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des Ligues des Droits de l'Homme

MEMORIAL
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Violation of the rights of Roma children in the Russian Federation

Joint Report of the Memorial Saint-Petersburg and the International Federation for Human Rights (FIDH) submitted to the Committee on the Rights of the Child, 40th session.

FIDH and Saint Petersburg Human Rights Center "Memorial" would like to bring to the attention of the Committee the situation of Roman children in Russia. The following information was gathered during field work realized by the Memorial "Center for social and legal protection of the Roma of north-western Russia".

Roma children in the Russian Federation are being subjected to various forms of discrimination. The rights of the child are frequently violated in Roma families, in the street, at school and in public places.

I - RACISM AND VIOLENCE

The children are victims of racism. They attract attention because of their appearance and are subjected to insults and sometimes beatings. In recent years their situation has worsened due to the constant threat of violence from racist aggressors, including Nazi skinheads, football fans, drunk and inadequate police officers.

According to the information collected by the FIDH and the Memorial Saint Petersburg, caring Roma parents often do not let their children out of the house, do not allow them to travel on public transport or on the electric trains and do not even agree to excursions supervised by adult teachers, saying "It is dangerous out there, there are fanatics about".

I-1) Racist and police violence.

In September 2003, a settlement of Lyulya group on the outskirts of St Petersburg became victims of utter terror. For some time the police turned a blind eye to the regular raids by skinheads on the Roma living quarters, the assaults and fights. In September 2004 a large group of Nazis attacked two women with two little children and all four were brutally beaten up. Nilufar Sangboyeva, who was only five, died shortly after and seven year old Sakhina Yavonova and both women were taken from hospital – there is information that this child also had already died from his wounds outside the hospital. All the Lyulya living illegally in St Petersburg were arrested by the police and escorted from the city. As well as deporting the victims (so that the investigation cannot now prosecute the matter of the assault because the victims are no longer there), at that time the police, nonetheless, arrested some criminals. In March 2005, seven accused came before the court and were found guilty of racially

motivated murder. Four of them were imprisoned.

The city authorities were surprisingly unperturbed by this appalling tragedy, the violent murder of two little 5 and 7 year old boys. When some human rights organisations in St Petersburg, on the initiative of *Memorial Saint Petersburg*, wrote to the city governor calling for special attention to be drawn to the problem of skinhead violence and to take emergency measures, a representative of the administrative committee, L.P. Bogdanov, replied without a second's hesitation, as follows: "The measures being taken by the executive organs of the state authorities of St Petersburg and the law enforcement agencies are having positive results in the prevention of crime related to racism or differences in nationality"....

The following stories show that this is not the case...

In February 2004, three Roma brothers from Peri, a young and two adolescent boys, set off for gas. While they were standing with their container on the platform waiting for the train, some racist youths amongst the local football supporters approached them. As soon as they realised they were Roma, the youths knocked them down onto the platform and thrust a firecracker that could have exploded at any minute, down the back of the eldest boy's neck. The younger boys managed to get away and, with some difficulty, free their brother from the burning firecracker. They then ran off and were lucky to find shelter in the home of a local police officer. The Russian householder was startled and outraged by this unexpected intrusion, but she let them in.

On the trains travelling north from Finlandskiy station, Roma children are singing to the accompaniment of guitars and accordions. It is known to be dangerous on trains and children are often not allowed to go into the city on the train even with adults and teachers. On 5 March 2004, *Memorial Saint Petersburg* employees interviewed a young singer collecting money in a train. Anatoliy had come with his parents from Moldova and he speaks and sings in three languages. In reply as to whether he had been beaten and when, he enumerated: "fans were pouring out of the train just there and then, **skinheads just there, they beat me up. The police are constantly beating me, they take my money, they pierced holes all over my harmonica with a screwdriver**" (he shows us the badly mended instrument). "For me that's nothing, but **my ten year old cousin, was dreadfully beaten by the police on first March 2005 in the station on Lenin Square. They took him to their police station and beat him there. There were five of them. They were drunk** and one of them, Dimka, was just an animal".

I-2) Police harassment

Incident in the micro-region of Bergardovka:

According to information given by Khanna Stepanova, on 11 October 2004, school no. 3 in the town of Vsevolozhska (in the Bergardovka micro-region) was visited by **police officers** – two men in plain clothes and a woman in uniform. **They ordered the head teacher to summon all the Roma pupils in the school. Roma children of various ages were taken from all the classes during their lessons** to the head teacher's office and amongst them was Oksana, the 9 year old daughter of Khanna Stepanova. In the presence of a social teacher and a director of studies, **the police officers interrogated the children: they asked them to empty their pockets, open their school-bags and show them the contents and also to bring from the cloakroom their coat and outdoor shoes.** The police officers also asked the children what their parents did and where they worked. 9 year old Oksana went home in tears and said she was ashamed. She felt demeaned and did not want to go to school any more.

Mr Martsinkevich, the father of a pupil in class 6, said that his son came home terrified and said that he was being expelled from school.

In reply to *Memorial Saint Petersburg's* questions, the justice officer L. A. Aleksandrova, in the words of the officers who had conducted the investigation, said that the measures had been taken because of complaints by parents that drugs were being trafficked at the school. She also said, in the words of her colleagues, that other children, and not just Roma children, were questioned.

However the social teacher, Ludmila Anatol'evna Momotova, who was present during the interrogation, told *Memorial Saint Petersburg* that it was only Roma children who were summoned. The police officers themselves did not touch the children or their things and the children themselves, when asked, opened their bags and turned out their pockets. She herself, did not think that drugs were being trafficked in the school. Trafficking does go on, but outside the school gates, and it is by no means just the Roma who are involved. **It should be noted that searching children without their parents present and even without them knowing, is prohibited in Russian law.**

II - DISCRIMINATIONS IN ACCESS TO EDUCATION

II – 1) Problems of access to school and discrimination in schooling facilities

Sometimes fear of racist attacks prevents Roma children from attending school.

In October 2004, Roma pupils at a school in Nizhniye Osel'ki, in the Leningradskaya oblast', were being threatened by older Russian class-mates. An argument quickly developed into a fight and the Russian children suggested meeting the Roma children for a fight, which, in reality, would turn into a massacre given their superior strength and height. The school administration and the police did not attach great significance to this incident, but the Roma pupils and their parents were frightened by it and stopped going to school. It was six weeks before they returned to school. Whether or not this fear was justified is not known, but this episode is characteristic of the atmosphere of fear and the feeling of constant danger and defencelessness felt by Roma children.

Many Roma children do not go to school at all and very many remain illiterate their whole lives. Parents often put this lack of willingness to educate their children down to fear of aggression from their class-mates or being treated badly by their teachers. In the town of Volkhov, a teacher in school no. 3 told a Roma Ruslan Vasil'ev to "go home to your *tabor*" – *tabor* is the name for a Roma camp or a place where Roma live in a commune. The boy stopped going to school and did not even receive a secondary education.

The extreme poverty of many of the Roma families, their lack of money for clothes, footwear, school equipment and transport, are all obstacles to receiving education. In the town of Segezha in Karelia, all 8 children from one large family were uneducated as their parents had no money to send them to school. One of the boys spent the summer berry-picking to make money to buy himself shoes to go to school.

The example of the school in the village of Nizhniye Osel'ki is particularly revealing. There are more than 100 Roma children in this school. They live in a separate Roma settlement 3

kilometres away. They have to travel by bus whilst all the other children live nearer the school and do not need to be transported. The bus fare is 8 roubles per day. Many of the Roma in the village have large families and are very poor. **The state child benefit paid to needy families (with an income of less than 3,000 roubles per month per adult) is 90 roubles per month (paid only to those who have a *propiska* (residence permit) and this does not apply to all Roma families) and they cannot even pay for transport with this money.** It goes without saying that what is needed is a school bus so that the Roma children can get to school without having to pay, just like the other children who do not need to go by bus. But this problem has yet to be resolved despite the numerous complaints and petitions. As a result, the children from the poorest families in this village often miss school.

But for the Roma children who do manage to get to school and who try to learn alongside the Russian children, conditions are far from equal.

Despite there being about a hundred Roma pupils in this school and fewer than seventy Russians, only 3 teachers are assigned to the Roma children, whilst 21 take care of the Russians. Most Roma children go to primary school. Just last year, one class (the fifth class) was created for Roma children in secondary school. There were 15 boys who went to it but by the end of the year there were only 6. The remaining Roma children do not go to secondary school and so receive just a primary education.

The primary school for the Roma children is separate from the general school. In a light, warm and relatively spacious building with working toilets and hot and cold water, the smaller number of Russian pupils are taught. The other building, which is about 10 minutes walk from the main building, is where the Roma children are taught. There are only two classrooms and access to the second classroom can only be gained by the first classroom as the rooms are adjoining. When someone is speaking in one classroom, it can all be heard in the other which is very distracting. **Often it is so cold that both teachers and pupils have to work in their coats and hats. This building is a low, bleak, single-storied hut.**

There is no respect to be gained from working with Roma pupils and their teachers complain that even their neighbours in the village who know that these women teach the Roma children, treat them worse than the other teachers. All primary school teachers dream of being transferred to a school with Russian children so the Roma children are taught only by those who have no choice, e.g. pensioners, new teachers etc.

As for the Roma children who do manage to overcome the difficulties and get into secondary school, once there they are treated as outcasts. All the Roma pupils are put into a separate class no matter how few of them there are. They are not offered the choice of specialist subjects in other classes and all their lessons are taught in their "Roma" class.

In addition, when there is a festival (*prazdnik*) at the school, the "Russian school" children celebrate in their own, main building, whilst the children from the junior Roma classes celebrate in their little building. On festival days, however, it turns out that the fifth form (secondary school) Roma pupils are sent to the junior school to celebrate with the little ones, and are not allowed to take part in the general celebration with the pupils of their secondary school. According to information we received from the teachers of the Roma classes, the administration of the school are wanting to transfer all the Roma classes (including the secondary pupils), from September 2005, to the building of a primary school where already there is not enough space and the children go to school in two shifts.

In May 2005, *Memorial Saint Petersburg* asked the Regional Department for Primary Education (RONO) of the region to look into the situation and not allow this to happen. **This**

blatant racist discrimination is largely connected with the reaction of Russian parents to the Roma. They often think the Roma are dirty, dangerous and harmful. The headmaster of the school and the teachers are also unwilling to integrate the Roma and Russian children – the many offers from volunteers and *Memorial Saint Petersburg* representatives to conduct integrated lessons, hold sporting events, put on a show or organize an excursion, are always met with opposition from the head of the school.

The different levels of personal hygiene of Russian and Roma children must be seen as a factor in this rejection of the Roma. Roma children from this village in general wash less frequently and there have even been infestations of lice. This is also linked with the actual segregation of and discrimination against the Roma in this region. **A few years ago, they were banned from visiting the public baths (even if they paid) and in the village where the Roma live they have no access to clean water** but their families are forced to buy water from the Russians and carry it in buckets several kilometres to their homes.

II –2) Discrimination in access to secondary education and higher education

Another problem connected with education must be the practice of diagnosing Roma children as being mentally defective in various ways (backwardness, arrested mental development) and placing them in special classes. A great many Roma children are taught in these classes which greatly impedes their learning and closes the door to their higher education. (see the joint FIDH-*Memorial Saint Petersburg* Report, November 2004). When these children are diagnosed, no account is taken of the fact that in the Russian schools the Roma children are taught in what is for them a strange language, which can lead to learning difficulties and other problems of understanding in a foreign language but which are not caused by pathological backwardness. The Russian Federation in allowing this is ignoring the recommendations of the European Convention on the Rights of Minorities which advise that children be taught at least at first in their native language and that the additional costs be financed. **The project by M. Seslavinskaya and G. Tsvetkov to publish school text books and dictionaries in the Roma language was rejected a few years ago by the Ministry of Education.**

Often there is a lack of understanding of the Roma's willingness to teach their children except in a few special cases. One example is the school in the town of **Chudovo** in the Novgorodskaya oblast' which was built by the Roma community with its own resources. Today there are 80 children who cannot go to the general school due to adaptation problems. **Although the local education committee has helped and has undertaken to pay the wages of two teachers working in the school, all the expenses regarding the upkeep of the building itself primarily fall on the Roma community.** Meanwhile, the patronage of wealthy Roma individuals must not be abused but funds must be found urgently as all this may stop and the Roma children once again will grow up illiterate (considering the traditional life-style of the Roma *Kotlyari* group).

The teachers and head teachers of the schools where, in theory the Roma children are taught, but in practice they almost never go to school, often say to the *Memorial Saint Petersburg* representatives, "Why teach the Roma? Their grandmothers were never taught, and they don't need to be taught." And this same opinion can be found in the press. And Roma parents can be heard saying the same, "Why go to school? Learn from life!". But, it goes without saying, it is **the administration of the school which must take responsibility for the children's attendance and take steps if the children are absent. There is a growing impression that it**

is convenient for many people that the Roma children have stopped going to school. There is almost no control over attendance and the police inspector for juveniles (minors) in the Volzhski region of the Lenoblast' was very surprised when asked by the *Memorial Saint Petersburg* representatives why measures were not being taken against the Roma families who did not send their children to school. **“Are you suggesting we fine them the same as we fine Russian parents in these circumstances?”** This means that it is a crime not to educate Russian children, but Roma children are an incomprehensible exception.

III – PROBLEMS OF FAMILY ENVIRONMENT AND NO-RESPECT OF BEST INTERESTS OF THE CHILD

III-1) Deprivation of family environment

The issue of education gets complicated with Roma children at **boarding schools**. Formerly, Roma parents often used to send their children to boarding schools while they worked as herdsmen etc on the land. Recently, the schools were stopped from taking in children who were not orphans. Now, if a child has at least one parent who is not deprived of his/her parental rights, then the boarding schools do not have the right to keep that child. The teachers themselves in these schools feel sorry for the children for whom the boarding schools were the only chance of receiving an education.

Khariton Simon went to a boarding school in Pechori in the Pskovskaya oblast', when he was 12 years old. Conditions at home prevented him from studying and he went and asked at the boarding school himself. He was accepted and the boy worked day and night to catch up with his class-mates. He has now finished school successfully. But in order for him to have this chance, the teachers had to conceal the fact that he was not a proper orphan – his mother was still alive. **The only way to do this legally would have been to deprive his mother of her maternal rights thus equating Khariton with an orphan.** This choice is traumatic for both children and parents. In many boarding schools and children's homes they willingly do this. **To deprive parents of their rights, it is enough to prove that they did not write to their children, telephone them or send them presents.** Sometimes parents are unaware they have been deprived of their rights as the court decides in their absence after trying to contact the parents by sending a letter to some often fictitious address and getting no answer. Considering that the Roma parents are often illiterate (they cannot write letters), extremely poor (they cannot send parcels) and often have problems finding accommodation (they do not have a permanent address), these criteria are unworkable.

One of our informants, A., lost her three sons in this way (see also the joint *FIDH-Memorial Saint Petersburg* Report, November 2004). They were put into different children's homes when she became homeless after her house burned down. She became seriously ill and spent a year in hospital being treated for tuberculosis. Her case was conducted *in absentia*, and when she started looking for her children, she was told that all of them “had been put into international adoption” at different times and to different people. The workers in the children's homes may have been guided by their view of the best interests of the children, as they often feel that being brought up within a wealthy foreign family leads to the greatest happiness... Nonetheless, the child's family has been destroyed with no sufficient cause.

In May 2005, *Memorial Saint Petersburg* was contacted by Anzhela Ivanova, a Romani

woman. She had been arrested in a town where she did not live, in the market where, it appears, she had been a fortune-teller, and had been sentenced to two years in prison for fraud. **While she was in prison, one of her daughters (Rubina) was put in a children's home in St Petersburg where they had no friends or relations.** Anzhela left prison and started looking for her daughter. **The children's home told her that her daughter had been adopted. "We did not know how to find you" they said.** Anzhela refused to resign herself to losing her child. "My daughter was 8 years old. She knew her address. Why didn't they write to me or tell my parents! They had no right, and I shall not leave here until I find my child!" Anzhela has been living for over a year in a home-made tent on the outskirts of the city and she and her two year old son beg for charity on the city streets. For the rest of the time Anzhela visits the authorities in the hope of finding her daughter. She does not want to go to Kaluga – her home – without her daughter. She cannot find her and her living conditions in St Petersburg are harming her second child, deprived as he is of the most essential conditions – accommodation, warmth and medicines.

III-2) Violation of the rights of the child in family relationships (Violence, indifference towards education, exploitation)

In many cases, Roma children suffer not only from racism and discrimination, but also family relationships. **Violence occurs in a great many Roma families. Tradition allows violence by men (husbands) against women (wives). Children, in these cases, are witnesses to their mother being beaten by their father and they suffer from this both emotionally and psychologically. The father often beats the children too.**

In 2005, Vera B., who works for *Memorial Saint Petersburg*, was brutally beaten on several occasions by her husband who had just come out of prison. When she met her fellow workers her teeth had been knocked out and her whole face was covered in bruises. He did not beat the children as hard or as systematically, but they also became victims of his violence especially when they tried to stand up for their mother. Graf, who is eleven, became depressed and needed psychiatric help. His younger brother and sister (Kolye, 5 and Angelinye, 6) became panic stricken, fearing the window through which their father crawled to get to them (Vera had locked the door). They would start sobbing just at the sight of a window. Vera realised that they all needed to find a shelter where her husband could not find them. As it happens there are almost no such places in St Petersburg. The one and only organisation "Women in danger" could not find room for the children, only the mother. The children had to be put into an orphanage and Vera herself was accommodated in a hostel. In this case the outcome was not a success since, after the stress they had suffered, they needed to stay together.

Another *Memorial Saint Petersburg* worker (A.S.) also suffered a tragedy because of domestic violence. Her second husband beat her in front of her older son, his stepson. The boy was 9 or 10 years old and could not watch his step-father beating his pregnant mother literally till she lost consciousness. From 10 years of age, Egor began running away from home and went missing for months on end, somehow finding money for himself. When his mother reported him to the police, they tried to calm her saying, "Why look for him? Lots of children run away now". As a result, Egor ended up in a criminal circles. By the time he was 18 he had three convictions and is presently under investigation charged with bank robbery and the murders of 6 people. The likely sentence will be life imprisonment.

Corporal punishment of children is accepted in Roma households. M.V. Marshinnikova, the head of a St Petersburg school, where several generations of Roma children have studied, told us, “We never run to the parents for help now. If something is not right, we resolve the problem ourselves. I once called the father of a little girl to talk about her bad behaviour. The next day I asked her if her father had spoken to her? Yes, said the little girl, and, lifting her blouse, showed me her back all covered in red scars from a whipping. Since then we have not called on any parents”.

The indifference of Roma parents towards their children’s education must also be recognised as a problem. Not realising that illiteracy condemns their children to an inferior existence in today’s world, the parents seldom help them to receive their education. Many remain illiterate their whole lives. They have no profession and live in poverty. Another reason for this lack of consideration for learning must be using children as wage earners or for house work. **Very often girls are taken from school when younger children are born into the family, so that the mother can work and the daughter stays at home with the baby.**

Some Roma groups readily send their children out begging for money on the streets, singing and playing and sometimes even stealing. Almost all these “street” children suffer at the hands of racists or the police. Often these victims, if they are caught thieving, do not need to be treated in accordance with the law, and the prisoner is beaten. Pickpockets, including Roma children are often beaten, especially those who have come from Ukraine, many of whom become beggars or thieves on the streets. On several occasions women and children who have been beaten up this way, end up in intensive care.

The traditional attitude towards marriage also at time violates the rights of children. Children are married off at a very early age – in some communities (for example *Kotlyari*) at 12 to 14 years old. They are not given the choice. Their parents marry off their children without even letting them know whom they are to marry. A ransom is paid for daughters which leads parents to give them away to the highest bidder. Once they are married, the children seldom want to become parents immediately but their families often demand that they do not use contraceptives. Many girls from such families become grandmothers by the age of 30. Early motherhood predetermines the future lives of these daughters – early and unwanted children, much work about the house, lack of education, lack of development and no job.

IV - ACCESS TO HEALTH

On 6 March 2005, the 5 month old grand-daughter of Timofei Milordovich Mikhail (Roma name Biba) and Elza Mikhail was received in the children’s ward of the hospital in Toksovo (together with her mother, the daughter-in-law of Mr and Mrs Mikhail). The little girl had a high temperature which Mr and Mrs Mikhail said was german measles. According to them, there was no medical insurance for the child. They were put into ward no. 1 which was small and therefore warm, after paying a bribe of 150 roubles at the desk. The official cost was 450 roubles. On the morning of 7 March 2005, the grandparents came to visit their daughter-in-law and grand-daughter when they found the superintendent of the children’s ward, Elena Borisovna, and the hospital orderly, Lena, who was washing the floor. Both hospital employees started shouting at the Roma couple, “What do you mean by coming in here and spreading your filth”, because they were both wearing boots. The superintendent wanted to transfer the child and daughter-in-law to

ward no. 8 which was considerably bigger than ward no. 1 but cold. In addition, according to the Roma, this ward was in a poor state.

Both hospital employees said, “this is the gypsy ward” and the superintendent, who seemed surprised that they had not been put “in their own ward”, reprimanded the nurse who had received them the night before. The absurdity of the situation can be summed up by the fact that there was only one other patient in the hospital. Timofei Mikhail asked, “Do you mean that there is an ethnic policy in the hospital?” to which the superintendent replied that she refused to treat the child. Mikhail then asked for a written refusal which was denied him. The conversation became heated. The orderly ran to fetch the guard who pushed Elza and hit her with his baton. She said “I’ve just had an operation” – Elza has breast cancer and had undergone an operation and 6 courses of chemotherapy. Mikhail tried to protect his wife as they fought with the guard for about 10 minutes. At the time of his interview with the *Memorial Saint Petersburg* representatives, Mikhail had a bruise under his left eye. The guard then sprayed gas from a container at Mikhail and Elza, who was holding the baby in her arms, and at the doctor. The Roma family took the child and left the hospital. **With regard to access to medical assistance in general, Mikhail said, “We are a state within a state. We are not thought of as people”....**