

# Russia

*The Government of Russia implemented a national fund that provides social welfare assistance to the country's significant population of homeless and orphaned children, many of whom are engaged in unhealthy and unsafe work on the streets. However, the Government has not designated an agency or other body to coordinate national action and policy to combat the worst forms of child labor. Street children continue to engage in illegal and dangerous work, including commercial sexual exploitation and the drug trade.*



## Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable

## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Russia are exploited in the worst forms of child labor.<sup>4172</sup> Many of them beg or work in the informal sector on the streets of major cities.<sup>4173</sup> Older estimates set the number of street children, which may include children who spend daylight hours on the streets as well as homeless children, from 690,000 to as many as 5 million.<sup>4174</sup> In 2010, the Public Chamber's Commission on Social Questions and Demographic Policies estimated that approximately 560,000 children are homeless; many of these children are at risk of labor exploitation. Children working on the street perform potentially dangerous activities including repairing cars, carrying heavy loads, and collecting trash (which may contain toxic or injurious materials). They also engage in illegal activities such as prostitution, pornography, and selling drugs or stolen goods.<sup>4175</sup> Homeless and orphaned children are particularly vulnerable to involvement in criminal activities in the informal economy.<sup>4176</sup> Children from neighboring countries also engage in exploitive work in Russia.<sup>4177</sup>

In rural areas, children primarily work in agriculture.<sup>4178</sup> This work may involve risks to their

safety and health, such as using potentially dangerous machinery and tools, carrying of heavy loads, and applying harmful pesticides.

Commercial sexual exploitation of children, especially in the large cities, remains a concern.<sup>4179</sup> Moscow and St. Petersburg are hubs of child trafficking and child commercial sexual exploitation. Children are trafficked internally to these cities and other regions of the country, and from Moldova, Ukraine, Belarus and Kazakhstan, and forced into begging or prostitution.<sup>4180</sup> Both girls and boys are trafficked for prostitution, child sex tourism, and pornography.<sup>4181</sup>

## Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age of employment at 16, with exceptions for 15-year-olds who have completed general education and children under age 14 working in the performing arts, if such work will not harm their health or moral development.<sup>4182</sup> Children under age 18 are prohibited from engaging in night work, dangerous work, underground work, or work that may be harmful to their health or moral development. This includes carrying heavy loads

and the production, transportation, and sale of toxic substances (including tobacco, alcohol, and drugs).<sup>4183</sup> Russia’s minimum age for both voluntary and compulsory military recruitment is age 18.<sup>4184</sup>

The Constitution prohibits forced labor and the Criminal Code explicitly outlaws the engagement of a known minor in slave labor.<sup>4185</sup> Section 127 of the Criminal Code prohibits the purchase, sale, recruitment, transportation, harboring, and receiving of a person for the purpose of exploitation, with higher penalties imposed when the victim is a known minor. It is punishable under the Criminal Code to involve a minor in a crime.<sup>4186</sup> Involving a minor in prostitution, and creating or circulating pornography depicting a known minor, are also punishable under the Criminal Code.<sup>4187</sup> However, Russian law does not criminalize the possession of child pornography, nor does it provide a definition of the term “child pornography”.<sup>4188</sup> This may hamper enforcement efforts because of a lack of clear guidance regarding what can be prosecuted as child pornography.

During the reporting period, the Government strengthened criminal punishments available for child sexual exploitation and child pornography by lengthening maximum sentences within the legal guidelines.<sup>4189</sup>

### Institutional Mechanisms for Coordination and Enforcement

Research has found no evidence that the Government of Russia has established a coordinating mechanism to combat the worst forms of child labor.

The Federal Labor and Employment Service (FLES) is responsible for enforcing child labor laws.<sup>4190</sup> In 2008, the most recent period for which statistics are available, 10,000 child labor violations were reported by FLES. According to this agency, victims often worked in hazardous conditions for low pay, and were most commonly found in industry, agriculture, and trade.<sup>4191</sup> Fines totaling \$52,000 were paid by employers who violated child labor laws.<sup>4192</sup>

The Ministry of Internal Affairs (MIA) has responsibility for investigating crimes with respect to the worst forms of child labor.<sup>4193</sup> Within MIA, the Criminal Investigation Department investigates severe crimes against children and the Public Security Police Service investigates sex crimes against children, including prostitution and pornography.<sup>4194</sup> The Public Prosecutor is charged with prosecuting violations identified by these two agencies. During the reporting period, a small number of law enforcement personnel were trained on trafficking issues.<sup>4195</sup>

For the first half of 2009, the most recent period for which data is available, the MIA registered 159 crimes involving the production and distribution of pornography. Official data is not available on either child trafficking investigations or the number of prosecutions or convictions for this or other crimes relating to the worst forms of labor.

In 2009, the ILO Committee of Experts examined the Russian Federation’s compliance with the provisions of Convention 182, noting that the Government had repeatedly failed to provide information on the impact of its efforts to prevent child trafficking as required of signatories to the Convention. The ILO has reiterated concerns expressed by the UN Committee on the Rights of the Child over the increasing number of street children in Russia, who are vulnerable to trafficking and labor exploitation.<sup>4196</sup>

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

## Government Policies on the Worst Forms of Child Labor

In 2009, the Russian Government created a new federal office to protect children's rights, the Office of the Children's Ombudsman. Regional ombudsmen had already been established in 23 of Russia's 87 provinces; in 2009 their numbers were increased to 28. Since 2006, regional legislatures have made appointments to their ombudsmen offices, expanding the authority of the offices and giving them parliamentary status.<sup>4197</sup> These offices are charged with publicly advocating for the needs of vulnerable children, and focus on the plight of street children and orphans.

The Government continues to implement a flagship child welfare policy "Children of Russia". Research found no evidence to determine whether this policy impacts the worst forms of child labor.<sup>4198</sup> Because the Government does not collect and analyze national statistics on child labor, current policy and programming may not be sufficiently targeting populations in need, such as rural children engaged in or at risk of hazardous labor in agriculture.

Russia has engaged in multilateral discussions on cross-border trafficking policy. In September 2009, Russia and other members of the Commonwealth of Independent States (CIS) agreed on recommendations to modernize their regional cooperation strategy to combat human trafficking. These recommendations are to be adopted in the CIS 2010-2014 anti-trafficking plan.<sup>4199</sup>

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

In the past, Russia has participated in projects led by international organizations that focused either on assessing the nature of the street child phenomenon and referring such children to social service programs or improving overall quality of and access to primary education.<sup>4200</sup>

The Government has also cooperated with international organization projects to prevent and provide assistance to victims of child trafficking. One such program, an IOM project (funded in 2007 by the European Commission, USDOS and the Government of Switzerland) operated three Information and Consultative Centers and one Rehabilitation Center to prevent trafficking and assist victims. The project also coordinated referrals to law enforcement and relevant federal agencies, and provided training to government personnel. The centers, which served vulnerable youth and other at-risk groups, closed at the end of 2009 when they could not secure financial support from the Government.<sup>4201</sup>

At the local level, the St. Petersburg Government Commission on Issues of Minors and Protection of their Rights manages a working group that meets regularly to address trafficking and child sexual exploitation. During the reporting period, the city expanded the number of facilities that provide shelter and social rehabilitation to homeless children. The St. Petersburg Government Commission also set up a subcommittee on minors in each district.<sup>4202</sup>

In 2009, the Government of Russia continued the Fund for Children's Support, a child welfare program it initiated the previous year, allocating approximately \$21 million (with an additional \$162 million from regional governments, industry, and NGOs). Among other goals, the Fund is intended to support social programs to assist orphans and to provide for the social rehabilitation of disadvantaged children, including homeless children.<sup>4203</sup> The Fund implemented 58 regional programs in 2009.<sup>4204</sup>

**Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Russia:**

**IN THE AREA OF LAWS AND REGULATIONS:**

- Criminalize possession of child pornography.
- Codify a legal definition of child pornography.

**IN THE AREA OF COORDINATION AND ENFORCEMENT:**

- Establish a coordinating mechanism to combat the worst forms of child labor.
- Gather and report timely statistics on the investigation and prosecution of violations of the worst forms of child labor.

**IN THE AREA OF POLICIES:**

- Collect data on the nature and prevalence of child labor to guide the design of policy and programming.
- Assess the impact that the Children of Russia policy may have on addressing the worst forms of child labor.
- Formalize the agreement made with migrant-sending countries in the CIS to adopt a new joint cooperation strategy to combat trafficking in persons.

**IN THE AREA OF PROGRAMS:**

- Build on the groundwork laid by the IOM's consultative and rehabilitation centers by creating a similar mechanism within the federal government to coordinate information and case referrals among relevant agencies and provide assistance to trafficking victims.
- Consult with the Minors Committee of the City of St. Petersburg to identify lessons learned in service provision to trafficked children and facilitate replication of its program in other areas across the country where trafficking is prevalent.

<sup>4172</sup> Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section.

<sup>4173</sup> Interfax News Agency, *Eradication of Child Labor Progresses Significantly - ILO*, May 11, 2006. See also Elena Tjurjukanova and Institute for Urban Economics, *Human Trafficking in the Russian Federation: Inventory and Analysis of the Current Situation and Responses*, UN/IOM Working Group on "Trafficking in Human Beings", Moscow, 2006, 50; available from [http://www.unicef.org/russia/ru\\_human\\_trafficking\\_eng.pdf](http://www.unicef.org/russia/ru_human_trafficking_eng.pdf).

<sup>4174</sup> U.S. Department of State, "Russia," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/eur/119101.htm>. See also U.S. Department of State, "Russia," in *Country Report on Human Rights Practices- 2005*, March 5, 2006; available from <http://www.state.gov/g/drl/rls/hrrpt/2005/61671.htm>.

<sup>4175</sup> Tjurjukanova and Economics, *Human Trafficking in the Russian Federation*, 45. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Russian Federation*, Geneva, November 23, 2005; available from <http://www.unhcr.org/refworld/category,COI,CRC,,RUS,45377eb50,0.html>, U.S. Embassy- Moscow, reporting, January 29, 2010. See also ILO, *Russia: A "vector" of hope for street children in St. Petersburg*, July 27, 2006; available from [http://www.ilo.org/global/About\\_the\\_ILO/Media\\_and\\_public\\_information/Feature\\_stories/lang--en/WCMS\\_071238/index.htm](http://www.ilo.org/global/About_the_ILO/Media_and_public_information/Feature_stories/lang--en/WCMS_071238/index.htm). See also Interfax News Agency, *Eradication of Child Labor Progresses*.

<sup>4176</sup> U.S. Embassy- Moscow, *reporting, January 12, 2009*. See also UN Committee on the Rights of the Child, *UNCRC Concluding Observations: Russian Federation*, 16. See also Elena Tjurjukanova, Maja Rusakova, and Viktoria Sakina, *Analysis of the Situation and Institutions in the Field of Commercial Sexual Exploitation of Children (CSEC) and Counter-CSEC Activities in Russia: Final Report*, Moscow, 2003, 12; available from [www.fondationscelles.org/index.php?option=com\\_docman&task=doc\\_download&gid=787](http://www.fondationscelles.org/index.php?option=com_docman&task=doc_download&gid=787) -

<sup>4177</sup> U.S. Embassy- Moscow, *reporting, January 29, 2010*. See also U.S. Embassy- Moscow, *reporting, January 12, 2009*.

<sup>4178</sup> U.S. Embassy- Moscow, *reporting, January 29, 2010*.

<sup>4179</sup> UN Committee on the Rights of the Child, *UNCRC Concluding Observations: Russian Federation*, 16-17. See also ILO Committee of Experts, *Observation, Worst Forms of Child Labour, No. 182 Russian Federation*, [online] 2007 [cited April 7 2009]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=9598&chapter=6&query=%28C182%29+%40ref+%2B+%28%28Russian+Federation%29%29+%40ref+%2B+%23YEAR%3E2005&highlight=&querytype=bool&context=0>. See also U.S. Embassy- Moscow, *reporting, January 29, 2010*. See also U.S. Department of State, “Russia (Tier 2 Watch List),” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/143188.pdf>.

<sup>4180</sup> Muireann O’ Briain, Anke van den Born, and Theo Noten, *Joint East West Research on Trafficking in Children for Sexual Purposes in Europe: The Sending Countries*, ECPAT Europe Law Enforcement Group, Amsterdam, 2004, 39, 43, 47; available from [http://s3.amazonaws.com/rcpp/assets/attachments/664\\_68\\_EN\\_original.pdf](http://s3.amazonaws.com/rcpp/assets/attachments/664_68_EN_original.pdf). See also U.S. Department of State, “Trafficking in Persons Report- 2010: Russia.” See also Lisa McAdams, “New Program Aims to Fight Child Trafficking in Russia”, May 25, 2005; available from [http://www.politinfo.com/articles/article\\_2005\\_05\\_25\\_1901.html](http://www.politinfo.com/articles/article_2005_05_25_1901.html). See also Tjurjukanova and Economics, *Human Trafficking in the Russian Federation*, 49.

<sup>4181</sup> O’ Briain, van den Born, and Noten, *Trafficking in Children for Sexual Purposes in Europe*, 40-41. See also ECPAT International CSEC Database, *Russia*, accessed March 17, 2010; available from <http://www.ecpat.net>.

<sup>4182</sup> Government of Russia, *Labor Code of the Russian Federation*, 197-FZ, (February 1, 2002), article 63; available from <http://www.ilo.org/dyn/natlex/docs/WBTEXT/60535/65252/E01RUS01.htm>.

<sup>4183</sup> *Ibid.*, article 96, 265.

<sup>4184</sup> Coalition to Stop the Use of Child Soldiers, “Russia,” in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.child-soldiers.org/regions/country?id=177>.

<sup>4185</sup> *Constitution of the Russian Federation*, (December 25, 1993); available from <http://www.legislationline.org/documents/section/constitutions/country/7>. See also *Criminal Code of the Russian Federation*, 63-FZ, (June 13, 1996); available from <http://www.legislationline.org/documents/section/criminal-codes/country/7>.

<sup>4186</sup> *Russian Criminal Code*.

<sup>4187</sup> *Ibid.*

<sup>4188</sup> U.S. Department of State, “Russia,” in *Country Reports on Human Rights Practices- 2009*, Washington, DC, 2010; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136054.htm>.

<sup>4189</sup> U.S. Embassy- Moscow, *reporting, January 29, 2010*.

<sup>4190</sup> *Ibid.*

<sup>4191</sup> *Ibid.*

<sup>4192</sup> *Ibid.*

<sup>4193</sup> *Ibid.* See also U.S. Embassy official, E-mail communication to USDOL official, August 5, 2010.

<sup>4194</sup> U.S. Embassy official, ECPAT International CSEC Database, *Russia*.

<sup>4195</sup> U.S. Embassy- Moscow, *reporting, January 29, 2010*.

<sup>4196</sup> ILO Committee of Experts, *Examination of Individual Case concerning Convention No. 182: Worst Forms of Child Labor, 1999 Russian Federation (ratification: 2003)*, [online] 2009 [cited March 17, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=851&chapter=13&query=%28C182%29+%40ref+%2B+%28Russian+Federation%29+%40ref&highlight=&querytype=bool&context=0>. See also UN Committee on the Rights of the Child, *UNCRC Concluding Observations: Russian Federation*. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour, No. 182 Russian Federation*, [online] 2008 [cited February 11, 2009]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=21903&chapter=9&query=%28C182%29+%40ref+%2B+%28%28Russian+Federation%29%29+%40ref+%2B+%23YEAR%3E2005&highlight=&querytype=bool&context=0>.

<sup>4197</sup> Peter Roudik, *Russian Federation: Children’s Rights: International and National Laws and Practice*, Law Library of Congress, August 2007; available from <http://www.loc.gov/law/help/child-rights/pdfs/childrensrights-russia.pdf>. See also U.S. Embassy- Moscow, *reporting, January 12, 2009*. See also US Embassy official, E-mail communication to USDOL official, April 13, 2009.

<sup>4198</sup> U.S. Embassy official, E-mail communication to USDOL official, May 6, 2010.

<sup>4199</sup> U.S. Embassy- Moscow, *reporting, January 29, 2010*.

<sup>4200</sup> Russian Federation, *Education for All: Russia's National Framework for Action*, Moscow, 2000; available from <http://planipolis.iiep.unesco.org/upload/Russian%20Federation/Russia%20NPA%20EFA.pdf>. See also World Bank, *Projects and Operations: Education Reform Project, Russian Federation*, [online] May 26, 2001 [cited September 12, 2010]; available from <http://web.worldbank.org/external/projects/main?pagePK=64283627&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P050474>. See also ILO-IPEC, *In-Depth Analysis of the Situation of Working Children in Moscow*, Moscow, 2002; available from [http://www.ilo.org/public/libdoc/ilo/2001/101B09\\_394\\_engl.pdf](http://www.ilo.org/public/libdoc/ilo/2001/101B09_394_engl.pdf). See also Maria Gorbachova, *For Homeless Children, Hope and Help to Get Off the Streets*, [online] 2010 [cited September 12, 2010]; available from [http://www.unicef.org/infobycountry/russia\\_41947.html](http://www.unicef.org/infobycountry/russia_41947.html).

<sup>4201</sup> *Prevention of Human Trafficking in the Russian Federation*, [online] 2010 [cited March 15, 2010]; available from [http://www.no2slavery.ru/eng/information\\_centers/](http://www.no2slavery.ru/eng/information_centers/). See also U.S. Department of State, "Russia."

<sup>4202</sup> See also U.S. Embassy official, E-mail communication, May 6, 2010. See also US Embassy official, E-mail communication, April 13, 2009.

<sup>4203</sup> U.S. Embassy- Moscow, *reporting, January 12, 2009*. See also "All-Russian Contest of Children Support Social Projects to Be Held in Russian Regions," *Vladivostok Times* (Vladivostok), February 1, 2009; available from <http://vladivostoktimes.ru/show/?id=34603&p=12>.

<sup>4204</sup> U.S. Embassy- Moscow, *reporting, January 29, 2010*.