

An anti-US adoption law divides the Russian elite

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On 1 January 2013, a law came into force in Russia introducing sanctions against persons who 'violate the rights of citizens of the Russian Federation.' Its provisions include banning the activity of NGOs which receive financial support from the US, and it prohibits US citizens from undertaking political action in Russia and from adopting Russian children. The law was passed in response to the passage in the United States in December of the so-called Magnitsky Act, introducing sanctions against Russian officials responsible for the death in 2009 of Sergei Magnitsky, a lawyer for the US investment fund Hermitage Capital.

Commentary

- Although formally the bill was drawn up by the Duma, it is widely recognised that its initiator was the Kremlin. This may be confirmed by the rapid pace of legislation and the pressure put on MPs and senators, some of whom (including Valentina Matviyenko, the chairwoman of the Federation Council) initially voiced their reservations about the ban on adoptions. The Kremlin's intention was to manifest Moscow's opposition to American sanctions, and at the same time to impose further restrictions on Russian NGOs which benefit from foreign grants. The adoption ban was introduced on the bill's second reading. Evidently, the Kremlin deemed this matter to be uncontroversial, since it bypassed what seemed to be the tangible interests of both parties, while demonstrating to Russian society that the government is concerned about the rights of children (Russian television repeatedly broadcasts reports of adopted Russian children being ill-treated in the US).
- The act triggered enormous public reaction. The adoption ban has been supported by the large part of the public who are considered to be Vladimir Putin's electorate and who draw their information from television (according to the FOM research centre, the adoption ban was favoured by 56% of respondents, mostly residents of small towns and villages, people over 60 years old, and with secondary or basic education). On the other hand, among socially active groups, the adoption ban set off another wave of criticism of Putin. Within one day, the opposition newspaper *Novaya Gazeta* collected the 100,000 signatures required to initiate a legal attempt to overthrow this provision; a mass meeting concerning the case has been called for 13 January. The dismal conditions in Russian orphanages have also been widely reported on, as well as the fact that about 10% of the

children adopted by US citizens have disabilities (in 2011, US citizens adopted a total of almost a thousand children, which represents approximately one-third of all foreign adoptions).

- This act, which was intended as a retort against the US, has unexpectedly divided the Russian elite, even though they have generally been consistent in their criticism of any American moves which Russia considers unfriendly. Controversy has been sparked by the exploitation of children from orphanages for foreign policy purposes. Recognising the need to clean up the rules for adoption, a number of politicians have criticised the ban, including the Foreign Minister Sergei Lavrov and several other ministers, some United Russia deputies, representatives of the presidential Civic Chamber, as well as hierarchs of the Orthodox Church, several governors, and experts and media & cultural representatives who had previously been known as government supporters. In this way, the law has become yet another of the Kremlin's 'flagship' initiatives which have aroused controversy among the elite, after the anti-corruption campaign (including a proposal to forbid officials from owning property abroad), and government restrictions on civic activities.