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Russia Is Sued Over U.S. Adoptions Ban

By Jonathan Earle

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Four American families affected by a new ban on U.S. adoptions have appealed to the European Court of Human Rights, complaining that the law, which has divided Russians and sparked international criticism, violates Europe's human rights convention.

The ban contradicts Article 8 of the European Convention on Human Rights — the right to respect for private and family life — as well as the convention's prohibitions on torture and discrimination, the families argue in a complaint filed last week, Vedomosti reported Friday.

Children with disabilities can suffer psychological harm, depression and even death if they are separated from perspective adoptive parents with whom they have already bonded, a lawyer for the families told the daily newspaper. All four families are in the final stages of the adoption process.

Under Russian law, only orphans for whom Russian adoptive families cannot be found are put up for international adoption. About 10 percent of Russian orphans adopted by U.S. families in 2011 had disabilities, according to Russian government statistics.

Russia has a poor track record in the Strasbourg court, where it lost 122 cases in 2012, more than any other country, according to statistics released Friday. Russia also finished the year in first place in the number of cases filed against it: 22 percent of those heard by the court.

In another indication that the U.S.-Russian adoption feud had spilled into Europe, the head of the continent's top human rights watchdog said Friday that he was concerned about Russian orphans who would be affected by the law, which went into force on Jan. 1.

Orphans "should have the opportunity to live in a family, to be adopted," said Thorbjorn Jagland, secretary-general of the Council of Europe, which oversees the European Court of Human Rights, adding that he was concerned about children affected by the Russian law, RIA-Novosti reported.

Last week brought renewed government pledges to improve conditions for the nation's estimated 650,000 orphans, about 20 percent of whom live in often overcrowded orphanages.

Health Minister Veronika Skvortsova announced that her ministry was drawing up plans to improve medical care for orphans, Interfax reported Friday, and a group of State Duma deputies from the A Just Russia party introduced a series of bills aimed at supporting children, mothers and domestic adoption. Under one of the bills, low-income families would receive monthly child-care stipends of up to 3,000 rubles ($100).

Senior officials' defense of the adoptions ban has become increasingly strident. Konstantin Dolgov, the Foreign Ministry's top human rights official, used a Thursday op-ed in Nezavisimaya Gazeta to accuse Americans of child abuse on a staggering scale.

"The situation regarding violence against children in the United States is dismal," he wrote in an article later republished on the ministry's website. Among the many disturbing figures that Dolgov cited: 20,000 children are believed to have been killed by their parents in the past 10 years.

Taken together, the statistics "objectively confirm the high risk of using the 'American path' in future adoptions," he wrote.

Earlier, supporters of the bill had concentrated on cases of abuse against adopted Russian orphans rather than criticizing the United States' general record on children's rights.

Americans have adopted about 45,000 Russian orphans since 1999, the earliest year for which the U.S. State Department posts such figures on its website. Last year saw the smallest yearly tally, 748, amid a general downward trend in the number of foreign children adopted by Americans.

Nineteen Russian adoptees have died, and a string of shocking instances of abuse have sparked public outrage and led to a new bilateral U.S.-Russian agreement that kicked in on Nov. 1.

The ban on U.S. adoptions, part of the government's retaliation against a new U.S. law that calls for sanctions against Russians suspected of rights abuses, has evoked strong emotions from some Russians, including tens of thousands who marched against it earlier this month.

But the majority appear not to have firm convictions one way or another, according to the results of a January poll by the independent Levada Center.

Asked if they considered the adoptions ban a correct response to the U.S. Magnitsky Act, 19 percent of respondents said "yes," 28 percent said "probably yes," 22 percent said "probably no," and 9 percent said "no." Also, 22 percent said they weren't sure.

Respondents were more supportive of other retaliatory measures approved by the Russian government, including travel and asset bans on suspected American rights abusers and a prohibition on American citizens funding or participating in "political" nongovernmental groups.

Curiously, about a quarter of respondents supported the American law, while 14 percent said they were angry about it.

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