



T-ES(2016)RFG-RUS

## **LANZAROTE CONVENTION**

Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

### **FOCUSED QUESTIONNAIRE**

**Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse**

### **RUSSIAN FEDERATION**

**(Replies sent by the State)**

Replies registered by the Secretariat on 24 October 2016

### DATA (Lanzarote Convention, Chapter III)

- 1) How many migrant and asylum-seeking children (accompanied and unaccompanied)<sup>1</sup> are in your country as a result of the refugee crisis?

It is necessary to mention that currently Russia is not involved in European refugee crisis taking into consideration the political, economic, and geopolitical factors. Such problems have not affected Russia.

- a) Please provide estimates, if exact data is not available, for the period between 1 July 2015 and 30 June 2016,<sup>2</sup> and specify how many of these children are victims or presumed victims of sexual exploitation and sexual abuse;

In this regard in 2015 the number of migrant children applied for refugee status on the territory of the Russian Federation amounted to 231 children, 186 children got the positive decision.

During the first half of 2016 year the number of positive decisions concerning the recognition migrant children as refugees amounted to 105. These are not significant figures, allowing the public and law enforcement agencies to establish a rigorous and careful monitoring of each refugee child, a temporary shelter was provided to 67177 children.

Almost all children entered Russia with their parents or other relatives. No complaints have been received from either the children or other persons so far.

- b) Describe how the victims of sexual exploitation and sexual abuse were identified or describe the challenges faced to identify them. Specify whether a distinction is made between victims of sexual exploitation/abuse prior to the entry on your territory (Group 1) and after entry (Group 2) and provide data/estimates of the two groups of victims. Please also explain how the age is determined in case of doubt;

These categories of children are identified as victims on basis of their personal testimony, medical examination, witnesses` evidence, and operation investigations.

According to current international standards, the government has no legal right to interfere in the private lives of citizens of other states. Respectively, the consideration of possible victims of sexual violence takes place after their entry onto the territory of the Russian Federation.

Accordingly, statistical data is processed with regard to only the above group of persons (Group 2).

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<sup>1</sup> Please provide the definition of accompanied/unaccompanied children in your country and, if available, provide separate figures for accompanied and unaccompanied children. If such data is not available, please provide data on migrant and asylum-seeking children.

<sup>2</sup> If figures for this period are not available, please provide the most recent annual data.

Refugees as potential underage victims of sexual violence enjoy all the rights provided for such situations by the legislation of the Russian Federation.

The age of victims is identified on basis of their current documents, medical records, the evidence of the parents and accompanying persons, official databases.

- c) Indicate also how the data collected is used to offer a coordinated response between the different agencies in charge of the protection from, the prevention of and the fight against sexual exploitation and sexual abuse of children;

This data is collected and used to counteract sexual violence against refugee children and their protection (the Russian Interior Ministry divisions), to provide for medical care to this group of people (divisions of the Ministry of Health) and to do preventive work (territorial government divisions)

- d) Identify the institution(s) responsible for the collection of above data.

A united system of data has been created using IT resources of the Department for Field Operation and Investigation Information of the Interior Ministry of Russia (only for official use in criminal investigations) with the aim of enhancing activities to collect and generalize the information on persons who have committed crimes of sexual character concerning minors, as well as to obtain information and analytical material on children affected by the actions of pedophiles.

Given the urgency of the matter the Department for Struggle against Pedophilia is in operation as part of the Department for Disclosure of Crimes against Sexual Inviolability and Sexual Freedom of Person of the Interior Ministry General Administration of Criminal Investigation.

In order to improve the efficiency of ministerial control the special statistical reporting form has been renewed to produce the results of field operation and investigative activities regarding minors.

### **PREVENTION (Lanzarote Convention, Chapter II)**

- 2) What are the specific measures taken to prevent that children affected by the refugee crisis fall victims of sexual exploitation and sexual abuse?
  - a) Highlight in particular the measures (e.g. awareness raising material, specialised training, screening of professionals, etc.) which have proven to be effective;
  - b) Underline any lessons learnt from specific challenges (e.g. in raising awareness on sexual violence amidst other urgent priorities, etc.) that had to be faced to improve prevention.

A guide on the procedure of interaction of employees of law enforcement bodies of the Russian Federation to prevent child neglect and juvenile delinquency has been developed.

To identify challenging issues, in accordance with the Plan of basic administrative actions for 2016 the RF Interior Ministry holds regional meetings, seminars with the heads of the juvenile units, the temporary detention centers for juvenile offenders, the Criminal

Investigation departments, duty units of territorial bodies of the Russian Interior Ministry.

There is active collaboration of internal affairs bodies with volunteer organizations. In this connection. On 8-9 February 2016 All-Russia Conference "Social volunteering in Russia: prospects for development, the experience of the regions" was held in which the tasks to engage volunteer organizations in the search for missing children were specified. Information on the volunteer detachments, cooperating with the police to search for missing children is available on the official website of the Ministry of Internal Affairs of Russia.

#### **PROTECTION (Lanzarote Convention, Chapter IV)**

- 3) Has a coordinated child protection approach been put in place to cater for the specific needs of migrant and asylum-seeking children victims of sexual exploitation and/or sexual abuse?
  - a) Describe the measures taken to address the situation and cater for the children's specific needs (multiple traumas, language/cultural differences, etc.), including with respect to guardianship/placement;
  - b) Indicate also what measures have been taken to protect the children concerned from further exploitation/abuse and to assist the victims in seeking redress (please highlight any differences between Groups 1 and 2 of children as outlined above);
  - c) Underline any lessons learnt from specific challenges (in reporting suspicion of sexual exploitation and abuse, in tailoring assistance to the victims, etc.) that had to be faced to improve protection.

In Russia, the provisions of the Convention (chapter IV) are implemented with sufficient completeness in the RF Law of 19.02.1993 № 4528-1 "On Refugees". So, Art.3, Sec. 5, provides that the recognition of refugee status of a person under the age of 18 and of a person who arrived in the Russian Federation unaccompanied by parents or guardians, or the definition of the above person's particular legal status on the territory of the Russian Federation shall be based on the interests of this person after receiving information about his/her parents or guardian.

In accordance with par. 2 of Art. 4 the information about those who, being under the age of 18, arrived as members of the family, is included in one of the parents' application for refugee status, and in case of parents' absence such information is included in the application form of one of the adult family members who voluntarily assumes responsibility for the minor's behavior and responsibility for his/her upbringing and maintenance. A minor who arrives in the territory of the Russian Federation without parents or other legal representatives, a certificate of his/her refugee status recognition is issued.

The protection of children from violence is governed by the Criminal Code, the Law on the protection of refugees (1997) or internally displaced persons (1995).

According to this law, for example, every displaced person has the right to choose a place of residence in the Russian Federation. The person may agree to the proposal by

the territorial body of the migration service. In addition, there is the opportunity to live with relatives or close friends, if they agree, and the actions themselves do not contradict the current legislation.

In addition, such persons are referred for placement in a temporary center if they cannot or do not want to choose where to live. The state shall provide all necessary support not only for baggage allowance, but in general when traveling to the person's chosen destination.

Refugees are provided with the necessary medical aid and medicines.

They are entitled to receive employment assistance or to be offered vocational training, assistance in placement of their children in state or municipal pre-school and educational institutions, vocational schools, as well as their transfer into educational institutions of secondary and higher vocational education

### **Benefits for persons who have refugee status.**

Firstly, if necessary, the State provides an interpreter who accompanies a person in the migration service bodies and prepare the documentation. Secondly, the refugee who has received a residence permit in the camp, should not worry about his/her luggage and travel. With the assistance of regional administration, this procedure is performed free of charge. Normally, the bus goes round destinations. This status gives the right to receive pensions and social payments to certain categories of citizens.

In addition, the Russian government encourages those who seek to find a job and support their families on their own. Public authorities in the face of labor exchanges conduct vocational training for refugees on equal basis as it is done for Russian citizens.

Displaced people can rely on free meals in temporary accommodation and medical care centers while getting compulsory insurance certificate.

The Ministry of Education of the Russian Federation, as a co-executor of the Federal target program "Children of refugees and internally displaced families", carries a large amount of work on social protection of migrant children.

Families in extreme need are provided with targeted financial assistance. In educational institutions of eight regions, enrolling children who have arrived from zones of war or ethnic conflicts without parents, the centers of psychological, pedagogical, medical and social assistance to children are equipped with therapeutic and physical training equipment, sports uniform, copying and computer equipment for full-scale system rehabilitation.

To train children with insufficient knowledge of the Russian language, sets of language training materials (the textbook "Learning the Russian language" and guidelines to it) were published and distributed in 10 RF regions.

The rehabilitation centers of Moscow, Kaspiysk, Dagestan, Moscow and Tver regions were used for testing and implementation of guidelines for the rehabilitation of child victims of the international (military) conflicts.

The problems of adaptation of migrant children to the Russian secondary education are considered, as well. The Ministry of Education issued a series of regulations aimed at protecting these vulnerable children:

First, it is possible to mention the Order number 409 from 24.10.94 "On the federal migration program", which :

1. Stipulates the inclusion in the agreement between the Russian Ministry of Education and the RF entities of the provisions on the protection of the rights of migrant children, orphaned children from migrant families and the creation of conditions to meet their educational needs;
2. Regulates the measures to place children orphans from refugee and IDP families at children's homes;
3. Stipulates the development of adaptation and training programs;

Second, it is possible to refer to Model Regulations on educational institution for orphans and children left without parental care (approved by the RF Government Decree of 01.07.95 number 676) and Model Regulations on preschool educational institution (approved by the RF Government Decree of 01.07.95 number 677).

The above documents provide for the priority admission of children from families of refugees and internally displaced persons to these educational institutions.

The Ministry of Education sent a letter to the regional departments of education (05/07/99) - "Recommendations on the organization of education for children from families of refugees and internally displaced persons at educational institutions of the Russian Federation." It declares the mandatory training at educational institutions of all citizens who live on the territory and have the right to receive education of appropriate level and defines the mechanism of the above provision implementation. Recommendations provide support for work with children with insufficient knowledge of the Russian language, for social and psychological adaptation of students to a new culture, traditions and customs, values, new social relationship, as well as lay down guidance for the final certification of the 9th and 11th grades schoolchildren. In particular, the mandatory final exam on the Russian language in the 9th grade for the above categories of children does not include grammar tasks and includes tasks that are similar for pupils of schools with native non-Russian language of instruction. In the 11th grade the final examination of such children in the Russian language includes composition. For migrant children the topics assigned for schools with a native non-Russian language of instruction can be used. Migrant children may obtain a certificate of basic general education in the form of external studies.

**COOPERATION** (Lanzarote Convention, Chapter IX)

- 4) Provide examples of successful cooperation with other Parties to the Lanzarote Convention for the purpose of:
  - a) Preventing and combating sexual exploitation and sexual abuse of children affected by the refugee crisis;
  - b) Protecting and providing assistance to victims;
  - c) Investigations or proceedings concerning the offences established in accordance with the Lanzarote Convention.

**ANY OTHER ADDITIONAL INFORMATION**

- 5) Please provide any other additional information which may be useful to identify areas for targeted cooperation aimed at ensuring that children affected by the refugee crisis are effectively protected from sexual exploitation and sexual abuse and in guaranteeing their human dignity and physical and psychological integrity.