

NGO Group for the Convention on the Rights of the Child
**Database of NGO Reports presented to the UN Committee on
the Rights of the Child.**

Document Title:

**Children Abandoned to the Russian State: Cruelty and Neglect in
Russian Orphanages**

Region:

Former Soviet Union, Europe, Asia, Central Asia

Country:

Russian Federation

Issued by:

Human Rights Watch Children's Rights Division

Date of publication of NGO Report:

10/98

Date of presentation to presessional working group:

CRC Session

(at which related national state party report was submitted):

21st Session : May - June 99

Language:

English

Document Text

[Link to related state party report at UNHCHR initial report \(UN document date 1992\) English](#)

[Link to related state party report at UNHCHR - Periodic Report \(UN document date 1998\)](#)

[English](#)

[Link to related state party report at UNHCHR - Periodic Report \(UN document date 1998\)](#)

[French](#)

[Link to related state party report at UNHCHR - Periodic Report \(UN document date 1998\)](#)

[Spanish](#)

HUMAN RIGHTS WATCH CHILDREN'S RIGHTS DIVISION
350 Fifth Avenue, 34th floor, New York, New York 10118 USA

RUSSIA

Children Abandoned to the Russian State: Cruelty and Neglect in Russian Orphanages

A Report Prepared for the United Nations Committee on the Rights of the Child

By Human Rights Watch:

Children's Rights Division and Europe and Central Asia Divisions

October 30, 1998

* * *

"It took me a while to realize when I went to the baby houses that they only show you all the healthy ones. Then there are the rooms where the others are just lying there. They're all dying, lying on their backs, staring at the ceiling, generally fed on their backs. I've seen them putting the bottle of boiling hot food into children's mouths. It must be burning, but they're too hungry and just swallow it."

A long-time orphanage volunteer, February 23, 1998

"They're called children with no prospects, not trainable, not treatable. A colleague called these psychoneurological internaty "death camps." The situation there is terrible."

Russian psychiatrist, February 12, 1998

I. Introduction and Summary

It is seven years since the declining Soviet Union released the last of its most renowned political dissidents, and closed a chapter of notorious human rights abuse in psychiatric hospitals and GULAG prisons. Yet today, in another archipelago of grim state institutions, the authorities of the Russian Federation are violating the fundamental rights of tens of thousands of innocent citizens: children abandoned to state orphanages.

Based on a 1998 investigation into the rights of abandoned children in Russian state institutions, Human Rights Watch has found that from the moment the state assumes their care, orphans in Russia-of whom 95 percent still have a living parent-are exposed to shocking levels of cruelty and neglect. Infants classified as disabled are segregated into "lying-down" rooms, where they are changed and fed but are bereft of stimulation and lacking in rudimentary medical care.

By the time they have spent their formative years in a state-run baby house, all Russian children suffer a certain degree of developmental retardation due to the lack of one-to-one attention, sensory stimulation, and further emotional and educational engagement.

Those who have severe disabilities face another grave and consequential violation of their rights around the age of four, when they are deemed "ineducable," and warehoused for life in closed psychoneurological internaty (boarding institutions). In addition to receiving little to no education in such internaty, these orphans may be restrained in cloth sacks, tethered by a limb to furniture, denied stimulation, and sometimes left to lie half-naked in their own filth.

Bedridden children aged five to seventeen are confined to understaffed lying-down rooms as in the baby houses, and in some cases are neglected to the point of death. Those who grow to adulthood are then interned in another "total institution," where they are permanently denied opportunities to know and enjoy their civil and political rights.

Fragmentary statistics on the mortality rates in the institutions under the Ministry of Labor and Social Development indicate that these orphans are at significant risk of premature death. One leading child welfare advocate in Moscow told Human Rights Watch that estimates from government figures indicate the death rate in these internaty is twice the rate in the general population.

UNICEF researchers found high death rates in these psychoneurological internaty across most of the former Soviet bloc. A 1996 national statistic from Ukraine cited by UNICEF indicated that "approximately thirty percent of all severely disabled children in special homes-a staggering figure-die before they reach eighteen."

While UNICEF acknowledges that many of these children are at increased risk from their underlying conditions, it attributes part of the high mortality figures to crowding, poor hygiene, and low standards of care.

The "normal" abandoned children--those whom the state evaluates as intellectually capable of functioning on a higher level---are subjected to cruel, inhuman and degrading treatment by institution staff. They may be beaten, locked in freezing rooms for days at a time, abused physically and sexually. They may be humiliated, insulted and degraded, and provided inadequate education and training.

Staff members may also instigate or condone brutality by older orphans against younger and weaker ones, incidents such as beatings and humiliation. Some children describe treatment as outrageous as being thrown out a window while nailed in a small wooden chest. When orphans finally leave their institutions, they suffer its damaging effects and the second-class status as orphans for the rest of their lives.

It is ironic and deplorable that the very state that is charged with the care and nurture of these vulnerable children condemns them to a life of deprivation and cruelty. Moreover, far too many children are consigned to Russian institutions in the first place. Of a total of more than 600,000 children classified as being "without parental care," as many as half reside in institutions, while the rest are placed with a variety of guardians. Thousands more are temporarily quartered in various public shelters and institutions under police jurisdiction simply waiting for an available space in an orphanage.

Humane alternatives to institutions exist and should be used, such as sending children with moderate disabilities home with their parents at birth; providing help for families to cope with their children's disabilities; and providing foster care for children who cannot return to their families. As Russian experts told Human Rights Watch in its December 1998 report, *Abandoned to the State: Cruelty and Neglect in Russian Orphanages*, these alternatives do not require additional resources, but rather a reallocation of existing funds now devoted almost exclusively to expensive institutional care.

Abandoned Children as an Underclass

Human Rights Watch has found that from the moment Russian children are left in state institutions, they become victims of long-held prejudices that all abandoned children are in some way "defective." One source of this discriminatory assumption is the tradition that infants born with severe congenital defects have been abandoned in local maternity wards under pressure and warnings from the medical staff that the family will ostracized for raising a disabled child.

The result is that all abandoned children are tainted by this prejudice and bear the blame for their parents' past. Once abandoned, they are consigned to the discriminatory status of "orphan," and often further labeled in their medical charts with physical and psychological "risk factors" owing to their background, which commonly become labels of illness for an abandoned Russian child. Such "risk factors" include being born to alcoholic parents and, a mother's health during pregnancy.

International human rights law forbids discrimination on a variety of grounds, including "birth or other status." The Russian system violates this principle as well as the fundamental tenets of the International Covenant on Economic, Social and Cultural Rights, by branding children of lower socioeconomic origins and children with genetic abnormalities as a class apart.

It does so by attributing to them a propensity for social deviance stemming from their background, and by imposing upon them a life-long stigma and formal restrictions on participation in society. Abandoned children who are diagnosed as "oligophrenic

," or mentally retarded, carry that label in their official dossier from institution to institution. They have virtually no channels through which to seek a reassessment or reversal of this diagnosis.

Human Rights Watch concludes that the Russian state fails to provide sufficient protection and opportunities to thousands of children who are abandoned to the state at a rate of 113,000 a year for the past two years, up dramatically from 67,286 in 1992. The evidence gathered reveals several systematic disadvantages imposed on young Russian orphans, which violate their fundamental rights to survival and development, and place them in an underclass. A diagnosis of severe oligophrenia for orphans means a greater likelihood of premature death in an institution that is little more than a warehouse.

Failure to Comply With the U.N. Convention on the Rights of the Child and Other International Treaties.

Although the Russian government has ratified the Convention on the Rights of the Child, the evidence gathered and presented in this report shows that Russian policies toward abandoned children violate as many as twenty of the convention's first forty-one articles, which comprise a sweeping array of basic rights. More significantly, our evidence reinforces the concerns recorded in 1993 by the Committee on the Rights of the Child, in its letter replying to the Russian Federation's first periodic implementation report.

The Committee featured as a "principal subject of concern," the "practice of the institutionalization in boarding schools of children who are deprived of a family environment, particularly in cases of abandonment or where children are orphaned."

Another "principal subject of concern" highlighted by the U.N. Committee was the dire situation of disabled children. Human Rights Watch has learned that severely disabled babies are routinely abandoned at the state-run maternity wards, under pressure from medical personnel who warn the recuperating mothers of a life as social pariahs if they keep a "defective" child.

Finally, the violence against orphans by institution staff and older children, gives heightened cause to the Committee's concern about the "occurrence of maltreatment and cruelty towards children in and outside the family." Now, more than ever, the facts substantiate the committee's 1993 suggestion that "procedures and mechanisms be developed to deal with complaints by children of the maltreatment or of cruelty towards them."

At least twenty articles of the CRC are relevant to the protection of Russian orphans, beginning with the paramount importance placed upon the "best interests of the child," and the child's right to survival and development.

Articles 7 and 9.

In contravention of the CRC, which protects the child's right to a family, Russian medical personnel urge parents of disabled newborns to abandon their babies. Article 7.1 of the CRC upholds the child's right "to know and be cared for by his or her parents," and Article 9.1 stipulates that a child "shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child."

Numerous accounts told to Human Rights Watch during our mission to Russia indicate little evidence that such cases of pressure exerted on parents to abandon their disabled children is done by "competent authorities...in accordance with applicable law and procedures." The rationale to the parents is that they will become social pariahs if they raise a disabled child at home.

Article 19.

When children are deprived of their families, the state must take all measures to protect the child from violence and abuse. But shocking examples of inhuman and degrading treatment and punishment are all too common features of Russian orphanages, both for children with severe disabilities, and as well for those diagnosed as "educable." In the latter case, Human Rights

Watch discovered elaborate patterns of dehumanizing discipline in the dyetskiye doma of the Education Ministry, in which the orphanage directors and staff strove to humiliate children in front of their peers, and at times encouraged their peers to take part in the demeaning punishment.

Moreover, the common practice of interning older children in psychiatric hospitals for rule-breaking behavior such as running away from the orphanage is a perversion of medical ethics and an alarming throwback to the gross misconduct of the Soviet psychiatric profession. Children returning from two weeks to several months in the psychiatric hospital report the use of heavy tranquilizers, and appear disoriented and confused to their peers.

Articles 20 and 21.

States shall provide special protection and assistance for children, including alternatives such as foster care, domestic and inter-country adoption. In all cases, the CRC stipulates that "the best interests of the child shall be the paramount consideration".

Article 24.1

The rights of children to attain mental and physical health are also of central importance in the CRC, which stipulates that states will "strive to ensure that no child is deprived of his or her right of access to such health care services".

Article 23.

Speaking to the particularly debased conditions of Russian orphans in psycho-neurological internaty, this article states that special attention is given to children with disabilities:

States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

(Article 23.1)

This article, moreover, details the rights of disabled children to "education, training, ...preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development....".

(Art 23.3)

Contrary to the precepts set forth in Article 23 of the CRC, specifically concerning children with mental and physical disabilities, Russian orphans with severe disabilities are denied virtually every right to medical care, education, and individual development.

Such orphans are officially classified as "ineducable," and are excluded from opportunities to learn to read, write, and in some cases, to walk. In addition, abandoned babies and children of sound mind, but with physical disabilities, are routinely confined to areas in state institutions known as "lying-down rooms." They are passed over for corrective surgery of conditions such as cleft palate as a result of the compound stigma of being abandoned and being diagnosed as "oligophrenic" (mentally retarded).

During a visit to the lying-down room of one psychoneurological internat, Human Rights Watch noticed a beaming blond, five-year-old boy walking on the callused sides of his club feet. We asked the sanitarka who was playing with him what his diagnosis was. "Oligophrenia," she replied. But when we asked specifically about his feet, she replied, "Well, it's the same... imbetsilnost

."

In addition to the appalling violation of the rights of orphans with severe congenital disabilities,

critics of the state's diagnostic procedure also expressed their concerns time and again to Human Rights Watch that too many children were, in fact, wrongly diagnosed. Even the staff at two institutions told Human Rights Watch that they believed that ten percent of the children transferred to them as imbeciles and idiots, actually had the ability to enjoy productive lives.

Article 25.

Additionally relevant to the Russian children who are diagnosed as "oligophrenic" at four years of age is the right stipulated in the CRC to have their treatment reviewed. Article 25 states that a child who has been placed in state custody for the purposes of care, protection or treatment of his or her physical or mental health, is entitled to a "periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement."

Articles 28 and 29.

Other key provisions of the CRC that are relevant to Russian orphans are set forth in Articles 28 and 29, which guarantee education as an essential right. This is flagrantly violated by the Russian Ministry of Labor and Social Development, which operates internatsy for the "ineducable." All children are protected by Article 28 (2) which says that states parties shall ensure that "school discipline is administered in a manner consistent with the child's human dignity..."

Article 37.

The abuse of discipline is of crucial importance to Russian orphans, who are submitted to corporal punishment, restraints, isolation, barren and freezing cold rooms, and elaborate orchestrations of humiliation and cruelty throughout their lives in state institutions. Article 37 of the CRC sets forth the right of children to be free from cruel and degrading treatment or punishment.

Article 39.

The therapeutic needs of children in difficult circumstances are guaranteed in Article 39 of the CRC, which calls for the promotion of "physical and psychological recovery and social reintegration following neglect, exploitation or abuse...or any other form of cruel, inhuman or degrading treatment or punishment." This recovery is expected to take place "in an environment which fosters the health, self-respect and dignity of the child." Far from being institutions for the care, protection and treatment of abandoned children, Russian orphanages and internatsy often generate their own abuse and neglect.

The most severe discrimination faced by Russian orphans is suffered by children interned in psychoneurological internatsy for children with disabilities who are aged five to seventeen years. Those consigned to lying-down rooms suffer further deterioration from neglect. And "agitated" orphans are confined to barren day-rooms where they are tethered, restrained, and given powerful sedatives without medical supervision.

Article 27.

A child's right to an adequate standard of living is addressed by the CRC in Article 27, which specifies the right of a child to a standard of living adequate for the child's physical, mental, spiritual and moral and social development. But more relevant to the argument that Russian funds should be re-allocated to keep orphans with their families who are urged by medical staff to abandon them, Article 27 (3) stipulates that "[s]tates parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing."

Article 13.1

Access to information is an acute problem for orphans in confinement and is guaranteed in Article 13 (1) of the CRC. Few children bring formal complaints of physical and psychological violence by institution staff and older children, in part because they are uninformed of their rights and because they have no access to independent sources of legal advice. Given that the perpetrator is often the director or a staff member, the children also have little faith that the system would deliver justice. Those who do file complaints fear the real risk of retribution from the staff either directly, or indirectly through the favored children.

Article 17.

This article further guarantees children access to information and material from a diversity of national and international sources, especially those aimed at the promotion of their social, spiritual and moral well-being and physical and mental health.

Article 16.1

Article 16 (1) of the CRC ensures protection of a child's privacy, and prohibits attacks on his or her honor and reputation. This article is particularly relevant to the children under the care of the Ministry of Education, who told us of frequent heckling, public mockery, and anti-homosexual jeering by staff and directors.

Article 31.

This article entitles children to enjoy rest and leisure, a notion sharply at odds with confinement in closed institutions such as psychoneurological internaty.

II. Background: An Archipelago of Closed Institutions

Russian institutions are bursting with abandoned children, who now contain more than 600,000 children who are defined by the state as being "without parental care." During each of the last two years, more than 113,000 children have been abandoned, reflecting a breathtaking rise from 67,286 in 1992. Another 30,000 are reported to run away from troubled homes each year, clogging the urban railway stations and metros, sometimes ending up in shelters and orphanages.

Since the collapse of Soviet rule in 1991, these children have become the jetsam in Russia's stormy economic transition. Their families are often poor, jobless, ill, and in trouble with the law; this burgeoning class of abandoned children has come to be called "social orphans"- indicating that ninety-five percent of them have a living parent.

Official statistics on abandoned children abound, and the figures gathered from various official sources often do not correspond. The institutions that care for children span three government ministries, and the categories listed in statistical tables either overlap or are so vaguely defined as to make a fine breakdown of numbers extremely difficult.

According to compilations published by UNICEF in 1997, some 611, 034 Russian children are "without parental care." Of these, 337,527 are housed in baby houses, children's homes, and homes for disabled children. Of the disabled children, at least 30,000 are committed to locked psychoneurological internaty for "ineducable" children, run by the Ministry of Labor and Social Development.

The remaining number, according to government tables, are placed in alternative custody, including group homes and other guardianship perhaps with members of a child's extended

family. Although some tables list foster care as one of the alternative forms of custody, an international child development specialist told Human Rights Watch that there only several hundred children living in family-sized settings, and the standard "foster care" involves larger groups. Human Rights Watch commends the few pilot programs in foster care that have begun in Russia and urges speedy development of further projects that provide humane alternatives to large institutions.

Orphans in Russia are herded through a maze of state structures operated by three government ministries, which compete for limited state funds and overlap in their mandates for certain categories of orphans and children with disabilities. The Ministry of Health is charged with the care of abandoned infants from birth to roughly four years of age, and houses them in 252 baby houses which are called "dom rebyonka," housing from 18-20,000 children.

All abandoned infants spend their first four years in a baby house, and are then distributed to institutions under the control of either the Ministry of Education or the Ministry of Labor and Social Development. The larger group consists of children deemed to have no disabilities, and the second group contains children diagnosed as lightly disabled, and officially termed "debil."

The most common institution for the "educable" children is called a dyetskii dom (children's home), which generally houses boys and girls. They generally attend regular Russian public schools for the compulsory nine years, where they can earn a secondary school diploma, or they can leave school at the age of fifteen. Abandoned children may also live in school-internaty, where they receive their education inside the institution where they live. Following secondary school, these children in the care of the Ministry of Education may receive two to three years of further training in a trade, which they pursue at another boarding institution under the Pedagogical Technical Directorate (PTU). While studying skills such as carpentry, electricity, masonry, and stuffed-animal making, among others, the children are housed in dormitories staffed by the Ministry of Education.

At the age of five, the second group of orphans under the Education Ministry's purview-the debily-is channeled to spetsinternaty (or "auxiliary internaty"), where they reside while taking a significantly abbreviated course of education totaling six years, far short of a high school diploma. They are also offered vocational training, but their program and residence are generally segregated from the non-debil orphans.

Under Russian law, the state must provide all orphans leaving the care of the Education Ministry with an initial stipend, housing and employment. But the economic crisis since the introduction of market reforms and privatization of apartments makes this increasingly difficult. Indeed, the prospect of life in the outside world is a source of great worry to the orphans and child welfare experts alike.

The Ministry of Labor and Social Development takes charge of orphans who are diagnosed by a board of state medical and educational reviewers as having heavy physical and mental disabilities at the age of four. Officially labeled "imbetsil" or "idiot," they are committed to closed institutions which often resemble Dickensian asylums of the nineteenth century. There they remain until the age of eighteen. Those who survive to that age are transferred to adult psychoneurological asylums, for the duration of their lives.

Soviet-era policies and practices persist in Russian institutions. Renowned for its centralized control, the sprawling system of institutions for abandoned children was inspired by the Soviet philosophy favoring collective organization over individual care, and the ideal that the state could replace the family. Regimentation and discipline were integral to this philosophy, and restricted access to the institutions apparently permitted the director and staff to operate with impunity.

Orphan care varies broadly across Russia, making it very difficult to draw conclusions about

cities, regions, or even classes of institutions. It is a hybrid of the former centralized system and low-grade anarchy, which also applies to the uneven enforcement of laws and standards protecting children introduced by the Russian Federation since 1991. This is complicated by the process of decentralization generally unfolding in the government ministries that oversee the institutional care and the diagnosis of children.

The quality of care depends significantly on the institutional director's personal commitment to children's welfare worked to the favor or to the detriment of the orphans. Human Rights Watch learned of compassionate, energetic directors with imagination and pluck who sought out child welfare information from the West, and took the initiative to improve their institutions by raising money locally and training their staff.

Among the positive consequences of the transitional period of the 1990s has been the initial access to institutions by charities and professionals, bringing assistance and information. The most marked improvement in the physical conditions is seen in the baby houses, which have received substantial assistance from international adoption agencies.

But one of the negative effects of this low-grade anarchy is that while abuses in the institutions may be exposed, children's rights advocates report that many more go unreported and there is an absence of accountability between about in every respect, from the circumstances leading to the abandonment of an infant, to the education, health central and local jurisdictions.

III. Recommendations

The only way to bring a halt the cycle of discrimination, violence and impunity that endangers abandoned children in Russia is through a joint campaign by the international community, Russian authorities, and independent nongovernmental experts in children's rights and development to abolish all prejudicial practices and investigate reports of wrongdoing.

Human Rights Watch recommends that the Committee on the Rights of the Child:

Strongly urge the Russian government to begin the process of gradually closing the psychoneurological internaty in favor of alternative models such as family sized foster care and adoption; Investigate conditions in the institutions for Russian orphans run by the Ministries of Health, Labor and Education. This investigation should concentrate on egregious violations of the CRC, including the extreme deprivation of orphans labeled oligophrenic as infants; the denial of corrective surgery to orphans labeled oligophrenic; and cases of misdiagnosis at the age of four which have resulted in the denial of education to tens of thousands of orphans; Investigate conditions in Russian institutions, including those run by the Education Ministry for children from five to seventeen years old. Various forms of inhuman and degrading treatment and punishment should be investigated, including excessive use of isolation, restraints, sedatives, and psychiatric hospital stays for children who attempt to run away from the orphanage. For older children, place high priority on investigating patterns of punishment-by-proxy: physical and psychological abuse committed by directors and staff through the instigation of favored children against other ones; Assist the government to develop its campaign to dispel widespread prejudice and ignorance about abandoned children and children with disabilities; and Assist the government to develop an information campaign to inform children in state orphanages about the few emergency "hot lines" available for children in some Russian regions.

Urge the Russian government to:

- Reduce the numbers in institutions and to stop medical personnel from pressing parents to institutionalize newborns with severe disabilities;
- Develop and implement a plan for the gradual deinstitutionalization of abandoned children and children with disabilities, and reallocate resources now used for institutional care to develop alternative humane, non-discriminatory alternatives;
- Provide assistance to families in caring for disabled children - for example, home

helpers, day training and education programs;

- Make utmost efforts to locate other relatives who are willing and capable of assuring care for children when it is not in the best interests of the children to remain with his or her parents, and provide such relatives with assistance where necessary;
- Provide and supervise foster care for children who cannot remain with their families; and
- Make utmost efforts to seek out appropriate opportunities for adoption when it is in the best interests of the child. Human Rights Watch takes no position on the Russian debate over the advisability of foreign adoption, but urges that in seeking alternatives to institutional life, the best interests of the child always be paramount, and that foreign adoption should not be ruled out as an alternative preferable to institutionalization.
- Ensure that all abandoned and orphaned children, whether disabled or otherwise, receive full respect for their human rights and protection against discrimination;
- Immediately stop applying the diagnosis of oligophrenia (mentally retarded) to newborns or young children until they can be observed and examined adequately over a period of time;
- Commence investigation, with the participation of independent medical, educational, and mental health experts, into the process of evaluation at the age of four, which channels abandoned children almost irreversibly into educable and ineducable worlds. This investigation should aim to reform the evaluation procedure in order to take into consideration the extremely limited experience of institutionalized children;
- Appoint an independent "observer group" including experts in pediatrics, child development, and neuropsychology among others, to take part in the official evaluations conducted by the state Medical-Pedagogical Commission, and vested with the power to challenge diagnoses determined by the commission;
- Establish a mechanism for all orphans to exercise their right to appeal the discriminatory diagnosis of oligophrenic, and to expunge it from their records, if need be. In conjunction with this action, quickly establish a department staffed with medical, educational, mental health and social work experts to process appeals from older children with completed educations;
- For children too young or otherwise unable to file their own appeals for re-assessment of their diagnoses, enlist independent Russian child welfare experts and attorneys versed in children's advocacy, to assist or represent the child in making the appeal; Immediately lift any formal restrictions against appealing the diagnosis of oligophrenic;
- Immediately cease to inscribe orphans' official identification documents, including passports, with "dyetskii dom" (children's home), and list only the street address as place of residence;
- Immediately take steps to end the gross neglect, and the physical and psychological abuse by staff working in the custodial institutions of the three ministries involved: Health, Education and Labor and Social Development;
- Immediately undertake a public education effort at the federal, regional and local levels, to dispel the deep-rooted prejudice against children who have disabilities and children who are abandoned by their parents. This campaign should enlist experts and popular personages throughout the Russian Federation, as well as abandoned children, those with disabilities, their relatives and advocacy groups for such children. Making use of all possible media and school curricula, the campaign must have as its goal to debunk the myth that abandoned children automatically inherit physical and mental abnormalities and behavioral patterns such as criminality. It should also raise awareness as to the rights and potential of disabled children;
- Consistent with the 1993 recommendations of the UN Committee on the Rights of the Child, immediately undertake a parallel in-service training program for staff of state orphanages to dispel these same prejudices and emphasize the rights of disabled persons. Such training should also inform orphanage staff of the significant advances made in the education and treatment of children with bona fide disabilities. Many staff are plainly unaware of the clinical profile and developmental potential of children with Down syndrome, cerebral palsy and other conditions; and
- In conjunction with public education in the institutions, initiate a program in the psychoneurological internaty to introduce reading to all children. In addition, furnish them

with sorely needed children's books and primers, as well as writing paper, crayons and pencils.

- Immediately issue a directive to all ministries and orphanage directors that corporal and psychological punishment of children is strictly prohibited. To end the system of impunity in the institutions, the directive must state that alleged violators will be subjected to investigation. If necessary, they will be disciplined, dismissed or submitted to criminal prosecution;
- In conjunction with the above, commence systematic investigations of conditions in selected baby houses; psychoneurological internaty; orphanages run by the Ministry of Education; dormitories for orphans fifteen to seventeen years of age who are attending technical training institutes;
- Immediately furnish children in state institutions with information about their basic rights, including their right to file grievances confidentially. This information should be conveyed through social workers and members of independent NGOs, and should include guarantees for their protection against retribution in the event that the alleged violator is convicted;
- Immediately establish an effective channel through which orphans may make confidential complaints to an independent outside authority about violence and misconduct committed, or instigated, by the institutional director, staff or other children;
- Immediately appoint an independent, standing commission of experts from the fields of pediatrics, neurology, psychology, and early childhood education, vested with full authority to conduct unannounced visits to institutions and to order official sanctions for violations; and
- In the meantime, expert consultants should be enlisted by each ministry to review and revise the standards of institutional care in accordance with the tenets of international and Russian law. Each of the Russian ministries responsible for children's custodial institutions-Health, Education and especially the Ministry of Labor and Social Development-should make its current standards for institutional conditions and treatment public and transparent.
- Ensure, in adherence to Russia's national legislation and international law, that all abandoned children in state custody be provided with necessary medical care. A survey should be undertaken immediately to identify children awaiting surgery to correct cleft palates, heart defects and other problems that threaten a child's survival. These children should be provided with the prescribed services as soon as possible; and
- All staff at baby houses, children's homes and psychoneurological internaty should undertake a course of formal training. The course must impress upon all employees that the protection of the children's well-being is of utmost importance and that babies require visual, auditory and tactile stimulation at from the earliest moment possible;
- Develop, with the cooperation of the U.N. Children's Fund (UNICEF) and the World Health Organization (WHO), new training programs for child-care workers which will incorporate the experience and research findings from various countries. These should demonstrate the critical importance of individual attention and sensory stimulation for infants from their earliest days, in order to enable normal intellectual development;
- Encourage existing independent efforts to provide foster care in families, and pursue a policy for the gradual deinstitutionalization of orphans. But given the alarming rates of widely reported domestic violence in Russia, and the potential for misappropriation of large-scale subsidies, the Russian authorities must proceed with extreme care to develop strict screening and monitoring criteria before launching a national program of foster care and domestic adoption;
- Undertake a comparative analysis of the costs of institutional care versus subsidized home care for families who abandon children for reasons of economic hardship. The authorities must make the maximum effort to discourage poor families from leaving their children in state care, which some experts calculate to be at least twice as expensive as subsidizing the child's care at home;
- Undertake a similar analysis of the relative cost of institutional care and subsidized home care for children with congenital conditions such as Down syndrome, cerebral palsy, and other disabilities. The Health Ministry in particular must immediately cease to advise families to abandon their children in the maternity ward, and instead enable them

to raise them at home with the help of re-allocated state funds;

- In the meantime, ensure that adequate salaries are offered to orphanage staff, who should be recruited carefully for their professional competence, integrity, and respect for children's dignity; and
- All institutions for abandoned or disabled children should be required to provide access to their financial records, budget, and staffing data to any member of the public upon request. Ministerial budgets for such institutions, including amounts allocated per institution and per child for housing, medical care, food, and clothing should likewise be public records available on demand.

Failure to Live Up to National Commitments

The Russian government and its predecessor, the USSR, have long taken pride in the education and upbringing of their children. Its separate world of giant orphanages reflects the Soviet philosophy of collective action and discipline that guided the institutions erected to house millions of war orphans during the first half of the 20th century.

Officially, the Russian authorities, starting with President Boris Yeltsin, have repeatedly declared the rights of children a high national priority. The Russian Federation was among the first nations to sign and ratify the U.N. Convention on the Rights of the Child in 1990, and passed a raft of legislation and decrees during the 1990s affirming children's rights to education, health, and special protection against the hardships and upheaval wrought by economic reform.

In practice, however, the reaction of the Russian authorities to the critique of their orphanages has been to block access to the institutions; punish or threaten to fire workers if they speak about abuses; and, in some instances, pardon those who are responsible for the wrongdoing.

Senior officials of the three ministries charged with maintaining the orphanages have impeded the efforts of Russian human rights organizations to investigate reports of neglect and malfeasance. Members of such groups and child welfare experts told Human Rights Watch that senior officials flatly rejected their requests to visit the particularly degrading and unhealthy psychoneurological internaty run by the Ministry of Labor and Social Development for orphans diagnosed as imbecily and idiocy

Human Rights Watch calls on the Russian Federation to adopt a policy of transparency throughout its custodial institutions for children, and to reallocate resources now used for institutional care to develop alternative humane, non-discriminatory alternatives.

In the coming months, thousands of Russian children risk being abandoned and homeless at a pace quickened by the recent collapse of the Russian financial system. The solution is not to build new institutions for abandoned children. In the long run, the Russian Federation must plan to close down those institutions gradually and provide practical support to struggling families.

[Home](#)

The NGO Reports Database on Children's Rights includes all existing and public reports submitted to the Committee on the Convention of the Rights of the Child by NGOs and NGO Coalitions. The copyright of the reports are retained by the authors and use thereof must be duly acknowledged.

The database is the property of the Liaison Unit of the NGO Group for the Convention on the Rights of the Child and is managed by that unit. For further information or other enquiries please contact the Liaison Unit at dcj-ngo.group@pingnet.ch.
