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By email only: wendy@reckoningproject.org

FAO: Committee on Economic, Social, and Cultural Rights

Palais des Nations

CH-1211 Geneva 10

Switzerland

Date: 08 August 2025

Re.: Parallel Report by Representatives of The Reckoning Project in Relation to the Seventh Periodic Report of the Russian Federation (September 2025)

Dear Sirs/Madams,

I submit for your attention a concise Parallel Report by The Reckoning Project in Relation to the Seventh Periodic Report of the Russian Federation in advance of the Russian Federation's September 2025 review. This submission is focused on Articles 10 and 13 of the International Covenant on Economic, Social and Cultural Rights.

This report is not confidential and can be made public by the Committee.

Yours faithfully,

Wendy Betts

Legal Director, The Reckoning Project

**Parallel Report in Relation to the Seventh
Periodic Report of the Russian Federation
(September 2025)**

The Reckoning Project

[REC]

**The Reckoning
Project**

I. INTRODUCTION AND CONTEXT

1. In 2022, the Russian Federation submitted to the Committee on Economic, Social, and Cultural Rights (“**CESCR**” or “**Committee**”) its seventh periodic reports for the review procedure culminating in the 78th session in September 2025. In 2023, civil society organizations, including The Reckoning Project (“**TRP**”), submitted suggestions for the List of Issues (“**LoIs**”) in advance of the 73rd Session of the Committee (pre-sessional working group).
2. The Committee’s subsequent LOIs crystallized several of TRP’s areas of focus, as well as linked subjects. Under the thematic heading of protection of the family and children (Article 10), the Committee requested further information on: “*measures taken, and their impact, to ensure that the human rights of children deported and/or transferred from Ukraine are protected, including measures taken to preserve their family relations, identity, nationality, name, and language*” (“**Issue 1 – Article 10**”). Further, under the heading of the right to education (Article 13), information was also requested on: “*measures taken to enhance the quality of language teaching and the production of teaching materials in Indigenous and minority languages and to ensure the availability of qualified teachers. Please also provide information on measures taken, and their impact, to ensure that education, including the teaching of history, is delivered in such a way as to prevent the predominance of a single historical narrative and ethnic hierarchization*” (“**Issue 2 – Article 13**”).
3. TRP brings together investigative journalists and legal professionals to maximise the impact of accountability, both in courts of law, defined broadly to include different accountability mechanisms for state and individual responsibility, and courts of public opinion. TRP works with national jurisdictions, including the domestic criminal systems of Ukraine, as well as international mechanisms. Further, we use our journalistic experience to challenge propaganda, foster truthful narratives, and create the necessary public interest for accountability. TRP focuses its incident documentation on witness testimonies taken in person through a strict methodology of preservation. TRP has been documenting cases since March 2022 and continues to do so.
4. Using testimonies collected by TRP Ukrainian personnel trained by internationally qualified legal professionals, TRP makes this submission to provide context to the Committee’s requests, which are linked to two of TRP’s current mandates. The first of these concerns the forcible displacement of Ukrainian children from occupied territory to the Russian Federation, or elsewhere in occupied Ukraine. The second revolves around linked violations concerning education, free thought, identity, and racial discrimination in Ukraine. This submission will focus specifically on Issues 1 and 2, providing legal and factual context, before suggesting conclusions and recommendations.

II. LAW – ARTICLE 10 ICESCR

5. Article 10(1) of the International Covenant on Economic, Social and Cultural Rights (“**ICESCR**” or “**Covenant**”) provides that the family is the “*natural and fundamental group unit of society*” and provides an umbrella for States to afford it the “*widest possible protection and assistance*.”¹ The term ‘family’ in this regard should be understood broadly to include “*all those comprising the family as understood in the society of the State concerned*.”² This contextual threshold is relevant in Ukraine, where TRP’s experience is that children are often looked after by a grandmother or sibling, for example because a parent has been mobilised to fight. Notwithstanding the interruption to parental care in these circumstances, TRP maintains that the protections afforded by Article 10 continue to apply.

¹ ICESCR Article 10(1).

² HRC, General Comment No. 16 (1988), [5]. On the interpretation of ‘family’, *see also* Saul, Ben; Kinley, David; Mowbray, Jaqueline. The International Covenant on Economic, Social and Cultural Rights: Commentary, Cases, and Materials (p. 1292).

6. Rights under the ICESCR entail a variety of obligations; some are subject to progressive realisation, whilst others have immediate effect. At a minimum, non-discrimination under Article 10 is of immediate effect. Further, the obligations introduced by Article 10 entail a prohibition on retrogressive measures.³
7. Article 10 is limited by Article 4 ICESCR, which permits the State “*such limitations as are determined by law only in so far as this may be compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a democratic society.*”⁴ It bears emphasis that limitations, even if established pursuant to domestic law, can still be unlawful in light of Covenant obligations. In other words, merely passing measures into law will not justify policies which do not otherwise comply with the Covenant.⁵
8. Article 10 ICESCR sits alongside several other relevant provisions of International Human Rights Law (“**IHRL**”) relevant to the issue of the separation of children from their families. Article 9(1) of the Convention on the Rights of the Child (“**CRC**”), for example, will only permit removal where “*necessary in the best interests of the child...*” and where all relevant procedural thresholds are cleared.⁶ In the event that they are lawfully removed, Article 20 also requires “*special care and assistance*”, with the child’s best interests central to consideration, as well as a matrix of factors including the child’s “*ethnic, religious, and cultural and linguistic background.*”⁷ Children separated from one or both parents must also be permitted to “*maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child’s best interests.*”⁸ It has also been reaffirmed by the Human Rights Committee that child separation from parental care should be applied only in exceptional circumstances, and only when necessary to preserve the best interests of the child.⁹
9. The protections afforded to children and the family under Article 10 ICESCR sit adjacent to several such protections in International Humanitarian Law (“**IHL**”). Both the ICESCR and IHL continue to apply concurrently in times of armed conflict, and – to the extent possible – relevant IHL obligations can serve to contextualise human rights protections. Whilst forcible transfer/deportation (of children or otherwise) is prohibited,¹⁰ evacuations may be permissible. Where the occupying power is evacuating persons, including children, from a given area, conditions under Article 49 Geneva Convention IV (“**GCIV**”) will apply. Where Article 49 applies, occupying powers “*may undertake total or partial evacuation of a given area if the security of the population or imperative military reasons so demand.*” However, “[s]uch evacuations may not involve the displacement of protected persons outside the bounds of the occupied territory except when for material reasons it is impossible to avoid such displacement.” Moreover, “[p]ersons thus evacuated shall be transferred back to their homes as soon as hostilities in the area in question have ceased.” In addition, it must be ensured that the removal of protected persons, including children, is

³ ICESCR Articles 2(1)-(2); E/1991/23, [9].

⁴ ICESCR Article 4.

⁵ Policies that are putatively lawful may still violate the Covenant. The Russian Duma adopted the *Federal Law On the peculiarities of the legal status of citizens of the Russian Federation who have citizenship of Ukraine* on 14 March 2023. This law relates in part to the unlawfully annexed regions of Donetsk, Luhansk, Kharkiv, Zaporizhzhia, and Kherson. Article 1(2) of the law provides for the renunciation of Ukrainian citizenship for children under 14 years old based on application by their parents or other legal guardians, including representatives of institutions where they are placed. The change of citizenship makes legal in Russian law the adoption of orphaned and unaccompanied children. As this unilateral change of status is likely to violate the rights of children under the ICESCR by, *inter alia*, facilitating child separation, it is unlikely to comply with the obligations under the Covenant. For information, see, <http://en.kremlin.ru/catalog/countries/UA/events/70713>.

⁶ CRC Article 9(1).

⁷ CRC Article 20(3).

⁸ CRC Article 9.

⁹ *Buckle v New Zealand*, HRC Communication No. 858/99 (25 October 2000); see also CESCR, Concluding Observations: Norway, E/C.12/1/Add.109 (23 June 2005).

¹⁰ See, e.g., ICRC Customary International Law Study, Rule 129, <<https://ihl-databases.icrc.org/en/customary-ihl/v1/rule129>> [accessed 03 August 2025].

“effected in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated” (emphasis added). In addition, “[t]he Protecting Power shall be informed of any transfers and evacuations as soon as they have taken place.”

10. Article 78 of Additional Protocol I (“API”) pertains to the evacuation of children, and states that:

*“[n]o Party to the conflict shall arrange for the evacuation of children, other than its own nationals, to a foreign country except for a temporary evacuation where compelling reasons of the health or medical treatment of the children or, except in occupied territory, their safety, so require. Where the parents or legal guardians can be found, their written consent to such evacuation is required. If these persons cannot be found, the written consent to such evacuation of the persons who by law or custom are primarily responsible for the care of the children is required. Any such evacuation shall be supervised by the Protecting Power in agreement with the Parties concerned, namely, the Party arranging for the evacuation, the Party receiving the children and any Parties whose nationals are being evacuated. In each case, all Parties to the conflict shall take all feasible precautions to avoid endangering the evacuation.”*¹¹ (emphasis added)

11. Where children are evacuated, those responsible for doing so must provide the greatest possible continuity for their education, including their religious and moral education as their parents desire, and this education should in as far as possible be delivered by “persons of the same cultural tradition as the parents.”¹² Children under 15 who are orphaned or separated from their families must not be left to their own resources, and their maintenance must be facilitated.¹³ Where children are separated from their family unit, systems must be established to identify and register separated children¹⁴ and disparate family members are entitled to exchange personal correspondence.¹⁵ Crucially, belligerent States must attempt in “every possible way” to reunify families separated as a result of armed conflict.¹⁶

III. LAW – ARTICLE 13 ICESCR

12. Generally, education is intrinsically and extrinsically important: it is both essential in itself and also serves as a ‘multiplier’¹⁷ for the enjoyment of other human rights. In this way, whilst considered under Issue 2 in the LoIs, it retains relevance to Issue 1, particularly in as far as culturally appropriate and accessible education is relevant to the maintenance of a child’s identity, nationality, and language, even when transferred/deported or otherwise separated from their family.

¹¹ For a useful overview, see, Thomas Mulder, ‘Evacuations In Armed Conflict: A Fine Line Between A Life-Saving Measure And Forced Displacement’ (EJIL:Talk!; 9 October 2024) <<https://www.ejiltalk.org/evacuations-in-armed-conflict-a-fine-line-between-a-life-saving-measure-and-forced-displacement/>> accessed 03 August 2025; Emanuela-Chiara Gillard, ‘Enhancing the Security of Civilians in Conflict’ (Chatham House, 30 April 2024) <<https://www.chathamhouse.org/2024/04/enhancing-security-civilians-conflict/03-evacuations>> accessed 03 August 2025. See also, Michael N. Schmitt, ‘Deportation in International Humanitarian and Criminal Law Against the Backdrop of the War in Ukraine; in Jelena Pejic and Margaret Kotlik, *Civilian Protection in Armed Conflict* (OUP, 2025). It is further noted that, per Article 24 GC IV, “[t]he Parties to the conflict shall take the necessary measures to ensure that children under fifteen, who are orphaned or are separated from their families as a result of the war, are not left to their own resources, and that their maintenance, the exercise of their religion and their education are facilitated in all circumstances. Their education shall, as far as possible, be entrusted to persons of a similar cultural tradition. The Parties to the conflict shall facilitate the reception of such children in a neutral country for the duration of the conflict with the consent of the Protecting Power, if any, and under due safeguards for the observance of the principles stated in the first paragraph. They shall, furthermore, endeavour to arrange for all children under twelve to be identified by the wearing of identity discs, or by some other means.”

¹² Pilloud *et al.*, ‘Article 78 – Evacuation of Children, Additional Protocol I’ in ‘Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977 - Commentary of 1987’ (ICRC, 1987).

¹³ *Ibid.*

¹⁴ GCIV Article 22.

¹⁵ GCIV Article 25.

¹⁶ API Article 74.

¹⁷ Ben Saul *et al.*, *The International Covenant on Economic, Social and Cultural Rights: Commentary, Cases, and Materials* (Kindle Edition), p. 1086.

13. Article 13(1) ICESCR states that “...*education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms.*” As such, States Parties: “*agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.*”¹⁸
14. Article 13(2) concerns the full realization of the right of everyone to education. The overall approach should be guided by the 4A scheme,¹⁹ namely that education be:
 - a. **Available**, in as far as physical infrastructure and personnel are there to deliver it;
 - b. **Accessible**, in that it is physically/economically accessible and non-discriminatory;
 - c. **Acceptable**, in as far as “*the form and substance of education, including curricula and teaching methods, have to be acceptable (e.g. relevant, culturally appropriate and of good quality) to students and, in appropriate cases, parents,*” subject to the “*educational objectives required by article 13(1) and such minimum educational standards as may be approved by the State.*”²⁰ ‘Acceptability’ encompasses the need for the curriculum to be of “*direct relevance to the child’s social, cultural, environmental and economic context and to his or her present and future needs and take full account of the child’s evolving capacities.*”²¹ The ‘minimum standards’ may “*relate to issues such as admission, curricula, and the recognition of certificates,*” provided they are in line with the objectives set out in Article 13(1).²² “*Minimum core obligations*” include the “*most basic forms of education,*” including “*the right of access to public educational institutions and programmes on a non-discriminatory basis... and to ensure free choice of education without interference from the State or third parties, subject to conformity with ‘minimum educational standards’ (article 13(3) and (4));*”²³ and
 - d. **Adaptable**, in that education should be sufficiently flexible so that “*it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings.*” Obligations of adaptability persist in a range of situations, including conflict,²⁴ during which, where they exercise jurisdiction, States retain an obligation to respect, protect and fulfil the right to education.²⁵ Article 13(3) builds on the notion of “acceptability,” and enshrines the liberty of parents to choose schools for their children and to ensure the “*religious and moral education of their children in conformity with their own convictions.*”²⁶
15. ICESCR rights, including Article 13, are subject to the principle of progressive realisation under Article 2(1),²⁷ but again, at minimum, non-discrimination is of immediate effect and obligations

¹⁸ ICESCR Article 13(1).

¹⁹ E/C.12/1999/10.

²⁰ *Ibid.*, [6].

²¹ UN Committee on the Rights of the Child (CRC), General comment No. 1 (2001), Article 29 (1), The aims of education, CRC/GC/2001/1, 17 April 2001, <https://www.refworld.org/legal/general/crc/2001/en/39221> [accessed 01 July 2025].

²² E/C.12/1999/10, [29].

²³ *Ibid.*, [57].

²⁴ Saul, Ben; Kinley, David; Mowbray, Jaqueline. The International Covenant on Economic, Social and Cultural Rights: Commentary, Cases, and Materials (p. 1100). (Function). Kindle Edition.

²⁵ A/HRC/8/10 20 May 2008, [37]

²⁶ ICESCR Article 13(3). General Comment No.13 has provided that article 13(3) has two elements: one of which concerns morality and convictions, the latter has to do with the liberty of parents to choose other than public schools for their children, provided the schools meet minimum educational standards. TRP has not spoken to witnesses with children in private schools before the invasion, though parents and children frequently attempt to learn the state Ukrainian curriculum online and are deterred from doing so; this is despite the online curriculum being approved by the Ukrainian Ministry of Education.

²⁷ ICESCR Article 2(1).

introduced by Article 13 entail a prohibition on retrogressive measures.²⁸ The prohibition of discrimination attaches to Article 13 in several ways, including by prohibiting discrimination by status, by language, and in educational content.

16. In respect of discrimination by status, it is noted that the prohibition on discrimination has been said to “[*extend*] to all persons of school age residing in the territory of a state party, including non-nationals, and irrespective of their legal status.”²⁹ This has been upheld in regional courts.³⁰
17. This prohibition extends beyond legal status and encompasses language. Inadequate language accommodations undermine the child’s ability to participate effectively in a free society³¹ and lack of education in native languages is a source of exclusion which limits students’ ability to “*develop foundations for later learning*.”³² This has been borne out in CESCR prior concluding observations, which have criticised failures to accommodate linguistic difference at primary education level, inferring this is a key underlying cause for the lack of enrolment, or high dropout rate at a very early stage of schooling.³³
18. Interference and discrimination in this context may manifest in violations of human rights treaties. This has been affirmed by regional courts, in interpreting their own constitutive human rights instruments. For instance, in *Catan and Others v. Moldova and Russia*, the European Court of Human Rights considered a matter concerning the forcible closure by the Moldavian Republic of Transdniestria (“**MRT**”), the separatist authorities of Transdniestria, of Moldovan/Romanian language schools in the breakaway region of Moldova. The Court found that Russia exercised effective control over Transdniestria through military, economic, and political support. The MRT constitution, adopted on 8 September 1992, required schools to use Cyrillic script instead of Latin script for tuition in Moldovan/Romanian languages. Schools which resisted change were harassed and forcibly closed, parents were allegedly threatened with job losses or the loss of parental rights if they refused to transfer their children to Cyrillic-script schools.³⁴ The schools constituting the applicants in the case were “*at all times registered with the Moldovan Ministry of Education, using a curriculum set by that ministry and providing teaching in the first official language of Moldova*.”³⁵ The Court found that the forced closure of schools constituted “*interference with the applicant pupils’ rights of access to educational*

²⁸ ICESCR Articles 2(1)-(2); E/1991/23, [9].

²⁹ E/C.12/1999/10, [34]. Under Article 3(e) of the UNESCO Convention against Discrimination in Education, states undertake to ‘give foreign nationals resident within their territory the same access to education as that given to their own nationals’ - Saul, Ben; Kinley, David; Mowbray, Jaqueline. *The International Covenant on Economic, Social and Cultural Rights: Commentary, Cases, and Materials* (p. 1124). (Function). Kindle Edition.

³⁰ For example, in *Timishev v. Russia*, the European Court on Human Rights outlined a general prohibition on denying migrants the right to education on the basis of lacking relevant documentation. The applicant, a Chechen national, was denied residency in a neighbouring republic of the Russian Federation. Consequently, his children were denied admission to the local school. The Court found that this breached the commitment “*not to [deny] the right to education*” under Article 2 of Protocol No.1, which had guaranteed to anyone within Russian jurisdiction “*a right of access to educational institutions existing at a given time and the possibility of drawing, by official recognition of the studies which he has completed, profit from the education received*.” There was, furthermore, no domestic legal exception permitting school exclusion of children on the basis of their parents’ registration of residence. Their exclusion was therefore incompatible with the ECHR. See, *Timishev v Russia* (Apps. 55762/00 and 55974/00), 13 December 2005, (2007) 44 EHRR 37, [63].

³¹ The Committee for Civil and Political rights has previously commented directly on the linguistic discrimination in occupied Crimea, expressing concern about discrimination against the Tatar and Ukrainian communities in Crimea, affecting “*among others, their language... and political participation*.” The Committee, in its concluding observations for the Russian Federation in 2022, recommended the Russian Federation ensure that Crimean Tatars and Ukrainians were not subject to discrimination with respect to language. See, CCPR/C/RUS/CO/8, [38-39].

³² A/HRC/17/29, [63].

³³ E/C.12/1/Add.97, [28].

³⁴ *Catan and Others v Moldova and Russia* (Apps 43370/04, 8252/05 and 18454/06), ECtHR, 19 October 2012, [48].

³⁵ *Ibid*, [143].

institutions... and to be educated in their national language.”³⁶ The Court opined that the MRT’s language policy seemed designed to enforce ‘Russification’ of the Moldovan community of Transdnistria, with the long term goal of inculcating pupils with separatist ideology. Parents were left with the unpalatable choice of having to choose “*on the one hand, between sending their children to schools where they would face the disadvantage of pursuing their entire secondary education in a combination of language and alphabet which they consider artificial... [or] subjecting their children to long journeys and/ or substandard facilities, harassment and intimidation.*”³⁷ The Court also found that the closures went to the issue of acceptability, arguing that the measures “*amounted to an interference with the applicant parents’ rights to ensure their children’s education... in accordance with their philosophical convictions,*” and thus a breach under Article 2 of Protocol No.1 and Article 8 on private and family life.³⁸

19. In addition to their relevance to linguistic discrimination, the conclusions in *Catan* also serve to draw out a final ground of discrimination – namely discrimination in the content of educational materials. The phrasing from Article 2 of Protocol 1, “*philosophical convictions,*” strongly echoes Article 13(3) ICESCR, which obliges that “*States parties ensure the religious and moral education of their [parents] children in conformity with their own convictions.*”³⁹ This is a phrasing that is restated consistently across a range of human rights instruments.⁴⁰

IV. ISSUE 1 – FACTUAL CONTEXT AND ANALYSIS

20. Issue 1 asks the Russian Federation to provide information on matters relevant to Article 10 ICESCR, including “*measures taken, and their impact, to ensure that the human rights of children deported and/ or transferred from Ukraine are protected, including measures taken to preserve their family relations, identity, nationality, name, and language.*”
21. Testimonies on file with TRP show concerning trends of non-compliance in this regard in the context of widespread practices/policies of child movement to destinations within and outside of territory occupied by the Russian Federation.⁴¹
22. Those testimonies show, *inter alia*, that child transfer/deportation regularly takes place in so-called ‘vacations’ which are often subject to inconsistent justification. These ‘vacations’ are sometimes justified by security conditions, but are not reliably or cogently linked to them. In many testimonies concerning child ‘vacations’, hostilities were at different stages. In some, ‘vacations’ were proposed following identifiable incidents within localized hostilities.⁴² In others, they appear unconnected to any immediate need for evacuation.⁴³ Despite this variability, the use of ‘vacations’ is common to each incident, suggesting that it was not the immediate necessity of evacuation that motivated them, and not reasons justified under Article 78 API. This is supported by the fact that ‘vacations’ are often spoken about for weeks beforehand, suggesting that transfer/deportation was in fact driven by policy

³⁶ *Ibid.*

³⁷ *Ibid.*, [144].

³⁸ *Ibid.*

³⁹ ICESCR Article 13(3).

⁴⁰ The UNESCO Convention against Discrimination in Education also mentions “*religious and moral education... [in line with] his or their conviction(s)*” - UNESCO Convention against Discrimination in Education, Article 5(1)(b).

⁴¹ One witness testifying to TRP whose child was sent on a ‘vacation’ recalled getting to the port and “*feeling that all the children of Kherson were being taken away. The port was full of children*”. See also, OSCE, ‘Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity, Related to the Forcible Transfer and/or Deportation of Ukrainian Children to the Russian Federation’ ODIHR.GAL/37/23/Rev.1/Corr.1 (4 May 2023), p.44.

⁴² In the testimony at fn. 45, ‘vacations’ were proposed after a missile strike near a college. Even here, however, it is noted that those ‘vacations’ did not take place until approximately a month later.

⁴³ See, e.g., fn. 52, where there appears to have been no trigger for the suggestion that children go on ‘vacation’.

goals, rather than any immediate need for the safety of those deported.⁴⁴ These practices take place in an institutionally facilitated coercive environment, in which key public infrastructure in occupied areas, consisting most often of schools, is used to pressure children to partake in child movement. Although in some cases no parental permission has been given at all,⁴⁵ that same environment is also used to obtain notional/initial consent from parents for children to go. These decisions are made in environments characterised by fear and misleading information about the intended movements of the child, and often where the child themselves has been convinced to go amongst a cohort of their friends, thereby adding to the pressure on parents.⁴⁶

23. During these ‘vacations’, the actions and omissions of the Russian Federation routinely serve to undermine family relations. Even where notional consent is given, whilst on vacation children are routinely transferred between camps, both within and outside of occupied territory, with little or no information given to them or their parents about where they might be going. Contact with parents does not appear to be facilitated, and unless the child has their own means of communication any such contact would be difficult if not impossible.⁴⁷ Common to many, if not all testimonies is also an absence of proactive measures to ensure the child can return to or be collected by their parent.⁴⁸
24. Regardless of their ability to contact or be reunified with their parents, whilst away, there are concerning reports of how Ukrainian children are treated and their safety, well-being, identity,

⁴⁴ In addition to those on file with TRP, the UN Commission of Inquiry has previously found that “*in none of the situations which the Commission has examined, transfers of children appear to have satisfied the requirements set forth by international humanitarian law. The transfers were not justified by safety or medical reasons*” (UN Doc. A/HRC/52/62, [98]).

⁴⁵ In April 2022, one witness’s 15-year-old child was studying and staying at an educational institution taken over by Russian authorities. Following a missile strike close to the college in September, management campaigned to take the children to Crimea on a ‘vacation’. No formal arrangements were made, but in early October the witness’s child informed her that they would be ‘taken to Crimea soon’. The college curator asked her for permission to take her child for a two-week ‘vacation’, but she did not agree. In early October, she received a call from her son telling her that he was being transported to Crimea, for which she had no prior notification. Although she did not sign anything, she did not oppose her child’s transfer because she was concerned for his safety. The witness kept in touch with an individual who was with the abducted children for about 10-days, but after that his number became unreachable. The witness’s son had his own phone and updated her as he was moved to different facilities, including in the Russian Federation, where they spent at least 40-days. However, from approximately October 2022, the witness did not have any contact with adults regarding the fate, whereabouts, and further movements of her child. During their stay, the witness’s child’s Ukrainian passport was taken from him, allegedly to apply for a scholarship. In early January 2023, he sent the witness a video and photo showing he was being taken to occupied Ukrainian territory. He provided screenshots showing his geolocation and the witness went to pick him up. When she arrived, the head of the college did not allow her child to leave for 2-days, demanding a certificate stating that she is a single mother. They eventually left and went to a European country.

⁴⁶ In October 2022 one witness’s 15-year-old child was enrolled at a school established by occupying authorities, when those authorities announced ‘vacations’ and proposed ‘evacuating’ children to Crimea for ‘safety reasons’. The witness tried to persuade her child not to go, but they would not give up, arguing that all their friends were also going. The day before her child left, the witness met with the school director. They did not provide information about her child’s proposed whereabouts and those responsible for her safety, but told the witness the children would return and that she should not worry. On this promise, the witness reluctantly agreed. That month, the witness accompanied her child to the port, where there were soldiers and others associated with the process. Her child was accompanied by a young woman, with several other children. The witness asked when they would return and their destination, but was told that this was unknown. For the first week, there were issues with communication and the witness could not speak to her child, but she was later able to keep in touch. 2-weeks after her child left, the witness went to see the principal and ask when her child would be returned, but he was not there and teachers informed her that the ‘vacation’ had been extended for 2-weeks. Then, her child told her by phone that they would not be returned, and that the witness had to collect them. To do this, the witness had to apply to the camp director. Several weeks later, her child was transferred to a different facility. In early March 2023, he was transferred again to occupied Crimea, without informing the witness. The witness retook custody of her child from there in March 2023 with the help of an NGO.

⁴⁷ See e.g., fns. 45 and 46. In another case, a witness who had been taken on a ‘vacation’ as a child (but at the time of interview had attained the age of majority) recalled that he was taken between numerous camps with his sister. In Kherson, he recalled that while in the camp, no lunch was provided. Moreover, they frequently faced restrictions on leaving the camp, particularly older children, who were compelled to remain confined to their rooms. The witness recalled that in the Crimean camp, children who spoke Ukrainian were urged to switch to Russian. Additionally, the witness remembers instances where children were prompted to sing the Russian anthem and draw the Russian flag. After a period, the children started to voice their discontent and demanded to return home, even expressing their willingness to walk if necessary. According to the witness, he and his sister refused to sing and draw the Russian flag. Whilst in Crimea, he continued to ask to be returned home, but his only means of communication with his mother was through the phone of a woman who was at the camp with them. The children were eventually returned to their village, which remained under occupation, some-time before 10 November 2022.

⁴⁸ See e.g., fns. 45 and 46.

nationality, and language, protected. Reports have been made that the treatment of vulnerable and disabled children has been poor,⁴⁹ and children have reported being punished physically and psychologically where they fail to comply with directives.⁵⁰ Even where children do comply, education (detailed further below) is inappropriate, with Ukrainian children being required to memorize and sing the Russian national anthem.⁵¹ Classes include Russian language, literature, and a module named “*Conversations About Important Things*”, which focusses on Russian history/propaganda.⁵²

25. Such practices are anathema to meaningful systems concerned with preserving the family relations, identity, nationality, name, and language of deported/transferred Ukrainian children. The conclusions proposed below should be implemented by the Russian Federation with urgency if it is to abide by the letter/spirit of Article 10 ICESCR, and adjacent protections in both IHRL and IHL.

V. ISSUE 2 – FACTUAL CONTEXT AND ANALYSIS

26. Testimonies from TRP’s database suggest that Russian occupation authorities are failing to comply with their obligations under ICESCR to enhance the quality of language teaching and the production of teaching materials in indigenous and minority languages and to ensure the availability of qualified teachers. Similar disregard is had to the measures needed to ensure that education, including the teaching of history, is delivered in such a way as to prevent the predominance of a single historical narrative and ethnic hierarchization. Even without reference to any obligations not of immediate realisation, the Russification of the education system in occupied areas is discriminatory and retrogressive, and not in compliance with the Russian Federation’s obligations under the ICESCR.
27. Within the 4As typology, TRP witness data demonstrates that education is increasingly unavailable. Whilst individuals may continue to teach in occupied areas, the quality of that education has declined rapidly, as trained Ukrainian teaching staff refuse to work with occupation authorities and to teach

⁴⁹ See e.g., fn. 45. Another case concerns a TRP witness who is the mother of a disabled child who lived in the Oleshky Children’s boarding house, a special institution for the accommodation and treatment of children with disabilities in Kherson. In late October 2022, her disabled child was aged 13-years old. In October 2022, the witness repeatedly refused permission for her child to be relocated for ‘resort treatment’ in occupied Russian territory for 11-days. Later in October 2022, the witness reported that over 50 children were loaded onto buses and taken to Crimea. The mother of the child was able to travel to Crimea in late November 2022 and found them in an alarming condition: “*very thin, in dirty clothes, and with intense body odour.*” The child had not been washed or had their teeth brushed for over 3-weeks and related to the witness that they had been beaten over the head by hospital staff.

⁵⁰ See, e.g., fn. 52.

⁵¹ See e.g., fns. 47 and 52.

⁵² In another case, the witness lived with her teenage son and parents at the time of Russia’s full-scale invasion in February 2022. Due to the war, her son completed the school year online. Under occupation, she enrolled him in a Russian-administered school (as his original school had closed) and accepted to have his birth certificate issued under Russian standards to access financial aid, which she never received. On or around 06 October 2022, her son asked to attend a children’s camp in Crimea for 2-weeks. The witness consented, signing the required forms at his school. Her brother took him to Kherson’s river port, where they crossed to Oleshky before proceeding to Crimea by bus. Initially, the boy stayed at the ‘Druzhba’ camp in Yevpatoriia, but he was then moved to ‘Luchistiy.’ He was not returned after 2 weeks. After Kherson’s liberation, the witness realised retrieving her son would be difficult. Children in Crimea were told they could only return home “*when Kherson becomes Russia again.*” She maintained sporadic contact with her son, though he communicated more frequently with his grandmother in Ukrainian-controlled territory. His messages were brief and his phone was often confiscated by camp staff. The witness learned that Ukrainian children were forced to memorize and sing the Russian anthem. Classes included Russian language, literature, and the propaganda module named “*Conversations About Important Things.*” Children faced physical and psychological abuse, including being locked in basements or tied up for refusing to comply. While her son was not directly punished, he witnessed such treatment of others. In January 2023, the boy informed his grandmother that unclaimed children would be sent to Russian orphanages within 6 months. With help from ‘Save Ukraine,’ the witness travelled to Crimea with other mothers and retrieved her son from ‘Luchistiy.’ She returned from Ukraine in April 2023. The module on ‘*Conversations About Important Things*’ has previously been the focus of discussion in, for example, the Committee on the Rights of the Child – see, UNHRC, ‘Experts of the Committee on the Rights of the Child Commend the Russian Federation on the Reduction in Child Mortality Rates, Ask about Propaganda in Schools and the Impact of the War in Ukraine on Children’ (23 January 2024) <<https://www.ohchr.org/en/meeting-summaries/2024/01/experts-committee-rights-child-commend-russian-federation-reduction-child?sub-site=HRC>> [accessed 03 August 2025].

Russian curricula.⁵³ At a very basic level, education is also only available to the extent that it conforms with Russified world views: again, in addition to propaganda modules such as ‘Conversation About Important Things’ – which reportedly focus on Russified narratives and historical perspectives⁵⁴ – witnesses have reported teaching being delivered in Russian, and students being required to sing the national anthem before lessons, which themselves were focussed on Russian culture, using (sometimes outdated) Russian textbooks.⁵⁵ In a literal sense, Ukrainian education is thus unavailable.

28. Moreover, reports suggest that those who wish to continue with Ukrainian education in occupied areas are forced to do so online. This must often be done covertly, including by carrying ‘clean’ phones which do not contain records of their attendance in Ukrainian education.⁵⁶ It is often also done in addition to that provided by occupying authorities,⁵⁷ as significant pressure is placed on populations for Ukrainian children to attend schools established by occupation authorities. This is sometimes through the promise of financial compensation,⁵⁸ but can also be through coercion. Some witnesses have reported, for example, fines being imposed for non-attendance at schools.⁵⁹

⁵³ One TRP witness is a schoolteacher based in Kyiv. She previously taught in a mixed Russian/Ukrainian speaking school in Berdyansk, which was first occupied by Russian forces on or around 27 February 2022. Prior to occupation, this school was scheduled to become fully Ukrainian speaking in the 2022/2023 academic year. However, after it was re-administered under the occupying authorities, only 6 out of 70 teachers agreed to work with the new administration. Those who refused were replaced, including the witness. It is the witness’s belief that some of those replacements lacked proper qualifications. Under occupation, Ukrainian continued to be taught in the school, but the hours were much reduced. The school was adorned with Russian flags and symbols. Students were provided with Russian textbooks centred on Russian history and culture, and students were obliged to take the lessons in “*Conversations about Important Things*,” in which they were told, for example, that Berdyansk is, and always has been, Russian, and that the Russian military are benevolent. The witness now teaches an online curriculum to students from Berdyansk that is approved and standardized by the Ukrainian Ministry of Education. Students on this course who remained in Berdyansk have opted to learn according to the Ukrainian curriculum online. These students endure trying learning environments: one female student who opted to learn according to the Ukrainian curriculum online with the witness was visited, with her mother, at home by Russian military police who insisted she enrol in the newly administered school. This happened multiple times until the student and her mother relented. Another of the witness’s students was so fearful of being spotted and coerced to attend the Russian school that he remained in his apartment for 2 years (which has also happened to another of the witness’s students). The witness reports that upon isolating himself the student became extremely depressed, and the witness eventually lost contact with him. The witness’s students who attend the Russian school in addition to their online learning relayed to the witness that Russian military personnel guard the school entrance and selectively stop to search students’ bags and devices. For this reason, the witness’s students who attend the school keep two phones: one with the relevant Ukrainian subscriptions and accounts for studying, and another to carry with them openly. The witness reports that the number of online students from Berdyansk is dwindling, as her students say that studying in the Russian school is much easier than the alternative. *See also*, fn. 59.

⁵⁴ *See e.g.*, fn. 52.

⁵⁵ *See, e.g.*, fn. 53. One witness, a teacher at a school in occupied Kherson, remarked that occupying authorities established a Russian school in which Ukrainian children were taught in Russian. The Russian national anthem was sung before lessons and Russian textbooks were introduced. Children would be escorted to the gate by guardians/teachers and they would be taken away to classes. During those classes, it is alleged that one teacher remarked that “*Ukraine attacked Russia and it would be better if everyone studied in a Russian school because Ukraine is Nazi and fascist.*”

⁵⁶ *Ibid.*

⁵⁷ *See e.g.*, fn. 53.

⁵⁸ TRP has multiple witnesses who report such payments being promised, but they are rarely actually made. One recounts how, at the end of August 2022, she registered her son, who was 15, to study at a local school in occupied Beryslav, on the promise of a one-time payment of 10 thousand Rubles and 4 thousand Rubles for each child who would study at the school every month. However, no payments were made and the classes never started.

⁵⁹ A TRP witness, who was a high-school teacher in Melitopol at the time of Russia’s full-scale invasion of Ukraine, recounts that approximately a week and a half after this invasion, what appeared to be six Russian soldiers went to the witness’s school and entered the school Director’s office, where the witness was seated. The soldiers claimed the students were being taught ‘Nazism’ and ordered the teachers to apologise on their knees for the actions of the Ukrainian government and Azov battalion. This was the first of several similar visits. The witness and 35 other teachers resigned, and consequently the staff at the school completely changed. The witness states that during the occupation of Melitopol, those working in schools lacked qualifications, with many coming from the Russian Federation. Ukrainian was gradually phased out of the curriculum, as well as Ukrainian language, literature, and the history of Ukraine. The only textbooks used by students were printed in Russia 10-12 years ago. She believes it to be impossible for families living in Melitopol to avoid sending their children to a Russian school: non-compliance entails fines ranging from 40,000 to 60,000 Rubles, and if a child is not sent to school they may be removed from the family, with parents at risk of losing their parental rights. The family of one of the witness’s students, who did not send their child to a Russian school in 2022-2023 was fined and the witness’ godson, a pupil at the school, was obliged to attend school after his family was fined following a visit to their home by FSB agents. The witness says that children who do not attend a Russian school are forced to hide or change

29. Whilst education is available in principle, it is not acceptable within the 4As typology. Ukrainian curricula, taught in languages familiar and acceptable to the local population, are not only not taught but actively banned, to the extent that those engaging with these curricula online must take measures to ensure that they are not caught doing so. Restrictions on the Ukrainian language, as well as substantive changes to curricula represent on the part of occupation authorities a refusal to permit Ukrainian students to express their views and identity.
30. The above raises serious concerns and suggests that the Russian Federation is failing to provide proper support and education that is acceptable to Ukrainian children in occupied areas where it exercises jurisdiction. This is not simply excusable within the constraints associated with armed conflict. The Russian Federation is actively taking steps to eradicate both the existence of, and Ukrainian children's access to, Ukrainian curricula, instead systematically 'Russifying' any such education provision. It is not accessible, available, acceptable, or adaptable, and, to the extent that Ukrainian identity is being eradicated within it, it is discriminatory. As these practices involve dismantling existing Ukrainian curricula in favour of Russian education, it is submitted that the Committee should also consider the Russian Federation's actions to be retrogressive within the meaning of the ICESCR, and thus unlawful.

VI. CONCLUSION AND RECOMMENDATIONS

31. The Russian Federation has consistently breached its obligations under Articles 10 and 13 ICESCR in the context of its occupation in Ukraine. It must take decisive action to curb these violations. TRP calls on the government of the Russian Federation to implement the following recommendations:
- a. Ensure the protection of children within or outside of occupied areas in strict compliance with international law, including IHRL and IHL.
 - b. Immediately cease exposing unaccompanied children to adoption or similar measures without the explicit and genuine consent of their parents or legal guardians.
 - c. Where not in existence already, establish systems to identify, track, and reunify children separated from their families, reduce logistical hurdles and allow external organisations oversight over this process.
 - d. Notwithstanding the illegality of the detention, where transferred/deported Ukrainian children remain in the custody of the Russian Federation, take all necessary steps to ensure that their physical and mental needs are met under IHRL and IHL. This includes the provision of education systems that meet the 4As typology.
 - e. Respect the identity, linguistic and social rights of Ukrainian students under Russian control and bring curricula substantively in line with the Convention. This includes by ensuring that education provided in occupied areas is taught by suitably qualified personnel and complies with the 4As typology. Teaching must be available in Ukrainian, and subjects and materials must be culturally appropriate for Ukrainian children.
 - f. Allow parents/legal guardians and children to choose alternative forms of education, including online education that aligns with the lawful Ukrainian curriculum.

their place of residence. Such students feel depressed, have no friends, and spend most of their time on the computer. They cannot attend clubs, as a certificate from a Russian school is required for admission.