



EXECUTIVE SUMMARY

Russian Federation*



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Introduction

Russia is an upper-middle income country of approximately 142 million people, with an estimated gross national income per capita of \$9,900.¹ The Russian economy has grown significantly since the collapse of the Soviet Union; however, the economic crisis of late 2008 produced a number of challenges, including high unemployment.² While significant improvements have been made with regard to alleviating poverty and lowering maternal and child mortality³, Russia continues to struggle with a range of social issues, including children's rights.⁴ Vulnerable children do not receive adequate support from state and social institutions.⁵ There are approximately 120,000 new orphans every year⁶, and between 2002 and 2009 the number of crimes against children more than doubled.⁷ Poverty, power imbalances, and disorganized application of laws and social services contribute to the risk of commercial sexual exploitation of children (CSEC) in Russia.

While there are no reliable estimates of **child prostitution** in Russia, available statistics point to a high prevalence. Past studies have indicated that 20%-25% of those participating in commercial sex in Moscow are underage⁸, and that 20% of children living on the streets in St. Petersburg are involved in prostitution.⁹ Girls from rural towns and young girls with learning difficulties are increasingly targeted for prostitution, and there has been an increase in the number of boys found in the commercial sex sector in recent years.¹⁰

Russia is among the top 10 countries of origin

for trafficked human beings in the world.¹¹ Russia is also a recipient of trafficked persons from former Soviet states, a process facilitated by the openness of borders between these countries. While data on the prevalence of **child trafficking for sexual purposes** is limited, statistics suggest that over 80% of trafficked victims are women and children, 70% of whom are sold abroad into the commercial sex sector.¹² Many of the children who travel abroad are unaware that they are being trafficked for sexual exploitation purposes. Children are also trafficked domestically to big cities, such as Moscow and St. Petersburg.¹³

Russia has been cited as the second largest producing country of **child pornography** in the world.¹⁴ Some children fall victim to child pornography as a means of supporting addictions, while others are lured by offers of food or trips.¹⁵ Russia's massive size and the rapid emergence of new gangs pose great challenges to finding the sources of child pornography.¹⁶ The increase in child abuse images is also reflective of legislation which fails to criminalize the possession of child pornography for personal use¹⁷ and of an increase in the use of the internet.

The **sexual exploitation of children in tourism** is most prevalent in St Petersburg, where 200 to 400 prostitution agencies are in operation.¹⁸ Orphaned children are particularly at-risk of victimization through sex tourism.¹⁹ Russia is also becoming a sending country of child-sex tourists.

National Plan of Action (NPA)

Upon request from the Russian government, Child Rights Ombudsman Pavel Astakhov launched the development of a National Plan of Action (NPA) against CSEC in 2009, which impressively involved child and youth participation.²⁰ More recently, the State Duma began exploring a number of ways to improve the legislation concerning CSEC.²¹ The State Duma has recognized the establishment of a child sex offender registry as fundamental to the prevention of CSEC and is currently working on developing agreements with

foreign countries to facilitate the necessary information exchange. The Duma Committee on Family, Women and Children has also prepared multiple legislative initiatives on child protection, including crimes connected with CSEC. Despite these significant efforts, Russia has not yet adopted a NPA directly addressing CSEC. Russia has committed to creating a NPA on human trafficking that incorporates provisions to counteract CSEC, but this too remains in development.

Coordination and Cooperation

Despite varying degrees of cooperation at each level, there remains a need for a coordinating body to monitor national, regional and international efforts to combat CSEC. Cooperation and coordination at the local and national level is generally strong, with the primary gap being the lack of formal procedures to facilitate cooperation between the state and civil society.²² Local cooperation is successfully achieved by the Commission on Minor's Affairs and Protection of their Rights, which engages a broad range of stakeholders. The establishment of an interagency coordinating committee to address human trafficking by the Ministry of Health and Social Development and the Russian Safe Internet League are examples of coordinated efforts to tackle manifestations of CSEC at a national level, both of which include the involvement of NGOs. However, enhanced cooperation and coordination is required to improve the data collection on issues concerning CSEC in Russia, which is currently deficient.²³

While Russia's international partnerships to address CSEC remain limited, there have been some significant efforts to cooperate at a regional and international level to address child pornography and human trafficking. At the international level, the US and Russia joined forces in 2011 to discuss a cooperative strategy to counteract the rapid spread of child pornography.²⁴ Furthermore, the Russian Hotlines are part of the international network of hotlines, INHOPE. At the regional level, Russia is a member of the Council of Baltic Sea States Expert Group for Cooperation on Children at Risk, which has a strong focus on CSEC manifestations. Russia is also part of the G8 Wanted Child Sex Offender Initiative launched in 2010.²⁵ Regional cooperation against human trafficking has been fostered in recent years through Russia's participation, in conjunction with NGOs, in anti-trafficking initiatives promoted by the Nordic Council of Ministers.²⁶ However, most of these efforts lack attention to the specific needs and vulnerabilities of children.

Initiatives to prevent CSEC and protect Russian children and youth from the dangers of sexual exploitation exist but continue to be predominantly implemented by NGOs, with limited support from the government and local administrations. Government CSEC awareness raising efforts have been minimal, primarily consisting of Internet, TV and radio warnings on the issue of human trafficking, which do not specifically highlight child trafficking.²⁷ NGOs have instead spearheaded the majority of the CSEC awareness raising campaigns in Russia, such as the “Lightning. Children, Beware!” exhibition that was organized by NGO Stellit. Education and training programs have also been predominantly implemented by NGOs, rather than government. NGOs have developed a variety of educational tools and training workshops around CSEC and human trafficking, such as the outreach program run by World Vision that helps vulnerable children in St. Petersburg develop life and vocational skills.²⁸ At the government level, education efforts have primarily focused on human trafficking.²⁹ Unfortunately, there is no official policy mandating child trafficking or CSEC education in school curricula.³⁰

Vulnerability reduction efforts are evident in modifications to legislation, enforcement measures and policies. The signing of a Federal Law *On Protection of Children from Information Harmful to Their Health and Development* is aimed at developing a standardized review unit to screen information and determine appropriate age levels for access to certain information.³¹ In February 2012, the legislation concerning sexual crimes against minors was changed to provide a life sentence for repeat offenders. Measures to prevent unsafe adoptions are also being developed.³³

The private sector is also involved in CSEC prevention efforts. The Accor Russia hotel chain has signed the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism³³, leading mobile operators and IT structures have launched several projects on Internet safety, and the Body Shop, in partnership with ECPAT, ran the STOP Sex Trafficking of Children and Young People Campaign in Russia.

Russia was one of the first states to ratify the *Convention on the Rights of the Child*. Also related to CSEC, Russia has signed the *ILO Convention No. 182* and the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*. However, Russia has not yet signed the *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC)*, nor have they ratified the major European treaties on CSEC issues. At the national level, while Russia has made declarations of children’s rights in their legislation, the implementation and effectiveness of these laws remains incomplete. Steps are required to bring national laws in line with Russia’s international commitments.

In general, Russian law against human trafficking is in-line with the UN Trafficking protocol but implementation of the law appears inconsistent, posing key protection concerns. The Russian *Criminal Code* prohibits both **trafficking for commercial sexual exploitation**

and forced labour.³⁴ The sanction for operating this type of commerce ranges from 3 to 15 years in prison, depending on the qualifying circumstances of the crime. Trafficking of an underage person is considered an aggravated offence.

The Russian *Criminal Code* also prohibits the **prostitution of children**. The provision that qualifies the offence of prostitution if committed to an underage person does not distinguish between girls and boys, and it is applicable to any person under the age of 18.³⁵ However, there is no thorough definition of what acts fall under “prostitution” nor is the issue of remuneration addressed. The involvement of an underage person may be sanctioned with deprivation of liberty up to 8 years. The organization of prostitution or the maintenance or provision of premises for prostitution when used for an underage person carries a maximum of 10 years imprisonment. However, these laws do not meet the OPSC

standards since they do not specifically target clients obtaining a child for prostitution. One positive modification to existing laws is the approval of a proposed law that creates harsher punishments for individuals who commit sexual crimes against children.³⁶ The leniency of Russia's current laws is criticized for rendering the country an attractive place for child sex offenders.³⁷

Child pornography legislation is insufficient, with critical gaps that must be addressed to bring Russia in line with international standards. The mere possession of child pornography does not constitute a crime in Russia. However, the distribution and advertising of child abuse images is criminalized.³⁸ This conduct is further qualified if committed "in relation to a person who has not reached the age of fourteen years"³⁹ or if committed by parents or other persons in certain positions of supervision⁴⁰, both carrying a sentence up to 10 years.⁴¹ However, these laws are missing a clear definition of pornography, and there are no provisions that cover grooming for child pornography. One positive step is the criminalization of posting child pornography on the Internet as of September 2012.⁴²

Russia does have extraterritorial legislation with regard to **child sex tourism**. The Russian *Criminal Code* allows for both active and passive nationality jurisdiction, provided there has been no conviction from a foreign country. Fortunately the provision does not seem to require double criminality to exercise extraterritorial jurisdiction. However, conviction statistics suggest that enforcement is weak.⁴³ A further drawback is the prohibition of extraditing Russian citizens for crimes committed abroad, unless stipulated by international agreements.⁴⁴

While there is no **child protection unit** dealing solely with the sexual exploitation of children in Russia, there are a growing number of specialized units that investigate CSEC related crimes. Most individuals working in these units have received training specific to working on cases involving children; however, child friendly procedures of investigation are not systematically enforced.⁴⁵ Also problematic is the fact that Russia does not have a juvenile justice system, leaving child survivors vulnerable to secondary traumatization.

Russia has evidenced progress in providing victims' assistance and protection; however, there remains a shortage of national specialized programmes and policies to provide **support services to children** who are victims of sexual exploitation. Instead, NGOs have primarily assumed this responsibility.⁴⁵ While free support services are provided to children in difficult situations, they are often insufficient to adequately respond to the children's needs.⁴⁷ Government staff also lacks the training to effectively support CSEC victims, requiring NGOs to step in and provide these specialized services. It does not appear that CSEC victims are receiving adequate support services, especially given the high prevalence of CSEC in Russia.

There is also a need for a structured and uniform programme dedicated to the **training of law enforcement personnel** on CSEC, the identification of potential victims, and appropriate measures for protecting the victim and prosecuting the offender.⁴⁸ While the Angel Coalition has conducted seminars and training sessions for law enforcement personnel around issues of human trafficking⁴⁹, the US Annual Trafficking in Persons Report 2010 described the training for personnel as "sporadic and limited to a small number of police officers, investigators and prosecutors."⁵⁰

Child and Youth Participation

There are many examples of state-funded projects against CSEC, implemented in partnership with NGOs, which involve child and youth participation as a key component. Russian leadership have shown some commitment to promoting youth participation in areas directly and indirectly

linked to the Kremlin, including active youth participation in policy dialogue.⁵¹ These advances towards increased child and youth participation are laudable. However, it remains unclear the degree to which these initiatives will be sustainably incorporated into Russian institutions.

National plan for action

Russia ought to develop and implement, through a multi-stakeholder participatory process, a comprehensive national plan of action to combat all manifestations of CSEC. The plan must be guaranteed sufficient funds and a monitoring body should be created to ensure its full implementation.

Coordination and Cooperation

International governmental cooperation and coordination must be expanded and should encompass collaborations to improve victim identification, investigation, prosecution and conviction of child sex offenders, as well as increased efforts to address CSEC online. Further collaboration between the governmental bodies and civil society organizations is also needed.

Prevention

More CSEC education and awareness programs that target at-risk communities, offenders, the general public and professionals working with children need to be initiated and expanded. Information on the dangers of CSEC should also be incorporated into educational institution curricula and a centralized registry for child sex offenders released from jail should be developed and closely monitored. To assist in these prevention efforts, there needs to be funds allocated to CSEC research and the compilation and assessment of relevant data.

Protection

Russia must ratify the *OPSC*. New laws and modifications to existing laws are also necessary to enhance protection measures. The laws concerning child pornography need to be strengthened, child pornography for personal use must be criminalised and laws specifically

addressing grooming and benefiting should be introduced. Liability must be imposed against legal persons committing CSEC offences and there also needs to be increased enforcement of protection measures for trafficking offences and extraterritorial laws. The age of parental responsibility ought to be increased to 18 years, and training needs to be provided to all the relevant stakeholders to ensure that child-centred and child-friendly approaches to justice are improved.

Support Services

Government funding for support services provided by the state and by NGOs needs to be increased, and such activities should be expanded, while ensuring that the specific needs of victims of CSEC are being met. A child-centred approach should be adopted when interfacing with victims, and training on such methods provided. A nationwide program for the training of law enforcement officials around CSEC issues should also be developed and it must be ensured that child victims of trafficking for sexual exploitation are treated as victims. The creation of a juvenile justice system should also be a priority.

Child Participation

State-funded projects against CSEC that involve child and youth participation should be expanded, including increased efforts to involve children in the development and implementation of laws and policies that have bearing on their well being. Increased funding for NGOs working on relevant aspects of child and youth participation is also important for achieving this goal. Furthermore, it must be ensured that child and youth participation initiatives are actually incorporated into systems and institutions.

Endnotes

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