



COMMENTS AND REMARKS ON THE WRITTEN REPLIES OF THE RUSSIAN FEDERATION

I. On Sexual Abuse and Mistreatment

As mentioned in BICE's alternative report, the repressive character of the measures adopted to fight sexual abuse and mistreatment against children has been confirmed by the answer of Russian Federation to the question 7 (*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*). However, no mention of prevention activities has been done in this answer.

In addition, the description of support service for children victims of abuse demonstrates the lack of adapted structures in most of the Russian regions. Existing structures lack of means and methods for individualised support and rehabilitation. Professionals remain under-trained.

Conditions of child hearing and judicial process in general are challenging for children and tend to traumatise and penalise the victims.

The answer to question 11 (*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*) underlines the fact that the Russian Federation is at the very beginning of the fight against child abuse. Most of the activities and projects are still at the stage of elaboration and do not include any practical application procedures.

To overcome the inadequacies described above, and to provide optimal protection and assistance to children at risk and victims of sexual abuse and/ or mistreatment, BICE recommends:

- ⇒ To create different programs of child abuse prevention at schools and other educations institutions. Such programs should be adapted to children age and be participative and inventive in order to be efficient. In addition, such programs should be easy to change and adjust from year to year and from school to school.
- ⇒ Positive methods of education should be promoted and explained. Corporal punishment should be permanently prohibited.
- ⇒ All victims of sexual abuse and mistreatment should have an access to quality support and recovery assistance in all regions. This assistance should be provided by

specially trained professionals. Multi-agency approach should be developed to avoid all supplementary stress for victims.

- ⇒ Child friendly hearing practices and judicial process in general should be developed and implemented. Number of interviews should be minimised, hearings should be held in child friendly spaces by specially trained professionals.
- ⇒ The good implementation of the laws, decrees, government programs and recommendations on child abuse issue should be closely followed. A transparency of means of implementation should be guaranteed. Civil society could play an important role in government projects implementation as the closest actors to beneficiaries.

II. On Disability

Answer on the question 13 (Please provide information on the process and timeline for adoption of the Draft Law on the Foundation 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) confirms the persistence in the Russian Federation of large scale institutionalisation for children with disabilities. No mention of deinstitutionalisation process and transition to the family type care system for disabled children has been made. Very few activities of child abandonment prevention are done. Cases of institutionalisation after inadequate medical consultation remain too frequent.

Very little support for families of disabled children is provided. Because of lack of adequate structures, at least one parent of disabled child has to remain at home. As written in the Russian Federation answer, the compensation to caregiver is 5500 roubles or 122 euros, such amount condemn automatically families of disabled children to live under the poverty level.

Even if BICE's partners in Russia confirm the development of special funds for rehabilitation programs, the means remain insufficient. Rehabilitation work is done by limited in time sessions (only one or two months per year); staff is underpaid and under-trained. No comprehensive rehabilitation programs are financed.

Important inequality in social services for disabled children remains in some regions.

BICE welcomes the Russian government initiative on inclusive education. It is still too soon to evaluate its results, as the programme is still in its infancy. Meanwhile, BICE wishes to

communicate some of our partners' important concerns. First of all, the point mentioned in the Russian answer at question 14 (*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*) service of tutor is not operational. Currently, the role of tutor is completed by the child's parent.

The "inclusive environment" programme only concerns children with motor disabilities; no arrangements have been done or even planned for children with mental disabilities.

The inequality between regions is once again very persistent.

The staff capacities to receive disabled children in their classes are very limited. Very little training has been already done. And it is confirmed in the Russian Federation answer. Only 2300 professionals have been trained for last two years. The question we can raise is how Russia is planning to train 24 000 specialists before 2015?

To overcome the inadequacies described above, as well as to provide optimal protection and assistance to children with disabilities and their families or caregivers, BICE recommends:

- ⇒ Transition from the large scale institutionalisation system to a family type care system should be launched as fast as possible. Large scale institutions are not appropriate for the best development of children with disabilities.
- ⇒ Early prevention of abandonment programmes should be generalised to all the Russian regions. Families should have an access to individualised consultations and complete information about available social services and support.
- ⇒ Social services for families of disabled children should be developed and upgraded, as it is the main solution to guarantee to disabled children the possibility to remain in their own families.
- ⇒ Rehabilitation centres for disabled children should be opened in all regions. Rehabilitation programmes should be available on long-term.
- ⇒ More precise projects of the implementation of inclusive education strategy should be elaborated in cooperation with civil society's organisations and foreign relevant specialists.
- ⇒ The role of tutor and its recruitment conditions should be specified.
- ⇒ The "Inclusive Environment" programme should include the needs of children with mental disabilities.
- ⇒ Training of educational staff should become a priority, as cases of inadequate work methods and teachers helpless to cope with new situations have been identified.

III. On Juvenile Justice

The answer to the question 9 (*Please clarify the Government's position on the "anti-juvenile" campaign with the Russian Orthodox Church*) does not give any precisions about the position

of the Russian government on this issue. No project of public discussions or debates has been made. The issue of juvenile justice remains deeply divisive in the Russian society, while child protection system and justice for juveniles in conflict with the law require important changes and modernisation.

As underlined in the answer to question 19 (*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 establishing juvenile courts*), very few steps were taken to standardise and institutionalise juvenile justice system.

Educational and reintegration measures are very poorly developed (usually by non-government's sector initiatives) and are used mostly in the end of the sentence.

Generally, the rights of young offenders are too often violated before and during the process, and also during the sentence serving.

To overcome the inadequacies described above, as well as provide optimal protection and assistance to children in need of protection and in conflict with law, BICE recommends:

- ⇒ Constructive open public debates on juvenile justice should be established in Russian society with equal opportunities for different movements to explain their arguments.
- ⇒ Juvenile justice system should be standardised and institutionalised in all Russian regions.
- ⇒ Programs of rehabilitation and reintegration for children in conflict with law should be developed and implemented in all relevant structures.
- ⇒ The control of the respect of the rights of the child in closed educational structures and prisons for juvenile offenders should be instituted on systematic basis.

IV. Expression of concern about Russian Federation's policy towards civil society's organisations

BICE deeply regrets the absence of any mentions regarding the Russian current policy towards civil society's organisations. We strongly believe that no efficient social reform could be done without consultation and cooperation between government and non-government sectors.

Current restrictions have different negative impacts on implementation of social projects related to children rights, and particularly to the issues of child abuse, disability and juvenile justice. According to the experience of BICE's partners, administrative inspections became too frequent, the cooperation with international experts is difficult and funds are lacking because of the "foreign agents" law.

All this has direct negative consequences on beneficiaries who are suffering because of political conjuncture.

To overcome the inadequacies described above, as well as provide optimal opportunities for non-governmental sector to fulfil its mission, BICE recommends:

- ⇒ Russian government should remove the law “On non-commercial organisations performing the function of foreign agent”.
- ⇒ Constructive and constant dialogue and cooperation should be established between governmental and non-governmental sectors.
- ⇒ System of national grants should be developed in order to encourage best civic initiatives.