



**Submission to the  
United Nations Committee on the Rights of the Child  
Review of Russia  
94th Pre-session  
*November 2022***

We write in advance of the 94th pre-session of the Committee on the Rights of the Child (“the committee”) and its review of Russia to highlight areas of concern regarding the government of Russia’s compliance with the Convention on the Rights of the Child (CRC). This submission addresses articles 9, 10, 11, 15, 16, 17, and 28 of the Convention, and covers children’s rights abuses by government-endorsed online learning during the Covid-19 pandemic, access to education during Covid-19 school closures, protection of education from attack, filtrations and transfers of children to Russia, and violations of children’s right to assembly.

**Children’s Rights Abuses by Government-Endorsed Online Learning During the Covid-19 Pandemic (articles 16 and 17)**

Human Rights Watch investigated seven of the education technology (EdTech) products endorsed by Russia’s education ministry on March 20, 2020, for use in distance learning for students in primary and secondary school.<sup>1</sup>

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<sup>1</sup> The Russian Education Ministry recommended a large number of education technology (EdTech) products. Human Rights Watch used a Mersenne Twister pseudorandom number generator to randomly select seven products that would serve as an illustrative sample of the Russian education ministry’s decisions. See also: Ministry of Education of the Russian Federation, “Guidelines for the implementation of educational programs for primary general, basic general, secondary general education, educational programs for secondary vocational education and additional general educational programs using e-learning and distance learning technologies” (“Методические рекомендации по реализации образовательных программ начального общего, основного общего, среднего общего образования, образовательных программ среднего профессионального образования и дополнительных общеобразовательных программ с применением электронного обучения и дистанционных образовательных технологий”), March 20, 2020, <https://docs.edu.gov.ru/document/id/1792> (accessed January 26, 2022); Ministry of Education of the Russian Federation, “Recommendations of the Russian Ministry of Education on the organization of education at home using distance technologies” (“Рекомендации Минпросвещения России по организации обучения на дому с использованием дистанционных технологий”), March 28, 2020, <https://web.archive.org/web/20200328195652/https://edu.gov.ru/distance> (accessed January 26, 2022).

Our analysis found that all seven EdTech products installed invasive tracking technologies on children’s devices that not only recorded their every movement inside of the EdTech products serving as their virtual classrooms, but also trailed them using ad trackers and third-party cookies on their devices, outside of their virtual classrooms and across the internet, outside of school hours and deep into their personal lives.<sup>2</sup> All of these products also invisibly tagged and digitally fingerprinted children in ways that were impossible to avoid or get rid of without throwing the device away.

Human Rights Watch detected all seven EdTech products transmitting children’s personal data to advertising technology (AdTech) companies.

Human Rights Watch found that Russia’s education ministry directly violated children’s rights. Of the seven EdTech products examined, five were directly built and offered by the government for children’s online learning. Human Rights Watch found that these five government-built products engaged in the data practices described above, including the transmission of children’s personal data to AdTech companies, apparently for purposes unrelated to their education.

Human Rights Watch did not find information indicating that the Education Ministry checked whether the EdTech products they rapidly endorsed were safe for children to use. In all cases, this data surveillance took place in educational settings where children or their parents could not reasonably object to such practices. In many instances, it was impossible for children to opt out of such surveillance without opting out of compulsory education and giving up on formal learning altogether during the pandemic.

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<sup>2</sup> Human Rights Watch, “Privacy Snapshot: Russia: Digital Lessons (‘УРОК ЦИФРЫ’),” June 2021, [https://features.hrw.org/features/StudentsNotProducts/files/privacy\\_snapshots/Privacy%20Snapshot%20-%20Russia%20Digital%20Lessons.pdf](https://features.hrw.org/features/StudentsNotProducts/files/privacy_snapshots/Privacy%20Snapshot%20-%20Russia%20Digital%20Lessons.pdf); “Privacy Snapshot: Russia: Moscow Electronic School (‘Московская электронная школа’),” February 20, 2021, [https://features.hrw.org/features/StudentsNotProducts/files/privacy\\_snapshots/Privacy%20Snapshot%20-%20Russia%20Moscow%20Electronic%20School.pdf](https://features.hrw.org/features/StudentsNotProducts/files/privacy_snapshots/Privacy%20Snapshot%20-%20Russia%20Moscow%20Electronic%20School.pdf); “Privacy Snapshot: Russia: My Achievements (‘Мои достижения’),” April 28, 2020, [https://features.hrw.org/features/StudentsNotProducts/files/privacy\\_snapshots/Privacy%20Snapshot%20-%20Russia%20My%20Achievements.pdf](https://features.hrw.org/features/StudentsNotProducts/files/privacy_snapshots/Privacy%20Snapshot%20-%20Russia%20My%20Achievements.pdf); “Privacy Snapshot: Russia: My School is Online (‘Моя школа в online’),” June 2021, [https://features.hrw.org/features/StudentsNotProducts/files/privacy\\_snapshots/Privacy%20Snapshot%20-%20Russia%20My%20School%20is%20Online.pdf](https://features.hrw.org/features/StudentsNotProducts/files/privacy_snapshots/Privacy%20Snapshot%20-%20Russia%20My%20School%20is%20Online.pdf); “Privacy Snapshot: Russia: Russia Electronic School (‘Российская электронная школaline’),” June 2021, [https://features.hrw.org/features/StudentsNotProducts/files/privacy\\_snapshots/Privacy%20Snapshot%20-%20Russia%20Russia%20Electronic%20School.pdf](https://features.hrw.org/features/StudentsNotProducts/files/privacy_snapshots/Privacy%20Snapshot%20-%20Russia%20Russia%20Electronic%20School.pdf); “Privacy Snapshot: Russia: SberClass (‘СберКласс’),” June 2021, [https://features.hrw.org/features/StudentsNotProducts/files/privacy\\_snapshots/Privacy%20Snapshot%20-%20Russia%20SberClass.pdf](https://features.hrw.org/features/StudentsNotProducts/files/privacy_snapshots/Privacy%20Snapshot%20-%20Russia%20SberClass.pdf); “Privacy Snapshot: Russia: Sirius (‘Сириус.Курсах’),” June 2021, [https://features.hrw.org/features/StudentsNotProducts/files/privacy\\_snapshots/Privacy%20Snapshot%20-%20Russia%20Sirius.pdf](https://features.hrw.org/features/StudentsNotProducts/files/privacy_snapshots/Privacy%20Snapshot%20-%20Russia%20Sirius.pdf).

Russian data protection laws do not recognize or provide specific protections for children.<sup>3</sup>

*Human Rights Watch recommends that the Committee ask the government of Russia:*

- What steps did Russia’s education ministry take to minimize child rights risks in the use of these EdTech products, or check that they were safe to use, prior to its endorsement?
- Did Russia’s Education Ministry notify schools, teachers, parents, and children of these products’ privacy practices, or provide privacy guidance to them?

*Human Rights Watch recommends that the Committee call on the government of Russia to:*

- Facilitate urgent remedy for children whose data were collected during the pandemic and remain at risk of misuse and exploitation.
- Adopt child-specific data protection laws that address the significant child rights impacts of the collection, processing, and use of children’s personal data in modern complex online environments.

### **Access to Education during Covid-19 School Closures (article 28)**

From March 2020 to March 2022, in response to the Covid-19 pandemic, Russian schools transitioned to various forms of distance learning and were partially closed for 19 weeks.<sup>4</sup>

Human Rights Watch found many barriers to effective online learning.<sup>5</sup> For example, the amount of time a child could spend with a device was often constrained, particularly in low-income households where parents and children share the same device. A mother of a third-grader and a seventh-grader in Moscow said that, even though their school quickly organized online learning, the school did not provide devices, and they only had one

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<sup>3</sup> Russian Federation, “On Amendments to the Federal Law ‘On Personal Data,’” Federal Law No. 519-FZ of December 30, 2020, (“О внесении изменений в Федеральный закон ‘О персональных данных’”), <http://ips.pravo.gov.ru:8080/default.aspx?pn=0001202012300044> (accessed January 31, 2021); Russian Federation, “On Amendments to the Code of Administrative Offenses of the Russian Federation” (“О внесении изменений в Кодекс Российской Федерации об административных правонарушениях”), Federal Law No. 19-FZ of February 21, 2021, <http://publication.pravo.gov.ru/Document/View/0001202102240010> (accessed January 31, 2021).

<sup>4</sup> UNESCO, Covid-19 Education Response, “Country Dashboard: Russian Federation,” March 2022, <https://covid19.uis.unesco.org/global-monitoring-school-closures-covid19/country-dashboard/> (accessed November 2, 2022).

<sup>5</sup> Human Rights Watch, “*Years Don’t Wait for Them*”: Increased Inequalities in Children’s Right to Education Due to the Covid-19 Pandemic (New York: Human Rights Watch: 2022), <https://www.hrw.org/report/2021/05/17/years-dont-wait-them/increased-inequalities-childrens-right-education-due-covid>.

computer at home but both child’s lessons were happening at the same time.<sup>6</sup> Another barrier was inadequate space at home for studying.<sup>7</sup>

Teachers’ ability to adapt to the sudden transition to distance teaching mirrored investments in teacher training and in digital literacy before the pandemic.<sup>8</sup> One teacher in Izhevsk noted that, prior to the pandemic, his school was already well-versed in using digital platforms and “[w]hen the quarantine was announced, both students and teachers already knew how to use this system.”<sup>9</sup>

However, a woman whose child is enrolled in a public school in Moscow said: “The faculty at our school were not prepared on the technological side. The platform used was fraught with glitches they did not seem capable of overcoming. Also, the teachers had received no methodological training and their lessons were ineffective and hard for the kids to digest.”<sup>10</sup> Two teachers expressed concern about the lack of support from their school administration in providing devices and/or training.<sup>11</sup> For example, one school administration never asked staff if they had available technology at home to work.<sup>12</sup>

For many schoolchildren, online learning also meant fewer hours of learning and fewer subjects. An English language teacher said that her students’ performance was declining due to lack of in-class practice, and that she had to drop pedagogical elements such as dictation.<sup>13</sup> According to a mother of a first-grader in Moscow, the school’s administration informed the parents of elementary school students that children that young could benefit from online learning, and that the teachers would simply send assignments to the parents, who had to oversee their children completing those assignments and to return the assignments via WhatsApp.<sup>14</sup>

*Human Rights Watch recommends that the Committee ask the government of Russia:*

- How is the extent of children’s learning loss being assessed?

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<sup>6</sup> Human Rights Watch interview with mother, Moscow, Russia, March 29, 2021.

<sup>7</sup> Human Rights Watch interview with mother, Izhevsk, Russia, June 13, 2021.

<sup>8</sup> Human Rights Watch interview with teacher, Izhevsk, Russia, June 6, 2020; Human Rights Watch interview with mother, Izhevsk, Russia, June 12, 2020.

<sup>9</sup> Human Rights Watch interview with teacher, Izhevsk, Russia, June 6, 2020.

<sup>10</sup> Human Rights Watch interview with mother, Moscow, March 30, 2021.

<sup>11</sup> Human Rights Watch interview with teacher, Izhevsk, Russia, June 6, 2020.

<sup>12</sup> Human Rights Watch interview with teacher, Izhevsk, Russia, June 3, 2020.

<sup>13</sup> Human Rights Watch interview with teacher, Izhevsk, Russia, June 3, 2020.

<sup>14</sup> Human Rights Watch interview with mother, Moscow, Russia, March 30, 2021.

- How will measures to remedy lost learning be applied to schools across the country, and on what timeline?
- What steps have been taken to strengthen digital literacy skills among teachers?
- How does the government plan to mitigate the learning inequities that resulted from disparate access to devices between children from low-income and higher-income households?

*Human Rights Watch recommends that the Committee call on the government of Russia to:*

- Strategically allocate educational resources to vulnerable and low-income groups and those shown to have been particularly affected in their education during the pandemic.
- Now that schools are open, enable schools to assess students' level of learning in each subject, and provide needed support to improve levels, including through free extra tutoring and counselling, as necessary.
- Develop or expand device affordability and availability initiatives for schools and families, with support targeted at the most vulnerable children, and develop and expand initiatives to secure and equitably distribute devices for learning to schools.
- Incorporate digital literacy in school curricula. Develop and provide digital literacy training programs and in-service training in digital literacy for teachers.

### **Protection of Education from Attack (article 28)**

Ukraine's educational infrastructure has been harmed by attacks apparently by Russian and Russian-affiliated armed forces on or in the direct vicinity of schools in Ukraine, and by armed forces using schools for military purposes. Human Rights Watch has previously published our documentation of these developments, including but not limited to the following examples.<sup>15</sup>

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<sup>15</sup> "Russia-Ukraine War," Human Rights Watch, <https://www.hrw.org/tag/russia-ukraine-war>; Human Rights Watch, *"We Had No Choice": "Filtration" and the Crime of Forcibly Transferring Ukrainian Civilians to Russia*, (New York: Human Rights Watch, 2022), [https://www.hrw.org/sites/default/files/media\\_2022/09/ukraine0922\\_web.pdf](https://www.hrw.org/sites/default/files/media_2022/09/ukraine0922_web.pdf), p. 27; "Ukraine: Shelling Residential Areas Puts Civilians at Risk," Human Rights Watch news release, February 18, 2022, <https://www.hrw.org/news/2022/02/18/ukraine-shelling-residential-areas-puts-civilians-risk>; "Ukraine: Deadly Attacks Kill, Injure Civilians, Destroy Homes," Human Rights Watch news release, <https://www.hrw.org/news/2022/03/18/ukraine-deadly-attacks-kill-injure-civilians-destroy-homes>; Yulia Gorbunova, "Under Shelling in Kharkiv," Human Rights Dispatch, March 7, 2022, <https://www.hrw.org/news/2022/03/07/under-shelling-kharkiv>; "Ukraine: Russian Strikes Killed Scores of Civilians in Chernihiv," Human Rights Watch news release, June 10, 2022, <https://www.hrw.org/news/2022/06/10/ukraine-russian-strikes-killed-scores-civilians-chernihiv>; "Ukraine: Cluster Munitions Repeatedly Used on Mykolaiv," Human Rights Watch news release, March 17, 2022, <https://www.hrw.org/news/2022/03/17/ukraine-cluster-munitions-repeatedly-used-mykolaiv>; and "Russian, Ukrainian Bases Endangering Civilians," Human Rights Watch news release, July 21, 2022, <https://www.hrw.org/news/2022/07/21/russian-ukrainian-bases-endangering-civilians>.

### *Yahidne*<sup>16</sup>

In March 2022, Russian forces temporarily occupied Yahidne, a village, and held over 350 villagers, including at least 70 children, 5 of them infants, in a schoolhouse basement for 28 days in extremely cramped and unsanitary conditions. Ten older people in the basement died, apparently due to illness or the conditions, villagers said. Some of those who had been held there told Human Rights Watch that during the first few days, Russian soldiers did not open the door, and subsequently opened it no more than once a day, allowing people to leave irregularly to use the outdoor toilet and to cook over outdoor fires. Villagers described the suffocating lack of air, the absence of space to move around or lie down and having to use buckets for toilets. “After a week everyone was coughing violently,” said one woman. “Almost all the children had high fevers, spasms from coughing, and would throw up.” During this period, Russian forces used the school as a military base and apparently placed military vehicles around the schoolhouse, in dugouts and pits which were still there when Human Rights Watch visited.

A March 10 satellite image shows several dozen Russian armored and support military vehicles in the schoolyard and large vehicle tracks throughout the village, with a higher concentration at the schoolhouse. Apparent impact craters were visible as close as 60 meters northeast of the schoolhouse. In a satellite image from March 21, the military vehicles at the school and adjacent areas are no longer visible but the destruction in the village had increased significantly, including of buildings between 50 and 100 meters from the school. The March 21 satellite image shows damage on the roof and the northeastern facade of the school, consistent with damage researchers observed when they visited.

### *Chernihiv city*

In three attacks on March 3, Russian bombs hit two schools and several homes within several hundred meters of each other on Biloruskyi Lane in Chernihiv. Witnesses told Human Rights Watch that at about 12:30 p.m., on March 3, an attack severely damaged one corner of School 18.<sup>17</sup> At the time of the attack, at least 150 people, including some members of the Ukrainian armed forces, were at the school, which was being used as an aid distribution center. A second school, School 21 was also hit either shortly before or

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<sup>16</sup> “Russian, Ukrainian Bases Endangering Civilians,” Human Rights Watch news release, July 21, 2022, <https://www.hrw.org/news/2022/07/21/russian-ukrainian-bases-endangering-civilians>.

<sup>17</sup> “Ukraine: Russian Strikes Killed Scores of Civilians in Chernihiv,” Human Rights Watch news release, June 10, 2022, <https://www.hrw.org/news/2022/06/10/ukraine-russian-strikes-killed-scores-civilians-chernihiv>.

after the attack on School 18. At the time of the attack, about 200 civilians were sheltering in the school basement because their homes did not have basements, a witness said.

### ***Safe Schools Declaration***

In 2022, the UN Secretary-General encouraged governments to endorse the Safe Schools Declaration,<sup>18</sup> an inter-governmental political commitment that provides countries the opportunity to express political support for the protection of students, teachers, and schools during times of armed conflict.<sup>19</sup> As of November 2022, 115 countries have endorsed the Safe Schools Declaration. However, Russia has not done so.<sup>20</sup>

*Human Rights Watch recommends that the committee ask the government of Russia:*

- How many individuals have been prosecuted for attacks on schools during the reporting period?
- Do any Russian laws, policies, or trainings provide explicit protection for schools and universities from military use during armed conflict?

*Human Rights Watch recommends that the committee call on the government of Russia to:*

- Endorse the Safe Schools Declaration, and share with other endorsing countries examples of Russian laws and policies protecting schools from attack and preventing the use of schools for military purposes.

### **Filtrations and Transfers of Children to Russia (articles 9, 10, 11, 16)**

Since Russia's full-scale invasion of Ukraine in February, Russian and Russian-affiliated officials have forcibly transferred Ukrainian civilians, including those fleeing hostilities, to areas of Ukraine occupied by Russia or to the Russian Federation.<sup>21</sup>

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<sup>18</sup> UN Secretary-General, "Children and Armed Conflict," S/2022/493, June 23, 2022, para. 291.

<sup>19</sup> Safe Schools Declaration, May 28, 2015, [https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/utvikling/safe\\_schools\\_declaration.pdf](https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/utvikling/safe_schools_declaration.pdf) (accessed August 4, 2022).

<sup>20</sup> Global Coalition to Protect Education from Attack, "Safe Schools Declaration Endorsements," <https://ssd.protectingeducation.org/endorsement/> (accessed November 18, 2022).

<sup>21</sup> A forcible transfer is a war crime and a potential crime against humanity and includes a transfer in circumstances in which a person consents to move only because they fear consequences such as violence, duress, or detention if they remain, and the occupying power is taking advantage of a coercive environment to transfer them. Transferring or displacing civilians is not justified or lawful on humanitarian grounds if the humanitarian crisis triggering the displacement is the result of unlawful activity by the occupying power. See, Human Rights Watch, "*We Had No Choice*": "*Filtration*" and the Crime of Forcibly Transferring Ukrainian Civilians to Russia, (New York: Human Rights Watch, 2022), [https://www.hrw.org/sites/default/files/media\\_2022/09/ukraine0922\\_web.pdf](https://www.hrw.org/sites/default/files/media_2022/09/ukraine0922_web.pdf).

Russian and Russian-affiliated authorities also subjected thousands of these Ukrainian citizens to a process referred to by Russia as “filtration,” a form of compulsory security screening, in which they typically collected civilians’ biometric data, including fingerprints and front and side facial images; conducted body searches, and searched personal belongings and phones; and questioned them about their political views. At least some teenagers were subjected to filtration on par with adults. Ukrainian civilians, including some children, were effectively interned as they waited to undergo this process, with many reporting that they were housed in overcrowded and squalid conditions, for periods as short as several hours for over a month.

Although the total number of Ukrainian civilians transferred to Russia – either voluntarily or involuntarily – remains unclear, many were displaced and transported in a manner and context that makes them illegal forcible transfers. In early June, Ukrainian President Volodymyr Zelensky said that 200,000 Ukrainian children had been forcibly taken to Russia.<sup>22</sup> In mid-August, Russian media reported that over 3.4 million Ukrainians had entered the Russian Federation from Ukraine, including 555,000 children.<sup>23</sup>

### ***Filtration***

Human Rights Watch interviewed a woman and her 15-year-old nephew, who went through the filtration process in Manhush, and said that he was questioned by officials from the “traffic police” department of the Russian-supported, self-proclaimed Donetsk People’s Republic, or DNR.<sup>24</sup> When the woman and her nephew left the area by car, they had to show their receipts proving they had completed the filtration process before they were allowed to cross to the Ukrainian-controlled side.<sup>25</sup>

In another case, on April 8, Russian forces arrested Vladyslav Buryak, 16, at a checkpoint as he was trying to leave Melitopol for Zaporizhzhia, after finding pro-Ukrainian content on his phone, his father told Human Rights Watch. Russian interrogators then learned that

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<sup>22</sup> Associated Press, “Volodymyr Zelenskyy says 200,000 children among Ukrainians forcefully taken to Russia,” *Firstpost*, June 2, 2022, <https://www.firstpost.com/world/volodymyr-zelenskyy-says-200000-children-among-ukrainians-forcefully-taken-to-russia-10747981.html> (accessed June 29, 2022).

<sup>23</sup> “The number of people evacuated to Russia from Ukraine and Donbass exceeded 3.4 million people” (“Число эвакуированных в РФ с Украины и из Донбасса превысило 3,4 млн человек”), *Interfax*, August 16, 2022, <https://www.interfax.ru/world/856947> (accessed November 18, 2022).

<sup>24</sup> Human Rights Watch interview with a teenager from Manhush, Zaporizhzhia, April 27, 2022.

<sup>25</sup> Human Rights Watch interview with O., a woman from Manhush, Zaporizhzhia, April 27, 2022; Human Rights Watch interview with a teenager from Manhush, Zaporizhzhia, April 27, 2022.

Vlad’s father was the head of the Ukrainian Zaporizhzhia administration. The boy was detained in a solitary cell at a police facility in Vasylivka, where he had to wash the bloody floors of cells where Ukrainian detainees were tortured, then transferred to a hotel in Melitopol. He was detained for 90 days before being released.<sup>26</sup>

Human Rights Watch met interviewees who were confined after filtration, some for up to 40 days. One man, who was confined by “DNR” authorities in Kozatske village,<sup>27</sup> said that the people confined with him included a woman with her 14-year-old son, and a 13-year-old boy who arrived there together with his 18-year-old brother. The brothers told the man that DNR forces had detained their mother, who had previously served in Ukraine’s Armed Forces, during the filtration process.<sup>28</sup> The teenagers spent 25 days at Kozatske without any news about their mother until their father, who had previously moved to Russia and remarried, came to pick them up and took them to Russia. The father was apparently contacted by Russian authorities and was told that unless he picked up his younger son, the 13-year-old boy would be placed in an orphanage in DNR-controlled territory.

### ***Forcible Transfers***

Human Rights Watch has not been able to verify the total number of children that Russian or Russian-affiliated forces transferred to Russia.<sup>29</sup> In mid-March, a Ukrainian volunteer tried to rescue 17 children, between the ages of 2 and 17, from a residential healthcare facility in Mariupol.<sup>30</sup> The volunteer told Human Rights Watch that Ukrainian regional authorities had asked him to rescue any children whose families had not collected them from the facility.<sup>31</sup> The volunteer said the DNR “minister of social policy” blocked him and said he had no legal right to remove the children. The children were then put on a bus and apparently taken to the DNR. In June, six of the children, all from one foster family, were allowed to leave Donetsk for Russia and traveled from there onwards to France where they

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<sup>26</sup> “Ukraine: Torture, Disappearances in Occupied South,” Human Rights Watch news release, July 22, 2022, <https://www.hrw.org/news/2022/07/22/ukraine-torture-disappearances-occupied-south>.

<sup>27</sup> “Donetsk People’s Republic,” or “DNR,” is used in this submission, and in our report, as a reference to this area, not as recognition of any claims to sovereignty.

<sup>28</sup> Ibid.

<sup>29</sup> Human Rights Watch, *“We Had No Choice”: “Filtration” and the Crime of Forcibly Transferring Ukrainian Civilians to Russia*.

<sup>30</sup> Human Rights Watch interview with an evacuations volunteer, Zaporizhzhia, June 3, 2022.

<sup>31</sup> Ibid.

reunited with their foster parents.<sup>32</sup> As of November 2022, the whereabouts of the other 11 children remain unknown.

The Russian Commissioner for Children's Rights, Maria Lvova-Belova, stated in May that children from institutions in the DNR have been placed with foster families in the Moscow region and that she was working to expand the program and to unify guardianship and adoption procedures with the DNR and LNR authorities.<sup>33</sup> In May, Russia published a law that was revised to facilitate granting nationality to and adoptions of Ukrainian children,<sup>34</sup> which president Putin had called for.<sup>35</sup> “Now that the children have become Russian citizens, temporary guardianship can become permanent,” Lvova-Belova said in July.

In July the OSCE noted reports that around 2,000 children from institutions had been transferred to Russia “even though they have living relatives and were in the institutions only for medical care.”<sup>36</sup> The Ukrainian government reported 9,755 children had been deported to Russia as of October 31, 2022.<sup>37</sup> As of August 2022 at least 160 children from the so-called “Donetsk People’s Republic” were placed in Russian foster families in at least six regions of Russia, and at least 133 children had received Russian citizenship.<sup>38</sup>

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<sup>32</sup> Nina Nazarova and Kateryna Khinkulova, “Ukraine war: Why I never gave up trying to find my children,” *BBC*, July 18, 2022, <https://www.bbc.com/news/world-europe-62178794> (accessed August 17, 2022).

<sup>33</sup> Commissioner for Children’s Rights under the President of the Russian Federation, “Answers to the questions on family placement of orphans from the DNR and LNR in Russian families” (“Ответы по вопросам семейного устройства детей-сирот из ДНР и ЛНР в российские семьи”), May 16, 2022, <http://deti.gov.ru/articles/news/otvety-po-voprosam-semejnego-ustrojstva-detej-sirot-iz-dnr-i-lnr-v-rossijskie-sem-i> (accessed July 13, 2022).

<sup>34</sup> “Путин подписал указ об упрощенном приеме в гражданство РФ детей-сирот из Донбасса и Украины,” *Interfax*, May 30, 2022, <https://www.interfax.ru/russia/843711> (accessed November 30, 2022). The Russian-government-affiliated news agency RIA-Novosti published the legal text on its Telegram channel, May 30, 2022, [https://t.me/rian\\_ru/165351](https://t.me/rian_ru/165351) (accessed November 30, 2022).

<sup>35</sup> Kremlin, “Meeting with Commissioner for Children's Rights Maria Lvova-Belova,” March 9, 2022, <http://en.kremlin.ru/events/president/news/67949> (accessed November 30, 2022).

<sup>36</sup> OSCE Office for Democratic Institutions and Human Rights, Note Verbale, ODIHR.GAL/36/22/Corr.1, July 14, 2022, <https://www.osce.org/files/f/documents/3/e/522616.pdf> (accessed November 30, 2022), p. 95.

<sup>37</sup> Children of War (Ukrainian government website), <https://childrenofwar.gov.ua/> (accessed November 30, 2022).

<sup>38</sup> Nina Nazarova, “‘Нас торопят, с Москвы звонят’. Как мальчик из Донбасса оказался в российской семье и получил российское гражданство,” *BBC Russian*, September 20, 2022, <https://www.bbc.com/russian/features-62917712> (accessed November 30, 2022).

Some children in Russia, who were able to return to their families, reportedly said DNR and Russian officials told them their Ukrainian parents had “abandoned” them.<sup>39</sup>

*Human Rights Watch recommends that the committee ask the government of Russia:*

- How many children have undergone the filtration process?
- Clarify what data, including biometric and other sensitive personal data, is collected from children in the filtration process, how it is stored, and what state or corporate agencies the data is shared with?
- How many children have been transferred from Ukraine to Russia and what is the number, location, and occupancy rate of the temporary placement centers throughout Russia? How many of these children traveled with their families, how many were unaccompanied, and how many were brought to Russia as groups from children’s institutions?
- How many Ukrainian children have received Russian citizenship since February 24, 2022?
- How many Ukrainian children have been adopted in Russia since February 24, 2022? How many are currently in process of being adopted?

*Human Rights Watch recommends that the committee call on the government of Russia to:*

- Clarify the fate and whereabouts of all children detained as a result of filtration.
- Remind Russia that any collection, storage and sharing of data in these processes – including biometric and other sensitive personal data – must be guided by human rights principles of legality, necessity and proportionality.
- Respect the prohibition of arbitrary detention of children; investigate any allegations of these or other abuses committed against children by Russian forces and Russian-affiliated armed groups.
- Ensure that civilians in areas occupied by Russian and Russian-affiliated forces, including in the self-proclaimed “Donetsk People’s Republic” (DNR), can leave to Ukrainian-controlled territory or any other third country if they choose.
- Impose an immediate moratorium on adoptions of children from Ukraine, including occupied Ukrainian territory.

## **Violations of Children’s Right to Assembly (article 15)**

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<sup>39</sup> Emma Bubola, “Using Adoptions, Russia Turns Ukrainian Children into Spoils of War,” *New York Times*, October 22, 2022, <https://www.nytimes.com/2022/10/22/world/europe/ukraine-children-russia-adoptions.html> (accessed November 30, 2022).

Russian authorities actively discourage children’s participation in non-violent protest events by retaliating against them and their parents.

In recent years, authorities detained, often using excessive force,<sup>40</sup> and penalized hundreds of children for participation in peaceful protest assemblies.<sup>41</sup> Children were kept for hours in overcrowded vans and at police stations.

The authorities harassed parents of politically active children for supposedly “neglecting parental duties,” i.e., failing to prevent their children’s participation in protests. In 2019, courts issued warnings to two couples in Moscow who brought their children to peaceful protests, after the prosecutor’s office sought to terminate their parental rights. In 2017, Human Rights Watch also documented a case in Moscow where police and child protection authorities visited the home of a child who had participated in a protest rally, allegedly to check the living conditions, unannounced, after threatening the child to bring him in for questioning about his protest participation unless he comes voluntarily.<sup>42</sup>

Involving a child in an “unsanctioned assembly” is a prosecutable offence under Russian law, and the authorities use administrative and criminal rules to isolate children from participating in public life.<sup>43</sup> In 2022, a court in Moscow convicted four editors of DOXA student magazine for “involving minors in illegal activities” by posting a video asserting

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<sup>40</sup> Tanya Lokshina, “From Kids to Leaders, Russia Cracks Down on Protesters,” Human Rights Dispatch, May 23, 2018, <https://www.hrw.org/news/2018/05/23/kids-leaders-russia-cracks-down-protesters>.

<sup>41</sup> 158 on May 5, 2018, *Ibid.*; 132 on June 12, 2017 in Moscow, “Russia: Peaceful Protesters Detained, Abused,” Human Rights Watch news release, July 7, 2017, <https://www.hrw.org/news/2017/07/07/russia-peaceful-protesters-detained-abused>; 80 on August 3, 2019, “Russia: Over 1,000 Detained at Weekend Protest”, Human Rights Watch news release, August 6, 2019, <https://www.hrw.org/news/2019/08/06/russia-over-1000-detained-weekend-protest>; 200, 152 and 37 children on 23 and 31 January and 2 February 2021 in Moscow alone, Commissioner for Human Rights in Moscow, “Report on the activities of the Commissioner for Human Rights in Moscow, on respect and protection of human and citizen rights and freedoms in 2021” (“Доклад о деятельности Уполномоченного по правам человека в городе Москве, о соблюдении и защите прав и свобод человека и гражданина в 2021 году”), 2022, <https://ombudsman.mos.ru/uploads/magic/ru-RU/Document-o-156-src-1657625910.6364.pdf>, p. 151 (accessed November 28, 2022); 113 state-wide on March 6, 2022, “Russia: Brutal Arrests and Torture, Ill-Treatment of Anti-War Protesters”, Human Rights Watch news release, March 9, 2022, <https://www.hrw.org/news/2022/03/09/russia-brutal-arrests-and-torture-ill-treatment-anti-war-protesters>;

412 at antiwar rallies between 24 February and 31 March 2022 in Moscow alone, “More than 400 teenagers detained since February at antiwar rallies in Moscow” (“Более 400 подростков задержали с февраля на антивоенных акциях в Москве”), *RBC*, April 12, 2022, <https://www.rbc.ru/politics/12/04/2022/625432999a7947d7889a6928> (accessed November 28, 2022).

<sup>42</sup> “Russia: Children, Students Targeted after Protests,” Human Rights Watch news release, June 11, 2017, <https://www.hrw.org/news/2017/06/11/russia-children-students-targeted-after-protests>.

<sup>43</sup> “Russia: Student Fined for Involving Children in Protest,” Human Rights Watch news release, March 27, 2019, <https://www.hrw.org/news/2019/03/27/russia-student-fined-involving-children-protest>.

the students' right to protest. The editors were sentenced to two years corrective labor and a three-year ban on managing websites. Roskomnadzor, Russia's media and communications watchdog, demands that social networks take down information about rallies, citing the need to "significantly decrease the number of underage participants."<sup>44</sup> Courts fined Twitter approximately US\$145,000 for refusing to do so on April 2, 2022, alone.<sup>45</sup> Law enforcement agencies routinely publish warnings aimed at discouraging children's participation in assemblies.<sup>46</sup>

Authorities present children engaging in protests as "immature" "victims" of manipulation,<sup>47</sup> "their malleable mind[s]" making them "a docile resource" for organizers of unsanctioned public gatherings. The Russian Commissioner for Human Rights called for new measures "to prevent minors from participating in mass protest rallies,"<sup>48</sup> and the Commissioner for Children's Rights stated that "children have no place at illegal rallies."<sup>49</sup>

*Human Rights Watch recommends that the committee ask the government of Russia:*

- How many children were detained and how many children were prosecuted for participation in assemblies in 2017–2022?
- How many parents faced prosecution in connection with their children's participation in assemblies?

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<sup>44</sup> Federal Service for Supervision of Communications, Information Technology, and Mass Media, "Social networks are deleting calls on minors to participate in illegal rallies" ("Социальные сети удаляют призывы к несовершеннолетним принять участие в незаконных акциях"), January 28, 2022, <https://rkn.gov.ru/news/rsoc/news73344.htm> (accessed November 28, 2022).

<sup>45</sup> Federal Service for Supervision of Communications, Information Technology, and Mass Media, "Twitter fined for failure to take down calls on minors to participate in illegal rallies" ("Twitter оштрафован за неудаление призывов к несовершеннолетним принять участие в незаконных акциях"), April 2, 2022, <https://rkn.gov.ru/news/rsoc/news73532.htm> (accessed November 28, 2022).

<sup>46</sup> For instance, Moscow prosecutors warned that calling on children to take part in rallies may be criminally prosecuted as "involving minors in the commission of antisocial actions," Moscow prosecutor's office Telegram feed, September 21, 2022, <https://t.me/moscowproc/1092> (accessed November 28, 2022).

<sup>47</sup> Commissioner for Human Rights in Moscow, "Report on the activities of the Commissioner for Human Rights in Moscow, on respect and protection of human and citizen rights and freedoms in 2021" ("Доклад о деятельности Уполномоченного по правам человека в городе Москве, о соблюдении и защите прав и свобод человека и гражданина в 2021 году"), 2022, <https://ombudsman.mos.ru/uploads/magic/ru-RU/Document-o-156-src-1657625910.6364.pdf> (accessed November 28, 2022), p. 151.

<sup>48</sup> High Commissioner for Human Rights in the Russian Federation, "Report on the activities of the High Commissioner for Human Rights in the Russian Federation in 2017" ("Доклад о деятельности Уполномоченного по правам человека в Российской Федерации за 2017 год"), 2018, <https://ombudsmanrf.org/storage/74a0484f-7d5a-4fe4-883d-a1b5ba1dd5f8/documents/ezhegodnye-doklady/docs/doklad2017.pdf> (accessed November 28, 2022), p. 73.

<sup>49</sup> Commissioner for Children's Rights under the President of the Russian Federation, "Anna Kuznetsova: there is no place for children at illegal rallies" ("Анна Кузнецова: детям не место в незаконных акциях"), January 23, 2021, <http://deti.gov.ru/articles/news/23012021> (accessed November 28, 2022).

- How many parents, if any, were stripped of custody in connection with their children's participation in public protests?
- Which steps does the government take to ensure children's enjoyment of the right to peaceful assembly?

*Human Rights Watch recommends that the committee call on the government of Russia to:*

- Stop harassment, intimidation and prosecution of children and their parents over the children's participation in peaceful assemblies.
- Take positive steps to ensure children's enjoyment of the right to free peaceful assembly.