the type of assistance given to child victims and the follow-up provided.

Please indicate the number of children who have been adopted both nationally and internationally since the adoption of the "Dima Yakovlev" Act in December 2012 prohibiting adoptions of Russian children in the United States of America. Please also inform to what extent this has affected the adoption prospective of children with disabilities who are deprived of family environment. In this regard, please indicate the number of children with disabilities adopted before and after the entry into force of this law.

Please provide information on the process and timeline for adoption of the Draft Law on the Foundations of Social Service in the Russian Federation. Please also inform the Committee on the measures taken to prevent widespread and systematic institutionalization of children with disabilities. Please also specify the criteria for their placement in institutions and screening methods used to determine the level of their disability. Please indicate the types of assistance and support provided to families with children with disabilities and criteria for eligibility to such assistance and support.

Please explain the concept of inclusive education mentioned in the Law on Education of January 2013 as well as the human, technical and financial resources provided for its implementation.

In light of the increasing rate of morbidity among adolescent children, please inform the Committee on the measures taken to identify the root causes of increase in illnesses, especially among children in vulnerable situations, such as children deprived of family environment.

Please inform the Committee on the measures taken to prevent drug and alcohol abuse among children as well as to identify the root causes of increasing numbers of child suicides.

Please clarify whether the best interests of the child are taken into account as a primary consideration in decisions concerning housing after the divorce of parents, which is regulated in article 292 of the Civil Code and article 31 of the Housing Code. Please also inform the Committee on the measures taken to provide children of migrant workers and Roma children with access to adequate housing, including safe water and adequate sanitation, as well as access to public medical services.

Please explain the extensive segregation of Roma children in "Roma classes" and poor quality of teaching in such classes, and inform the Committee on the measures taken to provide access to Roma children to regular schools and classes. Please also inform the Committee on the measures taken to abolish administrative barriers for the enrolment of children of migrant workers and asylum seeking children into regular schools.

Please inform the Committee on the steps taken to extend the juvenile justice programme to all regions of the Russian Federation. Please provide information about the timeline established for the adoption of laws establishing juvenile courts.

Part II

In this section the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location covering 2010, 2011 and 2012 on the number of:

Cases of abuse and violence against children, including all forms of corporal punishment, especially in care institutions and foster families, as well as prosecution of the perpetrators and the sentences handed down in the State party;

Investigations of cases of sexual abuse and violence against children, and on prosecutions and penalties to perpetrators, and redress and compensation offered to the victims;

Children working in the informal sector and children in street situations;

Cases of investigation, prosecution and punishment of law enforcement officials involved in illegal detention, abuse and maltreatment of children which occurred during their arrest and detention;

Children in detention facilities and penitentiary institutions, including those in pretrial detention.

Please provide data (disaggregated by age, sex, socio-economic background, ethnic origin and geographical location) regarding the situation of children deprived of a family environment and separated from their parents, for 2010, 2011 and 2012 on the number of children:

- (a) Separated from their parents;
- (b) Placed in institutions;
- (c) Placed with foster families;
- (d) Adopted domestically or through inter-country adoptions, including information on countries of destination.

Please specify the number of children with disabilities and children with limited capabilities disaggregated by age, sex, types of disabilities, ethnic origin and geographical location, for 2010, 2011 and 2012, regarding children:

- (a) Living with their families;
- (b) In institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary school;
- (e) Attending special schools;
- (f) Out of school;
- (g) With disabilities who are abandoned.

Please provide information about the number of children, broken down by country of origin, who have been granted asylum or humanitarian protection and the number of those who have been returned, extradited or expelled. Please provide details of the grounds on which they were sent back, including a list of countries to which individuals were returned.

Please provide the Committee with an update of any data in the report which may have been outdated by more recent data collected or other new developments.

In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.