

Moscow, January 14, 2013

Dear Ms. Landrieu,

In response to your letter of December 21, 2012 to the President of the Russian Federation, signed by some other senators as well, I would like to inform you of the following.

The improvement of children's well-being is a priority element of the national policy of the Russian Federation. Comprehensive systematic measures are being taken in this direction. The Russian legislation is going through necessary enhancement, new types of legal and material guarantees of ensuring children's rights are being elaborated. Specific attention is devoted to orphans, who are considered to be one of the most vulnerable social groups of the population, and to the utmost support of their rights and interests, including in the framework of standards and obligations assumed by Russia under the U.N. Convention on Children's Rights, which Russia joined in 1990. It will not be irrelevant to remind that the U.S. is not a party to this important international document.

Accusations that Russia has violated the above-mentioned Convention by adopting the "Dima Yakovlev Law" are absolutely ungrounded. Its provisions do not include any international legal obligations with regard to inter-country adoption of children. To the contrary, they are aimed at prioritizing national adoption mechanisms.

MS. MARY LANDRIEU
U.S. SENATOR FOR LOUISIANA

Washington, D.C.

The cases of abuse of adopted Russian minors in their American families have occurred on a regular basis lately. In this regard, the openly inactive attitude of competent U.S. agencies towards these issues has provoked a particular indignation and incomprehension in the public opinion, political and parliamentary circles in Russia. We cannot accept outrageous cases of lawlessness, when the murderers of Russian children were released directly in the courtroom or when they got away with probation, while we learnt from the mass media that the U.S. justice can demonstrate due severity in cases of abuse against minor U.S. citizens. Recently, this was the case in Dallas (Texas), where the local resident Elizabeth Escalona was sentenced to 99 years in prison for abusing her own daughter, who had to be taken to the intensive care as the result. At the same time, in cases of Russians children Ivan Skorobogatov, Ilya Kargyntsev, Dmitry Yakovlev, who were tortured to death by their U.S. adoptive parents, the perpetrators have not received just punishment.

As you know, the 2011 Russian-U.S. Agreement Regarding Cooperation in Adoption of Children entered into force on November 1, 2012. We expected that this document would solve numerous problems encountered by Russian children adopted by U.S. citizens and would ensure as much as possible their rights and interests. The Agreement provided for all the necessary mechanisms for this purpose. The only condition required was to use them in a proper and responsible manner. However, in practice we see that the U.S. side is actually sabotaging the provisions of the document. As the most recent example, I would like to mention the case of six-year old Maxim Babaev, who was subject to abuse in his U.S. adoptive family. The Brevard County Court (in Florida) categorically refuses to allow Russian consular representatives to visit Maxim. This contradicts the obligations assumed by the U.S. side under the aforementioned Agreement and the 1964 bilateral Russian-U.S. Consular Convention. This case is not unique. We are regularly facing such situations in the U.S. Our appeals to the U.S. partners have been left without any reaction. As a result, these are our children who suffer.

In this context, I would like to remind that, despite all our repeated requests to the U.S. Department of State, we still have not received permission to visit Ranch for Kids in Montana. This is the institution where U.S. adoptive parents turn in for “safe storage” their adopted children, including from Russia, of whom they got tired. There is also reliable evidence provided, inter alia, by local residents that the children in this dubious institution are kept in unfavorable environment and dire living conditions. In summer 2012, the Russian delegation composed of the Children’s Rights Commissioner for the Russian President and the Russian Foreign Ministry’s Special Representative on Human Rights, Democracy and the Rule of Law got a categorical refusal to visit Ranch for Kids during their visit to the U.S. We are seriously concerned by such situation and urge you, Ms. Landrieu, and those your colleagues who truly care about ensuring children’s interests to assist us in organizing a consular visit to the Ranch for Kids.

The decision taken by the Federal Assembly of the Russian Federation to ban the adoption of Russian children to the U.S. was a difficult but necessary measure provoked by a consistently non-constructive position of the U.S. federal and local authorities.

Russia proceeds from the premise that the rights and interests of Russian children, who have already been adopted in the U.S., will be ensured in a proper manner. We are committed to continue using all the available diplomatic and legal mechanisms for achieving this goal. We count on the constructive approach by U.S. authorities to resolving pending issues with adopted Russian children for the sake of ensuring their best interests. We also call upon the U.S. lawmakers who have expressed concern over the fate of Russian children to provide actual assistance to this matter.

Ambassador-at-Large Konstantin Dolgov

Russian Foreign Ministry’s
Special Representative on Human
Rights, Democracy and the Rule of Law