

Resolution on the
“Draft Recommendation on the rights and legal status
of children and parental responsibilities”
of the Committee of Ministers of the Council of Europe (CJ-FA-GT3 (2010) 2 rev. 5)

Approved at the Public Hearing

On October 8th, 2011

Saint-Petersburg, Russian Federation

We, being the representatives of the civil society and of different non-governmental organizations of the Russian Federation, taking part in the hearing conducted in Saint-Petersburg on October 8th, 2011, addressing the influence of the international political organizations on the condition and welfare of the Russian family, have carefully examined the “Draft Recommendation on the rights and legal status of children and parental responsibilities” of the Committee of Ministers of the Council of Europe (CJ-FA-GT3 (2010) 2 rev. 5) together with the Explanatory Memorandum (CJ-FA (2010) 6 Rev. 6) accompanying it.

Considering the above-mentioned Draft Recommendation in the context of multiple international tendencies, affecting life, status, and welfare of the natural (traditional) family in Russia, we do declare the following:

1. We are strongly convinced, that the natural (traditional) family, inscribed in human nature, and based on the voluntary union of a man and a woman in a lifelong covenant of marriage, intended for the birth and upbringing of children, is “the natural and fundamental group unit of society” (Art. 16 (3) of the Universal Declaration of Human Rights). Its place in the history and in the life of each human society is absolutely unique, and no other form of domestic relationship can be regarded as having equal status and value. Any attempt to provide the equal status to any other form of domestic relationship, particularly to same-sex unions, is socially destructive.

2. We are convinced that the natural family, marriage, and birth and rearing of children are inseparably linked to each other. Artificial separation of the birth and rearing of children from the natural family, family life, and marriage violates the genuine rights of the child and leads to the destruction of any society.

3. We are convinced that children have a natural right to be born into their natural (traditional) family, from a married man and woman, and to live with their parents, that is with their natural mother and father, receiving from them the upbringing and example of life, including that of family life, conforming to human nature.

4. Together with the Constitutional Court of the Russian Federation, we are convinced that “the family, and maternity and childhood, understood in traditional sense, received from the ancestors, are the values, that provide the uninterrupted alternation of generations, and are the necessary condition for the preservation and development of the multinational people of the Russian Federation, and therefore they are in need of the special defense”¹. We believe that this is true for each people of the world.

5. We are seriously concerned about the actions of some international organizations, that, during recent years, acting contrary to the interests of the sovereign peoples and manipulating the notion of “human rights,” have artificially created so-called rights that were previously unknown and did not have any foundation in human nature and in the nature of the society, such as “the right to choose sexual orientation and gender identity”.

6. We are seriously concerned about the activities of some relatively small groups which have designated their own ideals as representative of the whole civil society, while their interests contradict the genuine interests of the sovereign peoples. The natural (traditional) family, the

¹ The Determination of the Constitutional Court of the Russian Federation of 19.01.2010 N 151-O-O

preservation of its rights and privileges, and the defense of traditional family values are in the center of the genuine interests of each people.

7. It causes serious angst that, when trying to attain their destructive aims, these groups seek to use the resources of authoritative international organizations, such as the United Nations and the Council of Europe. Using opaque and far from genuinely democratic procedures, and masking their true designs with the eloquent words, they attempt to induce authoritative international organizations into approving documents that worsen the condition of the natural family in the various states, leading to the family's (and by extension the states') gradual destruction.

8. In particular, we have a great concern over the fact that today, under the pretexts of defending so-called sexual minorities' rights and children's rights under an unreasonably broad interpretation with the support of the UN and the Council of Europe, the traditional culture of family life (which includes rearing children in that context) is being systematically destroyed for many peoples, including the Russian people.

9. We have to regard it as a form of ideological violence, violating the right of our sovereign people to preserve its cultural identity and its traditions of family life and child-rearing.

10. After carefully examining the "Draft Recommendation on the rights and legal status of children and parental responsibilities" of the Committee of Ministers of the Council of Europe (CJ-FA-GT3 (2010) 2 rev. 5) together with the Explanatory Memorandum (CJ-FA (2010) 6 Rev. 6), we have concluded that this document holds these destructive tendencies:

- it promotes an ideology that separates the birth of a child and child-rearing from the natural family unit and marriage, making childbirth dependant on individual whim;

- it promotes an ideology that makes normative the separation of “biological parenthood” from “parental responsibilities,” while in reality the right to rear a child naturally belongs to its biological parents;
- it prohibits “discrimination” on grounds of the parents’ “sexual orientation and gender identity,” and promotes an ideology which approves and recognizes same-sex unions as normal;
- despite the document’s authors’ claims that the Draft Recommendation does not demand the states’ legal recognition of same-sex unions or surrogacy, etc., it creates a legal landscape favorable to those who promote these destructive policies, providing them with new avenues to exert pressure upon the states;
- it claims the right of the state to exclude parents from legally representing their children “whenever there is a conflict of interests” between them, and it further promotes an ideology that regards the state as the supreme authority in child-rearing and determining the interests of children, and not the family to which this right belongs by its very nature;
- it offers to grant the child «having sufficient understanding» the right to make an application for the deprivation of parental responsibilities and the right to independent representation in legal proceedings, creating new possibilities for destroying families and for misusing the children’s and teenagers’ immaturity:
- while having a “neutral” appearance, this document fails to recognize the unique and special status of the natural (traditional) family within society, and under modern conditions, the document seriously harms the traditional family’s rights and interests.

Being the most influential form of so-called “soft laws,” the Recommendations of the Committee of Ministers of the Council of Europe carry serious and weighty influence on the governments of the sovereign states. Therefore, if the Draft Recommendation were approved, with its practically

anti-family paradigm, it would cause serious harm to the condition and status of the natural (traditional) family as the fundamental unit of Russian society, as well as in the other European Countries.

11. It is necessary to mention that, among the member-states of the Council of Europe, only a minority recognizes any form of same-sex unions or “marriages”. The majority of the member-states, including the Russian Federation, does not recognize same-sex unions. The Draft Recommendation’s approval would, in fact, contradict the interests of this majority which stands for the interests of the natural (traditional) family.

It is also necessary to draw attention to the fact that the Draft Recommendation’s approval would also inevitably influence the future case law of the European Court of Human Rights, whose decisions are binding for the Russian Federation as well as for many other countries under the Convention for the Protection of Human Rights and Fundamental Freedoms. If the Draft Recommendation were approved, the Court would impose it on Russia and other countries through its case law. We’re aware, that there are a number of cases, postponed by the Court in expectation of the Draft Recommendation’s approval, including some cases concerning the “parental rights” of homosexual pairs (e.g. *X and others v. Austria* (no. 19010/07) and *Valerie Gas and Nathalie Dubois v. France* (no. 25951/07)). In its current case law the Court reasonably confirms that “as regards parental authority over a child, a homosexual couple cannot be equated to a man and a woman living together” (*Kerkhoven and Hinke v. Netherlands*, no. 15666/89, Dec. 19.5.92), but this attitude obviously could be changed under the influence of the Draft Recommendation.

12. We, representing the interests of the civil society of the Russian Federation and of Russian families, declare that we categorically object to the possible approval of the Draft Recommendation. We appeal to the representative of the Russian Federation and representatives

of other countries in the Council of Europe, exhorting them to provide effective opposition to this document's approval.

We exhort the national authorities of our country, as well as all international organizations, including the Council of Europe, to stand up consistently for the interests of the traditional family, which is the fundament of Russian society.

We also declare, that if the representatives of the Council of Europe take further action to approve this Draft Recommendation or any similar document, such action could be regarded as destructive for the traditional culture of Russia, including the Russian traditions of family life and child-rearing. We would consider approval to demonstrate a strong conflict between the genuine interests of the sovereign people of Russia and that of the Council of Europe. In this case, approval would raise a substantial question before the wide public of Russia concerning the suitability of Russia's continued membership in the Council of Europe. We are strongly convinced that the sovereign people of Russia's membership in this authoritative organization is less significant than preserving the fundament of the Russian society—the natural (traditional) family and the cultural identity of Russia.

This Resolution was approved by the following NGOs of Russian Federation:

1. Interregional Public Organization “For Family Rights” (Pavel Parfentiev)
2. Autonomous Noncommercial Organization “International Festival of Social Technologies in Support of Family Values “ProLife-2011” (Sergey Chesnokov)
3. Tula Regional Public Organization “Association of Large Families” (Natalia Zykova)
4. Murmansk Regional Public Organization “In Defence of Life, Spiritual and Moral Values” (Olga Efimenko)
5. Saint-Petersburg Regional Branch of All-Russian Public Movement “All-Russian Woman's Union – The Hope of Russia” (Tamara Alexandrova)

6. All-Russian Public Movement “All-Russian Parents’ Gathering” –Regional Branch of Moscow Oblast (Galina Bazanova)
7. Parents’ Committee of Gatchina (Leningrad Oblast, Gatchina, Evgenia Kirillova)
8. Movement in Defence of Childhood – Nizhny Novgorod Regional Branch (Sergey Pchelintsev)
9. The Orthodox Medical and Educational Center “Zhizn” (Moscow, Vy Rev. Maxim Obukhov)
10. The Orthodox Medical and Educational Center “Zhizn” in the Republic of Adygei (Irina Salmiina)
11. All-Russian Public Organization “For Life and Defence of Family Values” – Regional Branch of Tyumen Oblast (Constantin Shestakov, an Associate Professor of Goods Markets Economics in Tyumen State Oil and Gas University, Candidate of Social Science)
12. Tula Regional Public Movement “Defence” (Natalia Melnikova)
13. Charitable Foundation for the Defence of Motherhood and Life “Kolybel” (Khanty-Mansi Autonomous Area, Pokachi, Nelli Panasyuk)
14. Cossacks’ Brotherhood in the name of the Exaltation of the Cross (Saint-Petersburg, Petr Laktionov)
15. City Public Organization “Cultural and Educational Center “Garmonia” (Khanty-Mansiysk, Galina Vydrina)
16. City Public Organization “Cultural and Educational Society “Blagovest” (Khanty-Mansiysk, Alexander Bystrov)
17. Interregional Public Movement in Defence of the Orthodox Morality – Tyumen Regional Branch (Tatiana Gus’kova)

18. Interregional Public Movement in Defence of Parents' and Children's Rights
"Interregional Parents' Gathering" – Altai Regional Branch (O. Filatova)
19. Interregional Public Movement in Defence of Parents' and Children's Rights
"Interregional Parents' Gathering" – Saint-Petersburg Regional Branch (Larisa Kocheryzhnikova)
20. "Moscow Parents" Public Movement (Galina Schneider)
21. Regional Public Organization for Assistance and Help for Mothers of Large Families Facing Social Problems "Nadezhda" (Khanty-Mansi Autonomous Area, Nyagan, Olga Murasova)
22. Saint-Petersburg Cossacks' Association "Nevskaya Stanitsa" (Sergey Poyedinenko)
23. City Public Organization "City Parents' Committee of Nyagan" (Khanty-Mansi Autonomous Area, Nyagan, Claudia Elovskih)
24. Local Public Organization "Obninsk City Parents' Committee" (Kaluga Region, Obninsk, Natalia Brik)
25. Public Organization of Altai Krai "Parents' Public Committee" (O. Sinyavina)
26. Public Committee in Defence of Family, Childhood and Morality of Sarov city in Nizhny Novgorod Oblast (Nadezhda Tarasova)
27. Public Center of Legal Expertise and Legislative Activity (Moscow, Elena Timoshina, Candidate of Law)
28. Altai Branch of the Society of Orthodox Physicians (E. Kharchenko)
29. City Public Organization "Society of Russian Culture of Nyagan City" (Khanty-Mansi Autonomous Area, Nyagan, Ludmila Fedorova)
30. Regional Public Organization "United Parents' Committee of Kaluga Oblast" (Julia Makarova)

31. Regional Public Organization “United Parents’ Committee of Moscow Oblast” (Ruslan Tkachenko)
32. Foundation for the Support of National Traditions “Otchiy Dom” (Tyumen Region, Tyumen, Alexandra Kudryavtseva)
33. Regional Charitable Foundation “Podari Zhizn” (Khanty-Mansi Autonomous Area, Surgut, Elena Kapka)
34. Local Public Organization “Podolsk City Parents’ Committee” (Igor Sikhotin)
35. Public Organization “Working Youth of Surgut City” (Khanty-Mansi Autonomous Area, Rustem Alakayev)
36. The Representative of the Noncommercial Partnership in Defence of Family, Childhood, Person and Health “Parents’ Committee” in Saint-Petersburg (Lyubov Kachesova)
37. NP “Parents’ Committee” (Yekaterinburg, Alexander Usoltsev)
38. Public Organization “Parents’ Gathering of Tula Oblast” (Svetlana Bozhenova)
39. Civil Coalition in Defence of Russian Child-Rearing and Educational Traditions “Roditel’skoye Stoyaniye” (Saint-Petersburg, Vasiliy Kukhar)
40. Public Movement “Parents in Defence of Family and Childhood” (City Parents Committee of Astrakhan, Alexander Martynov)
41. International Association “Roditeli-Planety.RF” (Evgeniy Khranovskiy)
42. Regional Public Organization for the Natural Birth and the Conscious Parenthood “Rozhdenie” (Moscow Oblast, Eugenia Lomonosova)
43. Charitable Foundation for the Social Support of Motherhood “Rozhdenie” (Republic of Karelia, Denis Sergeev)
44. Regional Public Organization “Family Club “Christmas” (Moscow, Maria Makarova)
45. Saint-Petersburg City Parents’ Committee (Mikhail Bogdanov)

46. Noncommercial Organization “Charitable Foundation for Helping Large Families and Families with Handicapped Children “Semeyny Ochag” (Ekaterina Meister)
47. Charitable Foundation “Family and Childhood” (Bryansk, Svetlana Rudneva)
48. Sisterhood in the name of the Tikhvin icon of the Mother of God (Saint-Petersburg, Alla Sergiyenko)
49. Interregional Youth Public Movement “Young Ortghodox Siberia” - Khanty-Mansiysk Branch (Oksana Yash’enko)
50. Surgut City Branch of the All-Russian Public Organization “Struggle for the People’s Temperance Union” (Ilya Baboshko)
51. Tomsk Regional Branch of the All-Russian Public Organization “Struggle for the People’s Temperance Union” (Nikita Girkin)
52. Kaliningrad Regional Public Organization “Save the Life” (Alexander Mironov)
53. Tula Public Organization “Trezvaya Tula” (Alexander Lapshin)
54. Public organization «Center of Family Culture» Nizhnevartovsk District (Sergey Pindyurin)
55. Center of Social Programms. “Zhizn” Branch (Valentina Yatmanova)

The Association of Parents’ Committees and Unions, including:

56. Municipal Parents’ Committee of Krasnoarmeysk (Chelyabinsk Oblast, Zhanna Krovorotova)
57. Chelyabinsk Provincial Parents’ Committee (Tatiana Kosheleva)
58. Tyumen City Parents’ Committee (Alexey Medvedev)
59. Public Movement “In Defence of Orphan Children, who Lost their Parents” (Olga Letkova)
60. Parents’ Committee of Northeastern Autonomous District of Moscow (Alexander Ashkov)

61. Moscow City Parents' Committee (Tatiana Novoselova)
62. Public Movement "Parents' Committee of Anapa" (Krasnodar Territory, Lyubov Yatzukhno)
63. Parents Committee of "Preobrazheniye" School (Faina Nedikova)
64. Parents' Internet-Committee (Moscow, Olga Anokhina)
65. Center for the Development of Parents' Volunteering (Alexander Chernavskiy)
66. All-Russian Public Organization "For Life and for the Defence of Family Values" – Bashkiria Branch (Vy Rev. Vyacheslav Arkhangelskiy)
67. Public Center in Defence of Family and Childhood of Tatarstan "TTP Feniks" (Sergey Ivanov)
68. Alexandrovsk Parents' Committee (Raphail Garaphsin)
69. Parents Committee of the Nursery School № 80 (Naberezhnye Chelny, Elena Krupnina)
70. United Public Committee in Defence of Family, Childhood and Morality (Irina Medvedeva, Member of the Board of the Russian Children's Foundation, Director of the Public Institute of the Demographic Safety)
71. Spiritual and Educational Center in the name of priest-martyr Vladimir Ambartsumov (Vy Rev. Alexander Ilyashenko, Member of the Union of Writers, Chairman of the Editorial Board of "Pravoslaviye I Mir" Media-Portal)
72. Internet Community "Committee of the Concerned Parents" (Penza, Elena Ishmayeva)
73. Parents' Public Movement "Parents in Defence of Family and Childhood" (Khanty-Mansi Autonomous Area, Nefteyugansk, Maria Fedotova)
74. Voronezh City Parents' Committee (Mikhail Shmelev)
75. Regional Parents' Organization (Committee) "Happy Childhood in Native Family" (Yekaterinburg, Svetlana Vokhmyanina)
76. Samara City Parents' Committee (Boris Kotzenko)

77. Regional Public Organization “Parents’ Committee of Yugra” (Khanty-Mansiysk, Svetlana Polivanova)
78. IPM “Parent’s Committee of North Caucasian Federal District” (Kira Moiseeva)
79. Parents’ Committee of Stavropol Krai (Evgeny Dukhin)
80. Parents’ Committee of Mineralnye Vody District of Stavropol Krai (Peter Goldin)

This Resolution was also approved by the following Experts:

Tatiana Shishova, Educator, Writer, member of the Member of the Union of Writers,
Member of the Board of the Russian Children's Foundation

Representatives of the Sociology of Family and Demography Department (Social Science Faculty, Lomonosov Moscow State University):

Olga Lebed, Candidate of Social Science, Associate Professor of the Sociology of Family and Demography Department

Alexander Sinelnikov, Candidate of Economics, Associate Professor of the Sociology of Family and Demography Department

Elena Novosyolova, Candidate of Social Science, Associate Professor of the Sociology of Family and Demography Department

Новоселова Елена Николаевна, кандидат социологических наук, доцент кафедры социологии семьи и демографии социологического факультета МГУ

The position, expressed in this Resolution, was also endorsed by the Following Ukrainian NGOs:

1. All-Ukrainian Public Organization “Parents’ Committee of Ukraine” (Kiyiv, Alexander Skvortsov)

2. Public Organization “The Healthy Nation” (Dnepopetrovsk, Iohanna Krestin)
3. Public Organization “Orthodox Parents’ Committee” (Zhitomir, Dmitry Bezrukov)
4. Public Organization “Orthodox Parents’ Committee” (Volnogorsk, Lyubov Garagulya)
5. Public Organization “Orthodox Parents’ Committee” (Dnepopetrovsk, Gennadiy Lavrentiev)
6. Crimean Orthodox Medical and Educational Center “Zhizn” (Simferopol, Oleg Ignatiev)
7. Public Organization “Trezvaya Svyataya Rus” (Alchevsk, Valeriy Kodachenko)
8. Public Organization “Parents’ Committee of Nikolayev” (Nikolayev, Anton Polovenko)
9. Public Organization “Parents’ Committee of Lugansk Region” (Severodonetsk, Elena Shulga)
10. Odessa Regional Public Organization “Cadets’ Union” (Angelina Gaidarova)