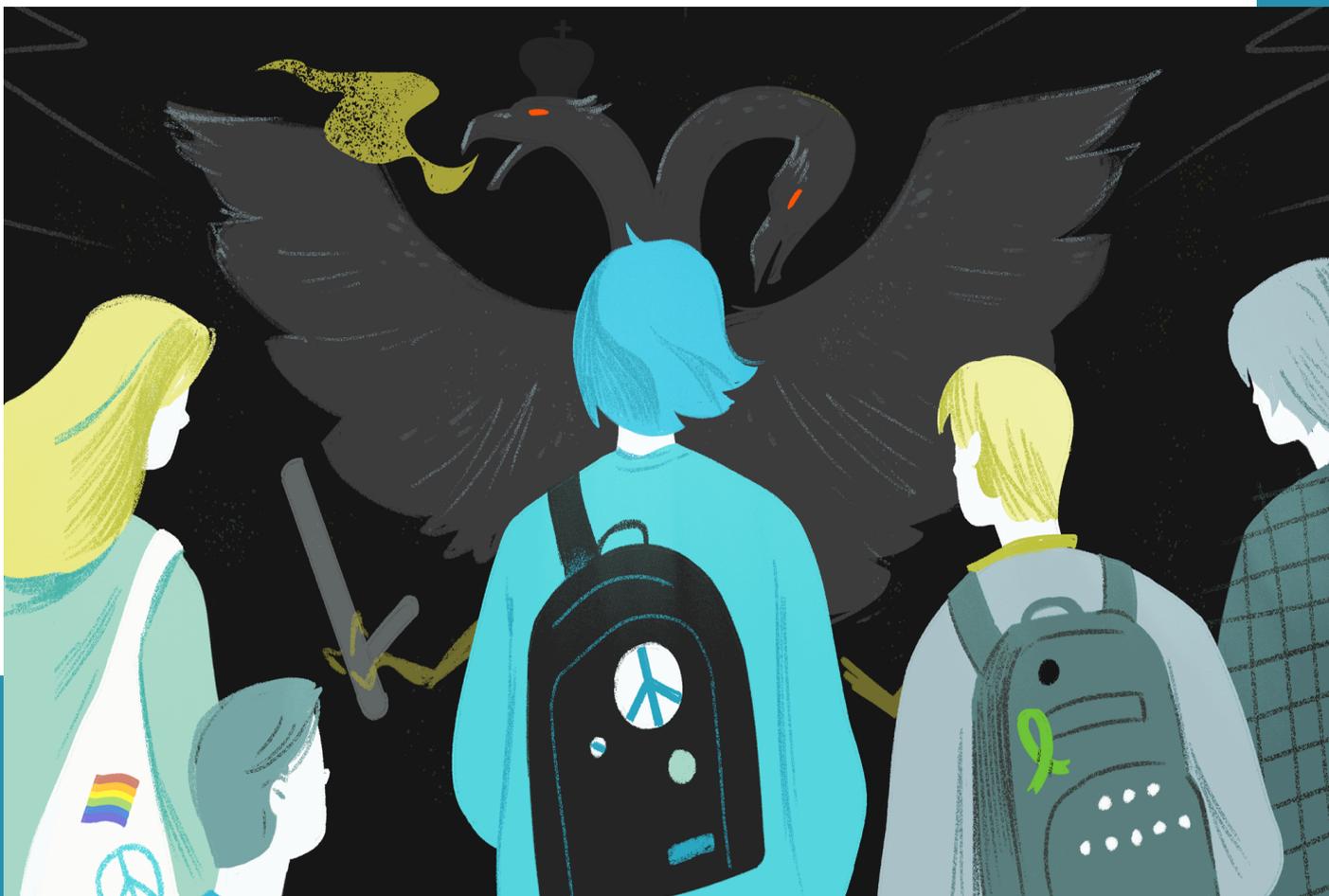


The Report on Civil Rights and Freedoms of Children

For the United
Nations Committee
on the Rights of the
Child



CONTENTS

INTRODUCTION	3
I. Right to seek, receive and impart information	4
<i>a. Censorship and blocks in Russia</i>	4
<i>b. State propaganda among children</i>	4
<i>c. Persecution of children for activism and dissenting views</i>	5
<i>d. Access to information about LGBTQ+</i>	7
II. Freedom of peaceful assembly	8
<i>a. Legal framework for the right of the child to freedom of assembly</i>	8
<i>b. Law enforcement</i>	9
i. Administrative and criminal prosecution	9
ii. Violations during peaceful assemblies	12
<i>c. Propaganda and extrajudicial pressure related to freedom of assembly</i>	14
i. Restriction of information on public events	14
ii. Propaganda and extrajudicial pressure in educational facilities	15
III. Freedom of association	16
IV. Protection of privacy	17
<i>a. Interference in child's private life during house searches</i>	17
<i>b. Social networks monitoring</i>	18
LIST OF RECOMMENDATIONS	18

INTRODUCTION

OVD-Info is an independent human rights media project aimed at monitoring cases of political persecution in Russia and providing legal assistance to victims of such persecution.¹ Today, OVD-Info operates a 24-hour federal hotline and a Telegram bot to collect information on all types of political persecution and coordinate legal assistance to its victims, provides legal education to activists and researches different types of political persecution in Russia. After such data analysis we are able to provide a comprehensive research of the cases and trends of rights violations.

This report focused on civil rights and freedoms of children. Children's civil rights and freedoms in Russia are restricted no less than civil rights and freedoms of people in general, which are now undergoing a systemic crackdown.² However, there are specific restrictions aimed only for the children that severely restrict their rights.

For instance, Russian authorities often justify the adoption of repressive legislation by the protection of children – the LGBTQ+ propaganda law and foreign agent legislation restrictions are among the few examples. Any dissenting views of children are prosecuted both administratively and criminally, as well as political interactions between opposition activists and underage persons. “Foreign agents” organisations are prohibited to carry out educational activities in relation to minors and produce information products for minors. After the full-scale invasion of Ukraine, the authorities started to actively use pro-war propaganda among children and prosecute minors for their pacifist position.

Freedom of peaceful assembly in Russia is de-facto non-existent, specifically for minors who are relatively more vulnerable. Even participation in ecological protests or non-political public events leads to detentions, and participation in mass protests – to administrative and criminal prosecution. Since February 24, 2022 only there are 544 minors detained, and at least 4 prosecuted criminally. Facial recognition technologies are used to target and prosecute protesters – including those underaged. Protests participants also face police violence during and after detention despite their age. Parents are prosecuted if their children were involved in protests, and even when parents protest only by themselves, their children are subjected to discrimination and threats.

Russian authorities also make attempts to prevent youngsters' participation in peaceful assemblies via extrajudicial pressure (especially in educational facilities) and propaganda. However, pro-government and pro-war assemblies are not only permitted for minors, but also organized and praised by the government. The right to privacy of children is also not respected, protected or fulfilled. Further, we provide the detailed information with examples on the specified violations.

¹ <https://ovdinfo.org/>

² As comprehensively highlighted in the last UNHRC Resolution on the situation of human rights in the Russian Federation <https://daccess-ods.un.org/tmp/1062322.18444347.html> and latest Moscow Mechanism report <https://www.osce.org/odihr/526720>

I. Right to seek, receive and impart information

a. Censorship and blocks in Russia

1. After the full scale invasion of Ukraine, Russian authorities adopted military censorship and blocked thousands of media outlets and other sources of information. In fact, all the technology and legislation allowing the authorities to do so were already developed several years ago.³

2. Formal conditions for the start of the Internet resource blocking were created in 2012 by amendments to the law “On the Protection of Children from Information Harmful to their Health and Development” (139-FZ).⁴ Then the “Unified Register of Prohibited Sites” and the agency responsible for it, Roskomnadzor, were created. In 2012, according to Article 15.1 of the Federal Law “On Information”, the definition of materials, access to which should be blocked by a court decision, was limited to child pornography, ways to commit suicide and manufacture or purchase of drugs.⁵ However, even then a clause was formulated that did not relate to the protection of children: “information prohibited for dissemination in the Russian Federation on the basis of a court decision” That is, information recognized by the court as extremist and included in the Federal List of Extremist Materials.

3. In 2018, a new clause for blocking was added to Article 15.1 — on “inciting minors to commit illegal actions.” In January 2021, the authorities forced social media to delete materials calling minors to participate in rallies in support of Alexey Navalny.⁶ During the following years, new amendments to this law were adopted, bringing closer to the complete censorship of alternative sources of information that we are seeing now.

b. State propaganda among children

4. The Russian authorities actively use propaganda justifying the invasion of Ukraine.⁷ In particular, they spread such pro-war propaganda among children to build a society in Russia agreeable to the current regime.

5. In the first days of the full scale invasion, Russian schools received recommendations for conducting lessons for students from grades 7-11 (ages from 13 to 17) about the war on Ukraine.⁸ These lessons were supposed to convey the government’s position on the reasons for the invasion, as well as to condemn anti-war rallies. The training manual sent to teachers quotes Putin’s speech and emphasizes that there is not a war, but a “special military operation”, which is a “forced measure” taken to “save people” and “deter nationalists who oppress the Russian-speaking population of Ukraine”.

³ Read more about this in our report on blockings in Russia: <https://reports.ovdinfo.org/internet-blocks-tool-political-censorship#2>

⁴ <http://pravo.gov.ru/proxy/ips/?docbody=&prevDoc=102144583&backlink=1&&nd=102158453>

⁵ According to Article 15.1 of the Federal Law “On Information” <http://pravo.gov.ru/proxy/ips/?docbody&nd=102108264>

⁶ <https://rkn.gov.ru/news/rsoc/news73310.htm>

⁷ <https://reports.ovdinfo.org/no-to-war-en#2>

⁸ <https://zona.media/article/2022/02/28/propaganda-lessons>

6. On March 3, 2022, the Ministry of Education held an All-Russian open lesson “Defenders of Peace”, where schoolchildren were presented with the background of current events in the official interpretation and also explained what danger the “NATO infrastructure” poses to Russia and how to distinguish lies from the truth.⁹

7. In several regions, the classes on fake news were held in March, where students were urged not to believe the reports of the Ukrainian authorities about the number of dead Russian soldiers.¹⁰ In the same month, the lesson “Brotherhood of Slavic Peoples” was held: schoolchildren were told about the proximity of the cultures of Russia, Belarus and Ukraine “which should remain a united nation today”.¹¹

8. In April, the Ministry of Education sent manuals to schools instructing how to conduct lessons on the topic “Anti-Russian sanctions and their impact on the domestic economy”.¹² There are also lessons on the topic of “hybrid conflicts”, in which schoolchildren are invited to determine the truthfulness or falsity of various reports about what is happening in Ukraine in the form of a game.¹³

9. Since September 2022, a cycle of such extracurricular school activities called “Important Conversations” lessons was introduced throughout Russia. Every week the class teacher has to hold a lesson about patriotism and morals. From the 5th grade, the lessons will have to discuss the goals of the “special military operation”, Ukraine, the DPR and LPR. For refusing to attend such lessons, schoolchildren and their parents are threatened with expulsion.¹⁴ Various forms of pressure are applied even against teachers who refuse to hold such lessons.¹⁵

c. Persecution of children for activism and dissenting views

10. Russian authorities persecute minors who publicly express their disagreement with the position of the state. For example, in November 2020, a juvenile affairs inspector at the police station in St. Petersburg threatened an underage activist with criminal prosecution, searches by the Russian federal security service (hereinafter - FSB) and seizure of equipment if she did not remove posts on political topics from social networks.¹⁶

11. In 2020, in Kansk, the FSB detained several teenagers who stuck stickers critical of the state and in support of political prisoners on the building of the special services. As a result, a criminal case was opened against three 14-year-olds under a terrorism article. On 10 February 2022, one of them was sentenced to 5 years in prison as he did not plead guilty. Before that, he was in custody from June 10, 2020 to May 4, 2020. The other two teenagers received 4 and 3 years of conditional imprisonment with 2 years of probation.¹⁷

⁹ <https://www.youtube.com/watch?v=wmgRTmqTwA>

¹⁰ <https://www.kommersant.ru/doc/5251291>

¹¹ Ibid

¹² <https://www.kommersant.ru/doc/5293728>

¹³ <https://zona.media/article/2022/04/06/hybrid-school>

¹⁴

<https://ovd.news/express-news/2022/09/17/roditeli-shkolnikov-v-peterburge-rasskazali-ob-ugrozah-iz-za-otkaza>

¹⁵ <https://t.me/ovdinfo/15305>

¹⁶ <https://mbk-news.appspot.com/news/v-peterburge-silovi/>

¹⁷ <https://memohrc.org/ru/special-projects/delo-kanskih-podrostkov>

12. After February 24, 2022, the persecutions of children for exercising their freedom of expression became more frequent. OVD-Info is aware of at least 7 minors who are criminally prosecuted in the context of their anti-war positions.¹⁸ In two more cases, the teenagers turned 18 years old after the start of the criminal prosecution, and in one case, the case was dismissed. Teenagers are being prosecuted, for example, for graffiti “Death to the regime”, setting fire to a banner with the letter V, damaging posters with portraits of the military, trying to damage electrical equipment on railway tracks, as well as for “repeated” discrediting of the Russian Armed Forces – the case was opened after the teenager wanted to take part in the anti-war procession and came to the gathering place with a white-blue-white flag. One of them is prosecuted under Article 207.3 of Criminal Code (hereinafter - CC) (“spreading fakes about the use of Russian Armed Forces”) for writing a comment in a Telegram chat. Moreover, a court in Nalchik city has sentenced a person whose daughter, at his request, tore the letter Z from a car.¹⁹ He received a two years conditional sentence and was fined 30 thousand rubles under articles on discrediting the Russian army and involving a minor in a crime.

13. In addition, Russian authorities prosecute children under Article 20.3.3 of the Code of Administrative Offences (hereinafter - CAO) (“discrediting the use of Russian Armed Forces”) and other articles for expressing their anti-war views. In particular, minors are targeted for sharing posts about anti-war rallies,²⁰ leaflets against mobilization,²¹ holding solo demonstrations,²² expressing anti-war views during school events,²³ demonstrating anti-war peace of clothing.²⁴ In Barnaul, a 17-year-old student was fined under Article 20.3.3 of the Code of Administrative Offenses (hereinafter - CAO) for making an anti-war comment on a social network.²⁵ In St. Petersburg, a 16-year-old schoolgirl was detained and charged under the same article because of the anti-war inscription she left on the installation “St. Petersburg and Mariupol are sister cities”.²⁶ In Chelyabinsk, the 17-year-old was charged under the same article for anti-war leaflets.²⁷ In Nizhny Novgorod, the same happened with a 16-year-old who while talking in school corridors said that if he will be conscripted, he will fight on Ukraine’s side.²⁸

14. Furthermore, a third-grader from Zvenigorod was called to the police because of the slogan “Glory to Ukraine” in a school chat.²⁹ In Moscow, a minor who expressed his position on the war with Ukraine to a teacher was approached by police officers who came to his

¹⁸ <https://data.ovdinfo.org/antivoennoe-delo-gid-ovd-info>

¹⁹

<https://ovd.news/express-news/2022/06/27/sud-v-nalchike-vynes-pervyy-prigovor-po-ugolovnoy-state-o-diskreditacii>

²⁰ <https://t.me/ovdinfo/14653>

²¹ <https://t.me/ovdinfo/14492>

²² <https://www.24liveblog.com/live/Usumo?n=3089396894269911429>; <https://t.me/ovdinfo/10682>

²³ <https://t.me/ovdinfo/9528>

²⁴ <https://t.me/ovdinfo/6553>

²⁵

<https://echomsk.spb.ru/nws/33507-sotsseti-barnaulskogo-podrostka-oshtrafovali-za-kommentarii-vo-vkontakte.html>

²⁶ <https://paperpaper.ru/papernews/2022/12/19/na-17-letnyuyu-peterburzhenku-sostavili-pr/>

²⁷ <https://74.ru/text/world/2022/12/27/71924342/>

²⁸ <https://openov.ru/news/incidents/2023-01-27/75446>

²⁹ <https://t.me/ovdinfo/9434>

house and turned off the electricity.³⁰ On May 11, 2022, the Zheleznodorozhny District Court of Ulyanovsk imposed a fine of 15,000 rubles under Article 20.3.3 of CAO on a minor who, in an Instagram comment, compared the letters V and Z with the symbols of the Nazi party.³¹

15. On October 5, 2022, in Moscow, the police and the FSB detained and brought to the police station a fifth grader with her mother.³² The reason for the detention was a denunciation from the headmistress, who complained about the avatar with the Ukrainian flag in the girl's social network profile, as well as about her skipping propaganda lessons. The police also claimed the parents of other students wrote a complaint because the girl did not agree that “Zelensky is a clown” in the school chat. During the arrest, the police used force against the mother and frightened the girl to tears. After the interrogations, the police searched their house. The searches were attended by guardianship authorities. As a result, on October 25, the Commission on Juvenile Affairs put the girl on preventive records³³ as a juvenile in a socially dangerous position.³⁴ In addition, her mother was found guilty of failure to fulfill parental duties (part 1 of Article 5.35 of the CAO), and was given a warning. After these events, the girl attends therapy.

16. In Yekaterinburg, a fifth-grader was publicly scolded for writing in a letter to a soldier not to kill people and to return home.³⁵ Two high-school students of the HSE Lyceum in Moscow were harassed by the public for refusing to stand up to the Russian national anthem during the propagandist school lesson and playing the Ukrainian anthem instead.³⁶ In Bryansk, a history teacher at a college, Elena Lazarenko, was fined 40,000 rubles (570 USD) under Article 20.3.3 because of anti-war statements in class. On October 6, ten law enforcement officers came to the college – they interviewed underage students one at a time, and later looked through Lazarenko’s phone. In the Arkhangelsk region, in kindergarten, the police, without the knowledge of the child's family and in the absence of legal representatives, interrogated a 6-year-old girl because of her grandmother's anti-war solo picket.³⁷

d. Access to information about LGBTQ+

17. The children are often presented as a tool of the opposition or ‘the West’ to destabilize the political situation in Russia. As a result, Russian authorities often justify the adoption of repressive and discriminative legislation by the protection of children. Since 2013, a law has already been in force in Russia prohibiting “propaganda of non-traditional sexual relations” among minors. Article 6.21 of CAO imposes liability in the form of a fine, arrest or

³⁰ <https://t.me/ovdinfo/5820>

³¹ <https://t.me/ovdinfo/9485>

³² <https://ovdinfo.org/stories/2022/10/27/svyataya-dzhavelina-kak-pyatiklassnicu-i-ee-mamu-zaderzhali>

³³ Read more about preventive records in our material: <https://ovd.legal/instruction/profuchet>

³⁴ <https://t.me/ovdinfo/15572>

³⁵ <https://theins.ru/news/255914>

³⁶

<https://doxa.team/news/dvukh-uchenic-liceya-vshe-v-moskve-zatravili-za-proslushivanie-gimna-ukrainy-vo-vremya-razgovorov-o-vazhnom>

³⁷

<https://www.severreal.org/a/arhangelskaya-politsiya-tayno-oprosila-6-letnyuyu-devochku-o-pikete-babushki/32187876.html>

suspension of activities. Moreover, in 2016, a website of the project supporting gay, bisexual and transgender teenagers, Children-404 (Дети-404), was included in the Unified Register of Prohibited Sites.

18. On 20 October 2022 new amendments to this law were introduced.³⁸ According to this bill, “propaganda of non-traditional sexual relations” will be generally prohibited, not only among minors.³⁹ Also, two new articles will be added to the CAO - 6.21¹ and 6.21². The first will be devoted to “propaganda of pedophilia”, and the second will be dedicated to “dissemination among minors of information that demonstrates non-traditional sexual relations and (or) preferences, or that can cause minors to desire to change their gender”. Penalties for all these articles will become stricter. Aggravating circumstances will be “propaganda” among minors (in Articles 6.21 and 6.21¹), as well as the use of the media or the Internet. This bill will be considered by the State Duma in November 2022.

19. In addition, on 27 October 2022, the State Duma unanimously adopted in the first reading a bill⁴⁰ banning propaganda and justification of non-traditional sexual relations in the media, the Internet, advertising, literature and cinema.⁴¹

II. Freedom of peaceful assembly

a. Legal framework for the right of the child to freedom of assembly

20. Federal Law “On assemblies, rallies, demonstrations, marches and pickets” sets the minimum required age at 16 years old for protest organizers and 18 years old for demonstration or picketing organizers. However, there is no age limit for participating in rallies.⁴² The same Federal Law also regulates protest financing and prohibits several categories of protests’ sponsors including Russian citizens under the age of 16.⁴³

21. Yet, Article 20.2 of the CAO imposes liability for involving a minor in an unauthorized protest. Since 2018 the punishment for such an act was a fine of 30,000 to 50,000 roubles (approximately \$490 and \$820), community service of no more than 100 hours or arrest for no more than 15 days.

22. Legal uncertainty also exists regarding the status of solo demonstrators (as participants and/or organizers). This is why, for instance, ecological movements discourage their underage members from staging solo demonstrations and suggest mass picketing instead.

23. Regional authorities decide where a public event can be held. In some cities, there are bans on organizing protests near schools. This instills the idea that demonstrations are something that is inappropriate for young people and should be separated from any relations with minors.

³⁸ <https://sozd.duma.gov.ru/bill/217472-8>

³⁹

<https://meduza.io/cards/v-rossii-polnostyu-zapretyat-propagandu-gomoseksualnosti-i-pedofilii-a-detyam-nelzya-budet-dazhe-rasskazyvat-ob-lgbt-lyudyah-cto-esche-popadet-pod-zapret>

⁴⁰ <https://sozd.duma.gov.ru/bill/217471-8>

⁴¹ <https://dumatv.ru/news/zakonoproekt-o-polnom-zaprete-lgbt--propagandi-proshel-i-chtenie>

⁴² <http://publication.pravo.gov.ru/Document/View/0001202012300051?index=0&rangeSize=1>

⁴³ <https://reports.ovdinfo.org/art-ban#1>

b. Law enforcement

24. During recent years, the right to peaceful assembly in Russia became only proclaimed but not respected, protected or fulfilled. The basis for suppressing peaceful assemblies and prosecuting their participants is their “uncoordinated” status.⁴⁴ The state refers to their illegality as grounds sufficient for a violent dispersal.

25. While participation in ‘non-approved’ protests is dangerous for everyone, underage persons in Russia are relatively more vulnerable in front of pressure than other people because of their financial, social and personal dependence on the education system and families.

i. Administrative and criminal prosecution

26. After the start of the full-scale invasion of Ukraine, at least 544 minors were detained at anti-war protests. After detentions, many minors are interrogated by police in violation of the rules without their parents.⁴⁵ The examples of detentions are as follows. On December 3, 2022, in Chelyabinsk, a minor was detained who came out with a poster “No to war!”.⁴⁶ On January 17, 2023, a minor was detained at a protest against cutting down trees in the Moscow Forest. Later, he said that in the department, the police took away his phone and beat him with a book so that he would unlock the device.⁴⁷ On January 18, 2023, police detained a 17-year-old near the monument to Lesya Ukrainka, who came to lay flowers to express condolences to the victims of the rocket attack on a residential building in Dnipro. On February 5, 2023, in Magnitogorsk, three underage boys were detained who were going to take part in an anti-war procession and had a white-blue-white flag.⁴⁸ They were held in a police station till midnight and one of them was charged with Article 20.3.3 of the CAO, and later – with a criminal case under “repeated discreditation” Article 280.3 of CC .

27. Also, many of the detainees are afterwards registered with the police commission for juvenile affairs.

28. Moreover, even non-political assemblies with involvement of minors are de-facto prohibited in Russia. Only in 2022, such examples include detention of 15 underage participants⁴⁹ of a furry community event, 10 minors on an anime cosplay event,⁵⁰ or 10 minors with signs promoting Russian rapper Morgenshtern.⁵¹

29. Minors that happen to be on the streets during protests – not participating in them – also have the risk of being detained. For instance, on February, 24, 2022, a 12-year-old boy

⁴⁴ See more: <https://reports.ovdinfo.org/art-ban%20>

⁴⁵ This problem was also highlighted in the Memorandum of the Commissioner for Human Rights to Freedom of Assembly in the Russian Federation: <https://rm.coe.int/follow-up-memorandum-on-freedom-of-assembly-in-the-russian-federation-/16807517aa>

⁴⁶ <https://t.me/ovdinfo/16474>

⁴⁷ <https://t.me/ovdinfo/17604>

⁴⁸ <https://t.me/ovdinfo/18126>

⁴⁹ <https://t.me/ovdinfo/10253>

⁵⁰

<https://ovd.news/express-news/2021/03/21/policiya-v-peterburge-prishla-v-loft-proekt-etazhi-na-sezd-animeshnikov>

⁵¹ <https://t.me/ovdinfo/15407>

was detained in St. Petersburg and handed over to his parents after spending the night in the police station.⁵²

30. The disproportionate punishment for participation in assemblies also includes criminal prosecution – children are not exempted from this practice. For example, in 2020, during large protests in Khabarovsk, a criminal case was initiated against a minor. The child used obscene words against the police representative present at a meeting in the school dedicated to the child's participation in a rally in support of Sergei Furgal (region's former head). He was sentenced to 80 hours of compulsory labor for "insulting a policeman" (Article 319 of the CC).⁵³

31. OVD-Info is also aware of at least 10 criminal cases against minors after the winter 2021 major protests.⁵⁴ There are also at least 1 criminal case initiated against a minor after anti-war protests in 2022.

32. Moreover, facial recognition technologies are used to target and prosecute protesters in Russia. Such technologies identify the faces of assembly participants and add them to a database of "dissenters".⁵⁵ People from such database are later detained either after the protests, or preventively – on the days when protests are announced. Such practice spread to children as well – there are at least two cases when minors were detained after the facial recognition cameras identified them.^{56,57}

33. Furthermore, the Russian law system marginalizes those minors who want to take part in rallies by criminalizing some forms of political interactions between opposition activists and underage persons. For instance, there are criminal cases under the Article 151.2 of the CC opened against journalists and political activists for "involvement of a minor in committing acts endangering the life of a minor". A criminal case against student magazine DOXA editors was opened because of the video urging students not to be afraid of threats of expulsion from university for participating in rallies. The magazine editors were sentenced to two years of hard labor.⁵⁸ The head of Navalny's headquarters network, Leonid Volkov, is being prosecuted for the same stance.⁵⁹

34. Some forms of political activism – like climate activism – are the spheres that mainly involve youngsters and students. Adult members of the such movement who communicate with underage members receive threats from the police to open a criminal case against them for 'involvement of minors in commission of a crime.' The leader of climate justice activism

⁵² <https://t.me/ovdinfo/4440>

⁵³

<https://ovd.news/express-news/2022/08/22/v-habarovske-sud-utverdil-prigovor-nesovershennoletnemu-po-delu-ob>

⁵⁴ Cases were opened for allegedly hitting a security official on the hand during protests, a social media publication, and an inscription on the building of the administration. See more: <https://palace.ovdinfo.org/>

⁵⁵ See more: <https://reports.ovdinfo.org/how-authorities-use-cameras-and-facial-recognition-against-protesters>

⁵⁶

<https://ovd.news/express-news/2021/09/26/v-moskve-po-foto-zaderzhali-nesovershennoletnego-iz-za-akcii-za-c-hestnye>

⁵⁷ <https://t.me/ovdinfo/14596>

⁵⁸ <https://ovd.news/express-news/2022/04/12/redaktorov-doxa-prigovorili-k-dvum-godam-ispravitelnyh-rabot>

⁵⁹

<https://ovd.news/express-news/2021/02/10/rukovoditelya-seti-shtabov-navalnogo-obyvavili-v-mezhgosudarstvenny-rozysk>

movement Fridays for Future Arshak Makichyan was deprived of his sole Russian citizenship as a form of political pressure on him for organising such a movement and protests.⁶⁰

35. In the end of 2022, an alarming practice of opening criminal cases and putting minors into pre-trial detention centers for “sabotage”, or “destruction of property” began. The practice of putting military offices on fire, trying to destroy railway tracks or stop their work in Russia by, *inter alia*, minors, started after the full-scale invasion of Ukraine happened as a part of anti-war protests. There are no people harmed in such practice, yet the trials and investigation process are quite discriminatory, and there is little to no proof the accused even did it or planned to do it. The “sabotage” criminal articles were recently severely broadened and almost equated to terrorism in the Criminal Code – accused minors can face up to 20 years in prison. The investigative standards for such cases remain quite low, and the intelligence service’s involvement means it is quite hard to get any information about the cases and processes. There are very strong grounds to suspect that none of the guarantees provided at the Article 37 of the Convention are being ensured, and that the minors in custody are victims of arbitrary detention and part of the crackdown on any anti-war dissent by the Russian government that, *inter alia*, makes the authorities to seek spies and “saboteurs” among people with anti-war views.

36. On November 28, 2022, 16 and 15 year-olds were sentenced for alleged planning of the arson of a military office to a year and a half of suspended sentence with a two-year probationary period.⁶¹ On January 3, in Rostov-on-Don, three young men (2 of them are 17 years old) were detained by FSB for the alleged “attempt of the arson of a military office”.⁶²

37. There are other cases of charging minors with “sabotage” or “preparation for sabotage” – for instance, trying to set on fire to relay cabinets on the railway⁶³ (a 17-year old was arrested by the FSB), opening two cabinets with technical devices on the stretch between railway stations (a 17-year-old was arrested and charged with preparation for sabotage)⁶⁴, sabotage on the railway because a transformer box near the railway tracks caught on fire (4 teenagers ages 16-20 are now in pre-trial detention center)⁶⁵, three 8-graders who, according to the intelligence service, damaged the railway tracks in the Moscow region (14-year-olds).⁶⁶ In Ufa, a 17-year-old is charged with organization of a terrorist act as part of an organized group (part 2 Article 205 of the CC) for stealing fasteners for rail joints, which they handed

⁶⁰

<https://ovd.news/express-news/2022/10/31/vystupavshego-protiv-voyny-ekoaktivista-lishili-rossiyskogo-grazhdanstva>

⁶¹ According to investigators, the young men decided to do this after an “unidentified person” contacted one of them in a messenger and offered five thousand dollars for arson. See more at

<https://ovd.news/express-news/2022/11/28/sud-v-cherepovce-naznachil-uslovnnye-sroki-dvum-nesovershennoletnim-yunosham>

⁶²

<https://ovd.news/express-news/2023/01/06/baza-troih-zhiteley-rostova-na-donu-zaderzhali-po-podozreniyu-v-popytke>

⁶³

<https://www.sibreal.org/a/v-buryatii-zaderzhali-troih-zhiteley-po-delu-o-diversii-na-zheleznoy-doroge/32228735.html>

⁶⁴ <https://t.me/bazabazon/15458>

⁶⁵ https://t.me/ostorozhno_novosti/13963

⁶⁶

<https://ovd.news/express-news/2023/01/30/sotrudniki-fsb-zaderzhali-treh-vosmiklassnikov-iz-za-povrezhdeniya>

over to a metal collection point. Even if the event took place, the charges are highly disproportionate and deprivation of liberty of a minor under such charge is not legitimate, as well as lack of access to proper legal help and political nature of the charges.

ii. Violations during peaceful assemblies

38. Protests participants face police violence during and after detention despite their age. There are examples of minors being threatened or beaten at police stations. Some of such instances:

- In October 2020, 16 y.o. teenager was beaten with police batons and intimidated at the police department in Khabarovsk.⁶⁷
- In February 2021, the beaten detainees, including minors, were denied necessary medical assistance and hospitalization.⁶⁸
- On September 24th, during anti-mobilisation protests in Saratov, the police struck a 16-year-old boy with the gunstock on the head, leaving a bump.⁶⁹

39. Parents are also put under pressure if their children were involved in street protests. They face administrative prosecution and subsequent visits from the guardianship authorities. Moreover, detained minors cannot leave police stations without their parents even if the latter cannot arrive on the same day, which puts children in the situation where they spend days in the departments waiting for their parents.⁷⁰ Examples of instances described are:

- A woman from Sverdlovsk whose daughter participated in an anti-corruption rally on 26 March 2017 was fined 10,000 roubles (approximately \$100) for such participation.⁷¹
- In June 2017, police officers did not allow the father to meet his detained underage son in Moscow.⁷²
- During anti-war protests in Russia in February-March 2022, in two cases, parents were not allowed to see a minor detainee. In eight cases minors were left overnight or sent to a temporary detention center, since legal representatives could not arrive. For some parents, protocols were drawn up under the article on failure to fulfill parental responsibilities (Article 5.35 of the CAO).⁷³

40. Even when people who have kids participate in peaceful protests only by themselves, they and their children are subjected to discrimination and threats because of such participation. For instance:

- In 2019, the prosecutor's office twice appealed to the court demanding to deprive the protesters of their parental rights for “leaving a child in danger” and “failure to fulfill

⁶⁷

<https://ovdinfo.org/stories/2020/12/11/bili-dubinkami-po-nogam-i-rukam-na-akcii-v-habarovske-silvbgoviki-izb-ili-podrostka>

⁶⁸ <https://t.me/ovdinfo/7876>

⁶⁹ <https://www.24live.co/live/U09Er?n=3147349735511191974>

⁷⁰ <https://reports.ovdinfo.org/mgd-2019#5-3%20%20%20>

⁷¹ <https://reports.ovdinfo.org/zhenshchiny-i-svoboda-sobranij-v-rossii#3-14>

⁷² <https://ovdinfo.org/articles/2017/06/29/12-iyunya-narusheniya-v-otdeleniyah-policii>

⁷³ <https://reports.ovdinfo.org/no-to-war-en#8-7>

the obligations of raising minors.” The appeals were left without satisfaction, however the precedent created a chilling effect on assembly participants.⁷⁴

- In Krasnodar, guardianship officials came to the home of a woman activist, who filed a notice to the authorities about organizing a rally, and claimed that she is going to leave her two teen daughters alone and in danger.⁷⁵
- In October 2022, the Commission on Juvenile Affairs in Moscow issued a warning under the Article 5.35 of the CAO to the defender of the Bitsevsky forest who tried to prevent the passage of construction equipment. He came to the protest with a child who sat on the bucket of the tractor for a minute. The construction guards photographed this moment and said that the defenders of the forest were stopping the machinery by children.⁷⁶

41. Also, the police detain people simply participating in peaceful protests with their children. The examples include:

- In St. Petersburg, during the anti-war protests in 2022, there were at least 3 detentions of parents with their children.⁷⁷ The Commission on Juvenile Affairs there also issued a warning to a local resident for the failure to fulfill her obligations to raise a minor – she was detained for an anti-war single picket while being with a young child.⁷⁸
- On March 1, 2022, two women and five children aged 7-11 who came to lay flowers at the Ukrainian embassy were roughly detained in Moscow – they were kept in the department for more than 3 hours and threatened to be left overnight and deprived of their parental rights.⁷⁹
- On May 26, 2022, in Moscow the man who had his son in a stroller with him was detained because of a picket. Police officers threatened to send the boy to an orphanage, because the man did not have his son's birth certificate with him. After drawing up a protocol against the man, the police officers took the child away and took him to the children's hospital. The child was returned to detainee on the night of May 27 – more than 24 hours after the arrest.⁸⁰
- In Irkutsk, the police on February 24, 2022 detained a family with a child when they were walking in the park. They were released three hours later with a warning.⁸¹
- Among those detained in Kyzyl at an anti-mobilization rally was a woman with a baby, who was held for more than three hours.⁸²

⁷⁴

<https://ovd.news/express-news/2019/09/02/u-uchastnikov-protestnyh-akciy-27-iyulya-i-3-avgusta-ne-stali-otbirat-detey>

⁷⁵

<https://ovd.news/express-news/2020/07/24/v-krasnodare-sotrudniki-organov-opеki-prishli-domoy-k-aktivistke-i-z-za>

⁷⁶

<https://ovd.news/express-news/2022/10/14/zashchitniku-bitcy-vynesli-preduprezhdenie-po-state-o-neispolnenii>

⁷⁷

<https://t.me/meduzalive/53623>;

<https://ovd.news/news/2022/02/24/akcii-v-podderzhku-naroda-ukrainy-i-protiv-voyny>

⁷⁸

<https://t.me/ovdinfo/7644>

⁷⁹

https://t.me/anthro_fun/1155

⁸⁰

<https://t.me/ovdinfo/9786>

⁸¹

<https://t.me/ovdinfo/4409>

⁸²

<https://t.me/ovdinfo/14548>

42. Plus, a quite widespread practice is overnight detentions of mothers with children that are younger than 14-years old, which directly contradicts such prohibition enshrined in Article 3.9 of CAO.

43. Since February 24, 2022, OVD-Info is aware of at least 42 cases of detention of women who had children under 14 for more than 3 hours. In at least 20 cases, these women were left overnight at the police station. A court in St. Petersburg appointed 29 days of administrative arrest for a single mother whose child the guardianship authorities were going to take to a shelter. After the release of the woman, the guardianship authorities repeatedly visited her home.

c. Propaganda and extrajudicial pressure related to freedom of assembly

44. Russian authorities also make attempts to prevent youngsters' participation in peaceful assemblies via media resources, extrajudicial pressure and propaganda. The state propaganda condemns the 'involvement' of underage persons in 'unauthorized' protests.

45. In Russia, there are no policies in place to fight the problem of state officials putting pressure on underage persons who participated in unauthorized protests. For underage persons, there is also no effective legal mechanism for self-representation in court to ensure that the child's views are transmitted correctly to the competent body. That increases the minors' dependence on adults and reinforces the engineered image of all minors being immature and hinders the child's access to justice.⁸³

i. Restriction of information on public events

46. The propaganda explains the involvement of young people in protests by their susceptibility to manipulative technologies on the Internet and in social media.

47. The leader of the state-controlled Association of Parents' Committees Olga Letkova proposed to ban social networking service *TikTok* in Russia because of its ability to influence the youth and the call to rallies on 23 January 2021: *'Those western social networks, they manipulate our children in multiple ways to make them go outside and to do things... just like in Ukraine and Belarus.'* Such allegations make many Russians believe that social media and their popularity among the youth can cause a 'color revolution' instigated by foreign countries.⁸⁴

48. The fight against the dissemination of information about rallies in social networks and the media was previously actively carried out by authorities on the basis of a ban on "inducing minors to commit illegal acts". For instance, before and after major winter 2021 protests, Roskomnadzor sent out a warning to owners of social networks which stated that they would be fined under Article 13.41 of the CAO for: "involving minors to participate in unauthorized mass activities" and non-compliance with the requirements to stop the spread of such calls.⁸⁵

⁸³ According to the U.N. High Commissioner report: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/189/80/PDF/G1318980.pdf?OpenElement>

⁸⁴ <https://t.me/codaru/762>

⁸⁵ <https://rkn.gov.ru/news/rsoc/news73302.htm>

ii. Propaganda and extrajudicial pressure in educational facilities

49. Young activists also face pressure in educational facilities, which leads to deteriorating abilities to learn properly, decreasing motivation and worsening of communication among classmates. Often both official authorities and teachers threaten students with problems with their education and applications to universities, and even criminal prosecution. Teachers often tell their students that they have no right to participate in political manifestations until they turn 18 years old.

50. As a consequence, not only can minors themselves lose their willingness to participate in public assemblies because they are afraid of persecution, they can be also publicly condemned. Police officers have come to activists' schools, and social workers and teachers reprimanded young people for participating in protests in front of their classmates. For instance:

- In 2019, in Saint Petersburg, an 8th-grader was reprimanded in front of her class by a social worker who came to school after the girl was detained at a protest against the Pension Reform. After that the girl was forced to copy lines from the CAO about the 'simultaneous mass presence'. The student was told that she did not have a right to attend public events without parents because of her young age.⁸⁶
- In October 2019, in Moscow, an inspector for minors threatened a student with problems with the Centre for Combating Extremism because of his political activism. The inspector came to the school where the activist was studying to hold a scheduled conversation with high school students. At the end of the conversation, the class teacher of the minor activist told the inspector that one of her students had attended protests this summer.⁸⁷
- On February 27, 2022, the policemen in Ufa called the school and demanded to provide a testimonial for two underage detainees on an anti-war protest.⁸⁸

51. Moreover, after the full scale invasion of Ukraine, even those teachers who support anti-war protests are being fired from schools or fined after any pacifist statements during the lessons under the Article 20.3.3 of the CAO⁸⁹ thus further isolating minors with dissenting views.⁹⁰

52. However, pro-government and pro-war assemblies are not only permitted for minors, but also organized and praised by government and educational facilities. For instance, since the start of the war there have been tens of examples of school teachers and kindergarten teachers organising flash mobs, demonstrations and other public actions, during which their

⁸⁶

<https://ovdinfo.org/articles/2019/01/23/nichego-lichnogo-tolko-obshchestvennoe-kak-shkolnicu-zastavlyali-zauchivat-koap>

⁸⁷

<https://ovd.news/express-news/2019/10/30/v-moskve-inspektor-pdn-ugrozhaet-problemami-s-centrom-e-storonniku>

⁸⁸ <https://t.me/ovdinfo/4988>

⁸⁹ Examples of such fines: <https://t.me/ovdinfo/6793>; <https://t.me/ovdinfo/10573>

⁹⁰ Examples of fired teachers include Yelena Baybekova – <https://t.me/ovdinfo/7102>; Susanna Bezazieva – <https://t.me/ovdinfo/8169>; Maruchana Voronina – <https://t.me/ovdinfo/8421>; Alexander Boburov – <https://t.me/ovdinfo/9319>; Rushan Valiullin – <https://t.me/ovdinfo/13108>; Vladimir Volkov – <https://t.me/ovdinfo/15150>.

students lined up in the letters Z and V.⁹¹ These actions are supported by the pro-war rhetoric, which clearly violates also principles of the Article 29 (b) and (c) of CRC.

III. Freedom of association

53. NGOs working primarily with protection of children usually are not targeted by Russian authorities via their usual tools (foreign agent and undesirable organisation legislation, for instance).

54. However, many NGOs are working in many areas at once. Total number of wide-range NGOs declared a foreign agent or an undesirable organisation is 48 as of October 1, 2022. Often that range includes the rights of children. For example, Valeria Cherevatenko from the “Women of the Don” Union connected the “foreign agency” status of the organisation with the fact that the authorities of the Rostov region ignored the conference on the rights of the child and family in a socially dangerous situation organised by them.⁹²

55. Additionally, 43 socio-educational initiatives and projects were declared to be foreign agents. All of these initiatives in accordance with law on foreign agents as amended on December 1, 2022, cannot educate and produce information products for minors, have severe restriction of access to state financing and overall face prejudice.

56. In accordance with new law tightening restrictions on foreign agents starting from 1 of December foreign agents will be prohibited to: carry out educational activities in relation to minors and produce information products for minors.⁹³

57. These new amendments enforce already existing practice aimed at exclusion of foreign agents from educational activities for children and youth. Access to state funding for foreign agents focusing on children was already limited. “Organisation is not included in the list of non-profit organisations performing the functions of a foreign agent” is often in the requirements for participants in state grants. Here are just two examples of such contests:

58. Subsidies from the Ministry of Education for carrying out patriotic activities with participation of children and youth within the framework of the “Patriotic education of citizens of the Russian Federation” federal project (2021).

59. Competition of the Ministry of Education and Science for non-profit organizations performing the functions of infrastructure centres on financing programs of the development of the National Technology Initiative areas (2018).

60. In addition, “foreign-agent” organisations may not be granted the status of “providers of useful social services” and apply for priority funding which is exclusively associated with that status.

⁹¹ See, for instance: <https://tjournal.ru/internet/565959-z-i-deti-v-shkolah-i-detskikh-sadah-prohodyat-akcii-v-podderzhku-rossiyskoy-armii-i-uroki-o-vozvrashchenii-kryma>; <https://paperpaper.ru/deti-delayut-tanki-iz-kartona-vospitat/>

⁹² <https://inoteka.io/ino/created-and-or-distributed-en>

⁹³ Law “On the Control of the Activities of Persons Under Foreign Influence” Art. 11 part 9 and part 10, see overview at <https://inoteka.io/ino/2022/08/22/state-duma-adopted-new-law-foreign-agents-what-will-change>

IV. Protection of privacy

a. Interference in child's private live during house searches

61. No provisions of Russian legislation contain a requirement to take into account the interests of a child present during a search. Only the Constitutional guarantees can be referred to protect children during searches.⁹⁴

62. Additionally the Constitutional Court pointed out the priority procedure for ensuring the safety of each child from criminal encroachments and from adverse effects on his morality and psyche, which can significantly affect the development of his personality, even without being expressed in specific illegal acts.⁹⁵

63. The federal legislation also provides for general guarantees such as protection of physical and mental health of the child.⁹⁶ However, the practice generally disregards children's interests. When a child is present the search is carried out as in an ordinary case - as early as at 6 a.m., often with breaking out the door, many heavily armed policemen.

64. The examples include:

- In 2020, in Kaliningrad a flat was searched. The door was broken down and the father was beaten in the presence of his wife and child. Later it turned out that the policemen came by mistake. They thought the father was the administrator of one of the local social media groups that posted a video insulting a police officer⁹⁷
- In Dagestan a search was carried out in the apartment of a family of four: mother, father and two twin boys of six years, both autistic, one severely, and the second moderately. At 6 a.m., in masks and heavily armed, policemen broke into the apartment and turned the house upside down. One boy starts to have a panic attack, and they shine flashlights in their faces. After a search, both parents were arrested, taken away to Moscow and put in pre-trial detention centers. The investigator did not give the mother permission to call the relative who took the children in and give them advice on how to behave with non-verbal children with autistic disorder.⁹⁸

⁹⁴ That includes general prohibition of degrading treatment (Article 21 of Constitution), protection of private and family life (Article 23), protection of childhood (part 1 of Article 38) and human right to health care (Article 41).

⁹⁵ In its judgment of July 18, 2013 No. 19-P <http://publication.pravo.gov.ru/Document/View/0001201307240047>

⁹⁶ See, for example, Federal Law No. 124-FZ of July 24, 1998 "On the Basic Guarantees of the Rights of the Child in the Russian Federation".

⁹⁷

<https://meduza.io/news/2020/07/23/zhitel-kaliningrada-pozhalovalsya-na-politseyskih-kotorye-po-oshibke-vorv-alis-k-nemu-s-obyskom-i-izbili-ego>

⁹⁸ <https://www.facebook.com/maria.eismont/posts/3672304752809193>

b. Social networks monitoring

65. School workers routinely monitor social network accounts of pupils. Teachers are forced to do it on a monthly basis and provide the administration with data on likes, subscriptions, comments, screen time, and even suspicious friends. It is often done on the basis of local school regulations,⁹⁹ sometimes with reference to decisions of regional education departments.¹⁰⁰

66. For example, in Volgograd region, police officers put an 11-year-old schoolboy on a preventive record, who, according to the police, disseminated “information aimed at discrediting the use of the Russian Armed Forces” on a social network. A raid on the social networks of schoolchildren was carried out as part of the regional operational and preventive measure “Your Choice”.¹⁰¹ Detention of a fifth-grader for profile picture also involved school monitoring.¹⁰²

LIST OF RECOMMENDATIONS

67. We kindly ask the CRC to recommend the Russian federation:

- Eliminate practice of using “protection of children” as a justification for blocking of alternative information and for the persecution for the expression of dissenting views, as well as for restriction of information on LGBTQ+, gender issues.
- Stop state pro-war propaganda among minors at schools and other institutions and ensure an access to wide alternative sources of information for children.
- Stop persecutions and intimidation of children and their parents for expressing their anti-war views. Lift all the penalties imposed for parents in connection with their children exercising their freedom of expression, as well as other rights.
- Abolish additional restrictions on children in the context of freedom of peaceful assembly.
- Abolish the practice of prosecuting non-state actors for “involvement of the minors in protests” and stop current prosecutions;
- Set proper legislation and standards for functioning of the Commission on Juvenile Rights and Affairs which could be helpful for protection against any type of discrimination and legitimization of minors’ participation in mass assemblies;
- Establish state policies to fight the problem of state officials putting pressure on underage persons who participate in unauthorized protests;
- Establish guidelines or training for police on working with minors during assemblies.
- Lift the ban on educational activities and producing information products to children imposed on “foreign agents”.
- Adopt relevant guidelines for police and other Russian authorities empowered to conduct house searches and detentions of parents in the presence of their children to ensure the protection of physical and mental health of such children.

⁹⁹ <https://takiedela.ru/2017/10/shkolnaya-slezhka/>

¹⁰⁰ Ibid

¹⁰¹ https://zona.media/news/2022/04/28/podrostok_diskreditatsia

¹⁰² See above para.15.

- Stop the monitoring of social networks of children at schools and other institutions.