Metropolitan Hilarion attends the first meeting of the State Duma's Council of Experts

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On February 14, 2012, Metropolitan Hilarion of Volokolamsk, head of the Moscow Patriarchate's department for external church relations, took part in the first meeting of the Russian Federation State Duma's Council of Experts.

The meeting dealt with legal guarantees for the interests of children in the Russian Federation. It was attended by economists, political scientists, sociologists, historians, presidents of universities and public figures.

Opening the session, the State Duma speaker S. Naryshkin outlined the agenda items including the prevention of orphanhood, easier adoption procedure for Russian citizens, constitutional support and assistance to adoptive families. He also stressed that legislative measures alone were not sufficient for changing the situation and that it was necessary to raise people's moral level.

Ms. L. Shvetsova, State Duma Deputy Speaker, cited the statistics as of the beginning of January, 2012. The federal and regional databases on orphan children registered almost 26 thousand disabled children while only 4,8% of them were adopted. She pointed to the fact that only 18% of disabled children were adopted by Russian citizens while the rest 82% by citizens of other countries. She stressed the need for the state to stimulate adoptive parents in Russia. 'We need to change the atmosphere in society', she said.

Mr. P. Astakhov, Presidential Commissioner for Children's Rights, pointed out that 84% of children in orphanages were 'social orphans' with living parents, and almost all the orphans had relatives. This regrettable statistics, he said, is a result of the loss of family values which happened in the country in the beginning of the 90s. He introduced the meeting to a draft strategy 'Russia Without Orphans', which

was placed in the Internet on the same day for public discussion. The aim of the program is to strengthen the social institution of the family, to broaden the governmental support for families with under-age children, extended families and families with disabled children and to ensure the security, rehabilitation and social adaptation of orphan children. It is to be implemented in the period from 2013-2020.

Ms. Ye. Mizulina, chair of the State Duma Committee for the family, women and children, supported the idea to organize a broad public discussion on the Russian Without Orphans program. She cited some facts of ungrounded limitation or deprivation of parents' rights and defiliation, pointing to the need to introduce amendments to the Family Code as some of its articles contain ambiguous wording allowing of unjustifiably broad interpretation. The family legislation, she believes, should promote in the first place the placing of children from troubled families under the guardianship of relatives rather than into orphanages.

Metropolitan Hilarion, in his remarks, introduced the meeting to the basic provisions of the document 'The Russian Orthodox Church's Position on the Reform of the Family Law and Problems of Juvenile Justice'. It was adopted by the Bishops' Council which took place on February 2-5, 2013, in Moscow. 'The Bishops' Council stated its support for the efforts of the state to protect children against criminal offences in situations where parents themselves cannot or do not seek to protect their children', he said.

At the same time, the Church believes that the state has no right to interfere in family life except for the cases in which there is proven evidence of a threat to a child's life, health and moral condition. 'The actions of governmental bodies should be based on clear and unambiguous legal criteria' he stressed.

'I believe it is important that the legal acts and their enforcement with regard to under-age persons as well as those regulating the work of social bodies dealing with under-age children should be improved. The legislation should specially provide for the responsibility of officials for ungrounded defiliation, for the confinement of children and other abuses. It appears inadmissible to collect, electronically process, keep and distribute without authorization any redundant personal information concerning family life', he said.

The Russian Orthodox Church holds that it is completely unacceptable to continue the present practice of the removal of a child from the home under the pretext of ‘inadequate level of wellbeing’. ‘Rather, parents’ lack of sufficient financial means should be a ground for giving the family financial support, not the reason for removal of a child from the home. A shortage of means in a family cannot be seen as a condition for the custody and guardianship bodies to apply measures leading to the actual breakup of a low-income family’, Metropolitan Hilarion said, adding that the national legal acts should contain specific norms regulating the use of the extreme measure, the removal of a child from his or her family, so that any free and often subjective interpretation of the law could be excluded.

In conclusion of his remarks, Metropolitan Hilarion expressed the hope that the basic provisions of the Russian Orthodox Church’s position on the reform of family law and juvenile justice problems will be taken into account by Russian legislators in their further work to ensure the rights and interests of children. He conveyed to Mr. Naryshkin a copy of the document.

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