



Human Rights Law Clinic Papers 2025

Children's Rights to Education, Cultural Identity, and Freedom of Expression in Armed Conflict: Legal Analysis of Violations in Russia and Ukraine

To: Global Rights Compliance

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Table of Cases and Legislation	4
Introduction	6
1. Indoctrination and Russification in Education	7
1.1 Defining Indoctrination	7
1.2. Russification as Indoctrination and a Violation of the Right to Education	9
1.3. Defining Propaganda	13
1.4. Textbooks and Propaganda	14
2. The Ukrainian Child's Right to Freedom of Expression and Cultural Identity	16
2.1. Banning of the Ukrainian Language	16
2.2. Censorship of Ukrainian Identity as Discrimination	19
3. Youth Groups and Militarisation of Children.....	21
Key Findings and Conclusion.....	24
Bibliography	26
Appendix.....	30

Table of Cases and Legislation

Regional Legislation

Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, as amended) (ECHR).

Protocol No. 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms (adopted 20 March 1952, entered into force 18 May 1954) 213 UNTS 262.

International Legislation

Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287 (Geneva Convention IV).

International Convention on the Elimination of All Forms of Racial Discrimination (adopted 16 December 1966, entered into force 4 January 1969) 660 UNTS 195 (CERD).

International Convention on the Rights of the child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3 (CRC).

International Covenant on Civil and Political Rights (21 December 1965, entered into force 23 March 1976) 999 UNTS 171 (ICCPR).

International Covenant on Economic, Social and Cultural Rights (adopted 19 December 1966, entered into force 3 January 1976) 993 UNTS 3 (ICESCR).

Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (adopted 25 May 2000, entered into force 12 February 2002) 2173 UNTS 222 (CRC-OP-AC).

Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (Protocol I) (adopted 8 June 1977, entered into force 7 December 1978) 1125 UNTS 3.

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Case Relating to Certain Aspects of the Laws on the Use of Languages in Education in Belgium v Belgium (Merits) (1968) Series A no 6, 1 EHRR 252.

Catan and Others v. the Republic of Moldova and Russia (2012) ECtHR App Nos 43370/04, 8252/05 and 18454/06.

Efstratiou v Greece ECHR 1996-VI.

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UNHRC 'Revised Views adopted by the Committee under Article 5 (4) of the Optional Protocol, concerning communication No. 2274/2013' (22 October 2018) UN Doc CCPR/C/123/D/2274/2013/Rev.1.

UNHRC Communication No. 2212/2012 *Samnikov v Belarus* (14 May 2018) UN Doc CCPR/C/122/D/2212/2012.

Introduction

Since Russia's attack on Ukraine in 2014,¹ and subsequent invasion and occupation of Ukrainian territory, schools, classrooms, and children's spaces have become battlegrounds for Russia's efforts to gain control of Ukraine.² Russia has used indoctrination and propaganda in their education of Ukrainian children as part of a systemic effort to erase their identities and encourage a Russified belief system which supports and progresses the Russian political agenda.³ These actions violate fundamental principles of international human rights law (IHRL), including children's rights to education, freedom of expression, and cultural identity.

This memorandum examines the ways in which Russia has systematically restructured the Ukrainian education system in occupied regions in order to pursue its political aims, through the use of indoctrination and propaganda to impose a Russified curriculum, to suppress and erase Ukrainian language and culture, and to militarise children through youth organisations. It will evaluate the extent to which Russia's actions constitute violations of children's rights to cultural identity, freedom of expression, and education, through the application and interpretation of the following key international and regional legal frameworks⁴: International Covenant on Economic, Social and Cultural Rights (ICESCR),⁵ International Covenant on Civil and Political Rights (ICCPR),⁶ International Convention on the Rights of the child (CRC),⁷ Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC)⁸ Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (Geneva Convention),⁹ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I),¹⁰ International Convention on the

¹ Tetiana Kotelnikova 'Russia is indoctrinating schoolchildren throughout occupied Ukraine' (*Atlantic Council*, 17 October 2024) <https://www.atlanticcouncil.org/blogs/ukrainealert/russia-is-indoctrinating-schoolchildren-throughout-occupied-ukraine/> accessed 15 March 2025.

² Human Rights Watch, 'Education under Occupation' (*Human Rights Watch*, 20 June 2024) <https://www.hrw.org/report/2024/06/20/education-under-occupation/forced-russification-school-system-occupied-ukrainian> accessed 16 March 2025.

³ Amnesty International, 'Ukraine/Russia: Children's futures under attack as Russian aggression in Ukraine continues to restrict schooling' (*Amnesty International*, 11 December 2023) <https://www.amnesty.org/en/latest/news/2023/12/ukraine-russia-childrens-futures-under-attack-as-russian-aggression-in-ukraine-continues-to-restrict-schooling/> accessed 16 March 2025.

⁴ While acknowledging the vast number of rights and protections under the following mechanisms which are relevant to the situation in occupied Ukraine, this memorandum predominantly focuses on children's rights to freedom of expression, cultural identity, and education. Consequently, any unrelated rights are outside its purview.

⁵ (adopted 19 December 1966, entered into force 3 January 1976) 993 UNTS 3 (ICESCR).

⁶ (21 December 1965, entered into force 23 March 1976) 999 UNTS 171 (ICCPR).

⁷ (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3 (CRC).

⁸ (adopted 25 May 2000, entered into force 12 February 2002) 2173 UNTS 222 (CRC-OP-AC).

⁹ (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287 (Geneva Convention IV).

¹⁰ (adopted 8 June 1977, entered into force 7 December 1978) 1125 UNTS 3 (Protocol I).

Elimination of All Forms of Racial Discrimination (CERD),¹¹ and European Convention on Human Rights (ECHR).¹²

Section one will define indoctrination and propaganda within IHRL, using interpretations adopted by the ECtHR and UN treaty bodies. These defined concepts will be applied to the context of Russia's treatment of Ukrainian children, by examining the Russification of school curricula, the introduction of new propaganda-filled Russified textbooks, and methods of indoctrination within schools in Ukrainian occupied territories, in order to identify potential breaches of IHRL. Section two will look at the censorship of Ukrainian culture and identity through the banning of the Ukrainian language in schools, and through the use of anti-Ukrainian discourse. Here, breaches of the rights to cultural identity, freedom of expression, and education will be explored in conjunction with IHRL protections against discrimination. Finally, section three will look at the militarisation of Russian children through youth groups and military-patriotic education, analysing the breaches of the rights to education and cultural identity that arise from this, demonstrating key examples of Russia's non-compliance with their obligations under IHRL.

1. Indoctrination and Russification in Education

1.1 Defining Indoctrination

Indoctrination has not been explicitly defined in IHRL, but the European Court of Human Right (ECtHR)'s extensive jurisprudence on the matter can be interpreted to formulate a formal definition founded within the law. Article 9 ECHR protects the right to freedom of thought, conscience and religion, including the freedom to hold a belief and to manifest this in public and through teaching.¹³ Article 10 protects the right to freedom of expression and includes the right to 'receive and impart information and ideas without interference by public authority and regardless of frontiers.'¹⁴ Protocol 1 Article 2 (P1-2) ECHR outlines that 'the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions.'¹⁵ These rights have been interpreted by the ECtHR to prohibit indoctrination in education. In *Kjeldsen v Denmark* it was held that '[t]he State is forbidden to pursue an aim of indoctrination' and that the curriculum and teaching should be 'objective, critical, and pluralistic.'¹⁶ In *Efstathiou v Greece*

¹¹ (adopted 16 December 1966, entered into force 4 January 1969) 660 UNTS 195 (CERD).

¹² Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, as amended) (ECHR).

¹³ Ibid.

¹⁴ Ibid.

¹⁵ ECHR (n 12).

¹⁶ *Kjeldsen, Madsen and Pedersen v Denmark* (1976) Series A No. 23, para 53.

the ECtHR specified that states must provide options for exemption from any ideology being taught in schools, and if they do not, this constitutes impermissible indoctrination.¹⁷ *Campbell v UK* elaborates that the state's duty to protect the right to education goes beyond classrooms and curriculums, stating that P1-2 is binding upon States in 'each and every function that they undertake in the sphere of education and teaching.'¹⁸

It is notable that P1-2 frames the right to education as a parental right. Unlike the CRC, which recognises both parental rights and children's own independent rights to freedom of expression and cultural identity within the context of education,¹⁹ the ECHR focuses on parental autonomy alone. Because of the ECHR's framing of the right to education primarily as a parental right, the ECtHR has interpreted indoctrination not only as a violation of P1-2, but also as an interference with family life under Article 8, recognising that coercive educational policies can undermine parental authority and a child's family and home life.²⁰

ECtHR jurisprudence can therefore be interpreted to define indoctrination as the failure of a state to uphold neutrality and pluralism in education²¹ by imposing a singular ideological perspective without objectivity, critical engagement,²² or the possibility of exemption.²³ This failure extends beyond teaching and the curriculum to include all aspects of education, such as disciplinary methods and extracurricular activities.²⁴ Ultimately, indoctrination violates parental rights to educate their children in accordance with their own convictions and beliefs.²⁵

This definition of indoctrination aligns with broader international human rights standards set out in international human rights treaties and interpreted by treaty bodies. Article 13 ICESCR protects the right to education,²⁶ and specifies that this right 'can only be enjoyed if accompanied by the academic freedom of staff and students,'²⁷ requiring pluralism in curriculum and teaching.²⁸ The ICCPR protects freedom of thought, conscience and

¹⁷ *Efstratiou v Greece* ECHR 1996-VI.

¹⁸ *Campbell v. United Kingdom* (1982) Series A no. 48, para 33.

¹⁹ International Convention on the Rights of the child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3 (CRC), Art 29(c)(d).

²⁰ *Catan and Others v. the Republic of Moldova and Russia* (2012) ECtHR App Nos 43370/04, 8252/05 and 18454/06; *Abdi Ibrahim v Norway* ECHR 2021.

²¹ *Kjeldsen* (n 16).

²² *Lautsi and Others v Italy* ECHR 2011.

²³ *Efstratiou* (n 17).

²⁴ *Campbell* (n 18).

²⁵ ECHR (n 12) P1-2.

²⁶ International Covenant on Economic, Social and Cultural Rights (adopted 19 December 1966, entered into force 3 January 1976) 993 UNTS 3 (ICESCR), Art 13.

²⁷ UN Committee on Economic, Social and Cultural Rights, 'General comment No. 13' (1999) UN Doc E/C.12/1999/10, para 38.

²⁸ UN Committee on Economic, Social and Cultural Rights, 'General comment No. 21' (2009) UN Doc E/C.12/GC/21, para 27.

expression,²⁹ and reinforces that education must not be used to impose a singular ideology or coerce children to adopt a belief 'unless provision is made for non-discriminatory exemptions or alternatives.'³⁰ The CRC further emphasises these interpretations and emphasises the importance that education fosters respect for a child's 'own cultural identity, language and values' as well as those of their parents.³¹ These provisions collectively reinforce the concept of indoctrination as the restriction of children's rights to freedom of expression, thought, cultural identity and education. This section has demonstrated, then, that use of indoctrination can be considered to be a violation of regional and international human rights law.

1.2 Russification as Indoctrination and a Violation of the Right to Education

Russia has made documented efforts to pursue Russification of Ukrainian schools in occupied territories, by imposing a Russian curriculum,³² requiring children sing the Russian national anthem,³³ decorating schools with pro-Russian symbols and quotes from the Russian president,³⁴ and implementing new propaganda filled history textbooks.³⁵ These efforts are enforced through intimidation and coercion of teaching staff and children by occupying powers. Teachers who refuse to teach the Russian curriculum face emotional blackmail and threats, and in some cases, physical violence, at the hands of Russian soldiers.³⁶ Ukrainian children who fail to attend Russified schools face threats of being removed from their parents and sent to orphanages in Russia.³⁷ This section will argue that

²⁹ International Covenant on Civil and Political Rights (21 December 1965, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), art 18 and 19.

³⁰ UN Human Rights Committee, 'General comment No. 22 (48) (art. 18)' (1993) UN Doc CCPR/C/21/Rev.1/Add.4, para 6 and 8.

³¹ CRC (n 19).

³² Human Rights Watch (n 2); Humanitarian Research Lab, Yale School of Public Health, *Russia's Systematic Program for the Re-education and Adoption of Ukraine's Children* (ReliefWeb, 14 February 2023) <https://reliefweb.int/report/ukraine/humanitarian-research-lab-yale-school-public-health-russias-systematic-program-re-education-adoption-ukraines-children-enruuk> accessed 29 April 2025, 14.

³³ Ibid.

³⁴ Bohdan Skavron 'Школы в оккупированном Мариуполе цинично 'украшили' цитатами Путина: фото', (TSN. Ukraine, August 17 2023) <<https://tsn.ua/ru/ukrayina/shkolu-v-okkupirovannom-mariupole-cinichno-ukrasili-citatami-putina-foto-2392612.html>> accessed 16 March 2025.

³⁵ Valentyna Potapova and Mykyta Petrovets, 'Textbooks and war: educational literature in the Russian Federation as a tool for destroying the identity of Ukrainians' (*Almenda*, August 2023) <[Expert-conclusions-of-the-study-Textbooks-and-war-educational-literature-in-the-Russian-Federation-as-a-tool-for-destroying-the-identity-of-Ukrainians_1.pdf](#)> accessed 16 March 2025.

³⁶ Amnesty International, 'Ukraine/Russia: Teachers in Russian-occupied territories coerced to teach Russian curriculum through threats and violence' (Amnesty International, 4 October 2024), <<https://www.amnesty.org/en/latest/news/2024/10/ukraine-russia-teachers-in-russian-occupied-territories-coerced-to-teach-russian-curriculum-through-threats-and-violence/>> accessed 29 April 2025; Human Rights Watch (n 2).

³⁷ Amnesty International, 'Ukraine: children under Russian occupation forced into Russian schooling or face removal to orphanages - new briefing' (Amnesty International, 11 December 2023) <<https://www.amnesty.org.uk/press-releases/ukraine-children-under-russian-occupation-forced-russian-schooling-or-face-removal>> accessed 29 April 2025; Human Rights Watch (n 2); UNGA '77th Session: Children and armed conflict, Report of the Secretary General' (5 June 2023) UN Doc A/77/895-S/2023/363, para 326.

these activities amount to indoctrination under the definition outlined in the previous section and therefore constitute breaches of children's rights to an education free from indoctrination,³⁸ and associated rights to cultural identity and freedom of expression,³⁹ as well as the state's obligation to protect the best interests of the child.⁴⁰

The definition of indoctrination as outlined in section 1.1 of this memorandum begins with the imposition of a singular ideological perspective without criticism or objectivity, and a resulting failure by the state to maintain pluralism in education.⁴¹ Russia's activities and efforts to Russify Ukrainian children pursue an aim of imposing a single ideological perspective which is sympathetic to Russia and constitutes a failure to make sure that 'the curriculum is conveyed in an objective, critical and pluralistic manner.'⁴² The ECtHR specified in *Kjeldsen* that a failure to provide pluralism in education would be violation of P1-2, and we can use this to argue therefore that Russia's actions amount to indoctrination and are a violation of their responsibilities under the ECHR. This can be supported further through international mechanisms by looking at Article 29 CRC. Here it is established that the education of the child shall be directed to the development of 'his or her own cultural identity, language and values, for the national values of the country in which the child is living' or may originate from.⁴³ Russia's enforcement of only pro-Russian symbols, decorations, and songs⁴⁴ as *replacements of* rather than *in plurality with* Ukrainian cultural identities and traditions, can be interpreted to be 'subordinating the multitude of cultural identities present in a territory to a single approach to education in a way that is likely to create a situation of institutionalised discrimination.'⁴⁵ This can therefore be argued to hold the aim of indoctrination and to be a violation of the Ukrainian child's right to an education that respects their culture and nationality.⁴⁶

The second part of the definition of indoctrination outlined in section 1.1 refers to the failure of the state to provide any possibility for exemption from the ideology being taught.⁴⁷ In this case, Russian authority's use of threat, intimidation and manipulation to force cooperation from Ukrainian students and teachers makes it clear to Ukrainian children and

³⁸ UNHRC 'Revised Views adopted by the Committee under Article 5 (4) of the Optional Protocol, concerning communication No. 2274/2013' (22 October 2018) UN Doc CCPR/C/123/D/2274/2013/Rev.1.

³⁹ UNGA 'Right to education: the cultural dimensions of the right to education, or the right to education as a cultural right. Report of the Special Rapporteur on the right to education, Koumbou Boly Barry' (16 April 2021) UN Doc A/HRC/47/32, para 27.

⁴⁰ CRC (n 19), art 3. *Article 3 outlines that 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.'*

⁴¹ *Kjeldsen* (n 16).

⁴² *Ibid*, para 53.

⁴³ CRC (n 19) art 29(c).

⁴⁴ Skavron (n 34).

⁴⁵ UNGA UN Doc A/HRC/47/32 (n 39) para 29.

⁴⁶ CRC (n 19) Art 29(c)(d).

⁴⁷ *Efstratiou* (n 17).

their parents that there is no possibility for exemption or alternative,⁴⁸ and therefore constitutes an aim of indoctrination and a violation of P1-2. This argument is made stronger by international mechanisms which provide similar protections and have made supporting interpretations, such as ICESCR, which protects the right to education under Article 13, and right to cultural life under Article 15(1)(a).⁴⁹ The ICESCR committee has interpreted these rights as a right to academic freedom, which they define as ‘the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfil their functions without discrimination or fear of repression by the State.’⁵⁰ Russia’s use of intimidation and coercion to ensure cooperation with the Russification of the curriculum and school environment instils fear in children and educators, restricting their academic freedom and violating their right to education and cultural life under Article 13 and Article 15 ICESCR.⁵¹

This restriction of academic freedom through indoctrination can also be interpreted to be a violation of the right to freedom of thought, conscience and religion under Article 18(4) ICCPR, as well as the Article 19 right to hold opinions without interference.⁵² The UN Human Rights Committee (HRC) has emphasised the child’s right to ‘freedom from coercion’ when it comes to their Article 18 right to have or to adopt a religion or belief,⁵³ and Article 19 right to hold or not hold any opinion.⁵⁴ Russia’s threats of penalties and violence through use of blackmail, threats, and at times physical violence against teachers and students for non-compliance prevents children from freely exploring or questioning their own identity and beliefs,⁵⁵ directly contradicting Article 18. This indoctrination and forceful imposition of a singular foreign ideology in the educational context goes against the ‘fundamental aims’⁵⁶ of ‘understanding, peace, tolerance, equality’⁵⁷ and plurality⁵⁸ in education and limits children’s ability to explore and express their cultural and national identity.⁵⁹ This is arguably a violation of Article 19 ICCPR, stripping the child of their right to hold or not hold and express opinions,

⁴⁸ Amnesty International (n 3).

⁴⁹ ICESCR (n 26).

⁵⁰ CESCR General Comment 13 (n 27).

⁵¹ ICESCR (n 26), art 13.

⁵² ICCPR (n 29).

⁵³ UNHRC General Comment no 22 (n 30).

⁵⁴ UN Human Rights Committee, ‘General comment No. 34’ (2011) UN Doc CCPR/C/GC/34, para 10.

⁵⁵ Amnesty International, ‘Ukraine: children under Russian occupation forced into Russian schooling or face removal to orphanages - new briefing’ (Amnesty International, 11 December 2023), <<https://www.amnesty.org.uk/press-releases/ukraine-children-under-russian-occupation-forced-russian-schooling-or-face-removal>> accessed 29 April 2025; Human Rights Watch (n 2).

⁵⁶ CESCR General Comment 21 (n 28), para 26.

⁵⁷ CRC (n 19) Art 29(d); UNGA ‘Children and armed conflict Report of the Special Representative of the Secretary-General for Children and Armed Conflict’ (8 January 2025) UN Doc A/HRC/58/18, para 37.

⁵⁸ Kjeldsen (n 16).

⁵⁹ Ibid.

argued by the HRC to be essential to the development of the child and to a 'free and democratic society'.⁶⁰

It has been argued above that Russia's use of coercion, intimidation and imposition of a Russified curriculum amounts to indoctrination and violates the child's rights to education, freedom of expression and cultural identity. It can be further argued that indoctrination goes beyond a breach of the right to education and can be considered as a violation of broader children's rights. This argument is supported by the views of the CRC committee in its decision in *FB et al v France*.⁶¹ This communication looked at France's failure to repatriate 49 French children detained in Syrian camps, where they were exposed to lack of sanitation, healthcare, and education.⁶² The children were also at risk of indoctrination in these camps.⁶³ The authors claimed that this was a breach of the children's article 37 CRC right to protection from inhumane and degrading treatment. The committee decided that 'there is sufficient evidence to establish that the prolonged detention of the child victims in the conditions described, including in particular the lack of health care, food, water, sanitation facilities and education, has an impact on their development and constitutes cruel, inhuman or degrading treatment or punishment, in violation of article 37 (a) of the Convention'.⁶⁴ This communication is particularly relevant due to the emphasis it places on the rights of the child in conflict settings, referring to the OP-CRC-AC⁶⁵ to identify the special vulnerability of children in armed conflict to ideological coercion.⁶⁶ The conclusion in *FB et al* is an example of how breaches of children's rights to education can lead to further breaches of broader fundamental rights including protection from inhumane and degrading treatment, and the overarching obligation to protect the best interests of the child.⁶⁷

Russia, as the occupying power, has a duty under both IHRL and IHL⁶⁸ to protect the rights of the child, particularly due to their vulnerability in the context of armed conflict.⁶⁹ Despite this, authorities have enforced a Russified curriculum which preys on the vulnerability of children to indoctrination, designed to erase their national identity and suppress their freedom of thought and expression. Here it can be argued that Russia's use

⁶⁰ HRC General Comment 34 (n 54), para 1.

⁶¹ UNCRC 'Views adopted by the Committee under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, concerning communications Nos. 77/2019, 79/2019 and 109/2019' (9 March 2022) UN Doc CRC/C/89/D/77/2019, CRC/C/89/D/79/2019, CRC/C/89/D/109/2019.

⁶² Ibid, para 6.10.

⁶³ CRC (n 19).

⁶⁴ UNCRC communications Nos. 77/2019, 79/2019 and 109/2019 (n 61), para 6.8.

⁶⁵ Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (adopted 25 May 2000, entered into force 12 February 2002) 2173 UNTS 222 (CRC-OP-AC).

⁶⁶ UNCRC communications Nos. 77/2019, 79/2019 and 109/2019 (n 61).

⁶⁷ CRC (n 19) art 37.

⁶⁸ Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287 (Geneva Convention IV), art 94.

⁶⁹ CRC (n 19) arts 3, 6, 37.

of indoctrination and Russification in Ukrainian schools is a violation of Ukrainian children's rights to freedom of expression, cultural identity, and education, and violation of these rights in the context of armed conflict is a fundamental breach of children's rights to have their best interests prioritised by the state.

1.3 Defining Propaganda

Certain forms of propaganda are explicitly prohibited and condemned under IHRL.⁷⁰ Article 20(1) ICCPR⁷¹ prohibits 'any propaganda for war'⁷² whilst Article 4 CERD obliges State Parties to declare illegal any propaganda that promotes or incites racial discrimination.⁷³

Despite these clear prohibitions in the law, the term *propaganda* remains ambiguous in the legal context, lacking a universally accepted definition under IHRL,⁷⁴ creating challenges in the identification of what forms of expression fall within the scope of prohibited propaganda. For the purposes of this memorandum, the term will be interpreted in line with the definition provided by the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Irene Khan.⁷⁵ The Special Rapporteur notes that elements of propaganda intersect closely with disinformation, hate speech and incitement due to their shared characteristics of deception and misinformation.⁷⁶ Khan identifies propaganda as content that is 'biased, partial, misleading, and emotive',⁷⁷ and is typically used to disseminate views that 'advance a particular agenda or party'.⁷⁸ An illustrative example of propaganda in practise is the use of 'information operations'; strategic campaigns carried out by States or political actors 'to influence the views, attitudes and behaviour of adversaries or the public in order to achieve political and military objectives'.⁷⁹

While certain uses of propaganda may fall within the scope of protected speech or content under the right to freedom of expression (Article 19 ICCPR), such protection is

⁷⁰ UN General Assembly Resolution 110 (II), 'Measures to be Taken Against Propaganda and the Inciters of a New War' (3 November 1947) UN Doc A/RES/110(II); UN General Assembly, 5th Session, 308th Plenary Meeting (17 November 1950) UN Doc A/PV.308.

⁷¹ ICCPR (n 29), art 20(1).

⁷² Ibid.

⁷³ International Convention on the Elimination of all Forms of Racial Discrimination (adopted 16 December 1966, entered into force 4 January 1969) 660 UNTS 195 (CERD), art 4.

⁷⁴ United Nations General Assembly, 'Disinformation and Freedom of Opinion and Expression during Armed Conflicts' (12 August 2022) UN Doc A/77/288, para 12; Aswad E, 'Propaganda for War & International Human Rights Standards' (2023) 24(1) Chi J Intl L; Kearney, M., 'The Prohibition of Propaganda for War in International Human Rights Treaties', *The Prohibition of Propaganda for War in International Law* (Oxford, 2007).

⁷⁵ Ibid.

⁷⁶ Ibid, para 13.

⁷⁷ Ibid, para 15.

⁷⁸ Ibid, para 15.

⁷⁹ Ibid, para 15.

conditional.⁸⁰ Freedom of expression is protected where it is lawful, pursues a legitimate aim, and is necessary in a democratic society.⁸¹ These protections no longer apply where propaganda fails to meet these objectives instead amounts to ‘advocacy of hatred that constitutes incitement to hostility, violence and discrimination’.⁸² Furthermore, in the context of armed conflict, where propaganda is used to promote aggression, incite hatred, spread terror among civilians, or justify war crimes,⁸³ it constitutes a direct violation of Article 20(1) ICCPR. It is notable that these legal prohibitions apply to both individual and state-generated propaganda. In summary, the definition of propaganda as understood in this memorandum is content or speech that is biased, misleading, and deliberately disseminated to advance a particular political, military, or ideological agenda, often as part of a greater aim of manipulating public opinion and fostering a hostile environment. This incitement of a hostile environment and of hatred, violence, or discrimination, is what makes propaganda impermissible under IHRL.

1.4 Textbooks and Propaganda

This section examines the use of state-mandated textbooks in Russian occupied territories of Ukraine, arguing that its educational content constitutes unlawful propaganda as defined above. Consequently, Russia’s implication of disseminating unlawful propaganda is also a further violation of Ukrainian children’s right to education and cultural identity and cultural identity.

In schools occupied under Russian control, the introduction of new, Russian state textbooks have been made mandatory to be used to teach Ukrainian children, alongside the imposed curriculum.⁸⁴ These textbooks contain falsified information regarding Ukraine, such as allegations claiming that the Ukrainian government have conducted violent military coups, committing atrocities against their own citizens.⁸⁵ They further rewrite and perpetuate false narratives of Ukrainian history,⁸⁶ using these as tools to justify the Russian army’s invasion of Ukraine and annexation of Crimea, claiming it was an act of self-defence⁸⁷ deemed

⁸⁰ Ibid; UN Human Rights Committee, ‘General Comment No. 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant’ (29 March 2004) CCPR/C/21/Rev.1/Add.13.

⁸¹ Ibid.

⁸² Ibid, para 38.

⁸³ Ibid, para 45.

⁸⁴ Human Rights Watch (n 2).

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Amnesty International, ‘Ukraine: Children’s Education is One More Casualty of Russian Aggression’ (Amnesty International, 11 December 2023) EUR 50/7508/2023, <<https://www.amnesty.org/en/documents/eur50/7508/2023/en/>> accessed 12 March 2025.

unavoidable due to the imminent threat posed by the Ukrainian military.⁸⁸ In particular, there are textbook chapters dedicated solely to the claims and arguments that describe and convincingly portray Ukraine as a neo-Nazi state.⁸⁹ Moreover, the textbooks seek to erase the Ukrainian identity by delegitimising its history, language and culture, notably through statements emphasising that Ukraine is 'not worthy of national statehood',⁹⁰ it is not an established state, and it has always been considered a part of Russia.⁹¹ To corroborate and reinforce these claims, the textbook include falsified images, diagrams and misrepresented maps to distort the Ukrainian narrative.

As outlined under the definition of propaganda above, it requires that the content in question is biased, misleading, and holds the aim of advancing a particular political agenda or to manipulate public opinion. The content of the Russian enforced textbooks is biased, falsified and supports the political agenda of the Russian State through the glorification and justification of their military operations and invasion of Ukraine. The mandatory imposition of the textbooks demonstrates an aim of influencing views and attitudes of Ukrainian children to further the Russian political objectives. Consequently, the Russian-state textbooks can therefore be argued to fall under the category of propaganda, as provided by this definition. In the context of Article 20(1) ICCPR and illegal propaganda, the mandatory imposition and promotion of false narratives justifying war and violence against Ukrainian and Russian citizens can be argued to constitute an 'incitement of violence' due to its inherent hateful and pro-war nature. As a result of this, it can be argued that the imposition of such textbooks is in breach of Article 20(1) ICCPR.

In addition to breaching the ICCPR's war propaganda regulations, the use of such materials can further be considered a violation under Article 13 ICESCR. Here, it states that education 'shall be directed to the full development of the human personality and shall... strengthen the respect for human rights and fundamental freedoms.... promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups'.⁹² The content of the Russian State textbooks, however, are arguably of a discriminatory nature, particularly through consistent comparisons of Ukraine to Neo-Nazism, which contradicts the requirement of promotion of understanding and tolerance amongst nations. The UN Committee on Economic, Social and Cultural Rights (CESR), has expanded on this provision, outlining that school curriculums are allowed to discuss history and ethics in classrooms so long as the information is perpetuated in a manner that is

⁸⁸ Human Rights Watch (n 2).

⁸⁹ Human Rights Watch (n 2).

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² ICESCR (n 26) art 13.

unbiased, objective way and respectful of the freedoms of opinion, conscience and expression.⁹³ Contradicting, the textbooks falsification of Ukrainian history, ethics and values is not promoted in an objective method, rather it promotes the Russian political agenda, it is biased, and repeatedly justified war and violence concerning the invasion of Ukraine. Consequently, under Article 13 ICESCR, Russia's imposition of such textbooks can be considered a violation of IHRL.

Additionally, Article 29 CRC reaffirms the educational rights outlined in ICESCR, further emphasising that education should respect a child's cultural identity, language, and values, as well as the values of their country of residence and origin, and of other civilisations.⁹⁴ The propaganda within the textbooks, however, promotes discriminatory and negative portrayals of Ukrainian identity.⁹⁵ These textbooks seek to erase Ukrainian history and effectively strip the curriculum of Ukrainian identity, culture, and values. This undermines children's right to an education that aligns with their cultural identity and values, constituting a breach of Article 29 CRC.

In summary, Russia's imposition of Russified textbooks not only amounts to use of propaganda under IHRL, violating the Article 20(1) ICCPR prohibition on propaganda, but further breaches Ukrainian children's rights to an education which respects their cultural identity and nationality.

2. The Ukrainian Child's Right to Freedom of Expression and Cultural Identity

2.1 Banning of the Ukrainian Language

This section will examine the suppression of the Ukrainian language in schools under Russian occupation, arguing that such restrictions are a violation of children's rights to education and cultural identity in armed conflict. Despite the Russian authorities' promise of a transitional period to support the integration from the Ukrainian to Russian language in schools, ensuring that teaching would be conducted in Ukrainian, the authorities did not adhere to this.⁹⁶ In addition to not abiding these claims, evidence has revealed that Ukrainian children in occupied schools are being physically punished for speaking their national Ukrainian language. A notable case details that a child was punished by being

⁹³ CESCR General Comment 13 (n 27), para 28.

⁹⁴ CRC (n 19), art 29.

⁹⁵ Human Rights Watch (n 2).

⁹⁶ Ibid.

driven and dropped a dozen of kilometres away from school to a remote area, whilst blindfolded with a bag obstructing his head, and forced to walk back to his home alone.⁹⁷

A child's right to education in their own language is explicitly protected under Article 29 CRC,⁹⁸ which states that education must be directed towards development of respect for the child and their parent's cultural identity, language, personal values, and values of the country in which the child is living.⁹⁹ The right to education in the child's own language is also protected under the ECHR and reinforced through ECtHR jurisprudence. P1-2 ECHR¹⁰⁰ outlines the state's responsibility to respect the right of parents to ensure that education and teaching is in conformity with their own religion and philosophical convictions.¹⁰¹ In the ECtHR *Belgian Linguistics* case,¹⁰² the Court highlighted that the right to education does not include a specific language in which education should be taught. However, it was also stated that there is a right for education to be taught in the 'national language or one of the national languages'¹⁰³ as the right would be 'meaningless'¹⁰⁴ for citizens otherwise. This was reaffirmed and developed further in *Catan and Others v Moldova and Russia*.¹⁰⁵ Alongside the need for teaching to be conducted in the national language of the applicants, it was also held that the parents had the right to ensure education of their child is in accordance with their philosophical beliefs.¹⁰⁶ Most notably, the Court acknowledged that the attempt to close down schools teaching the Moldovan language was a form of Russification which targeted the Moldovan communities' language and culture, breaching P1-2 ECHR.¹⁰⁷ This jurisprudence outlines a requirement under IHRL to provide education in a national language. Whilst Russia is the occupying power, Ukraine remains the sovereign state, deeming the Ukrainian language as a national one. It can therefore be argued, supported by the ECtHR jurisprudence and obligations under IHRL, that Russia's restriction of the Ukrainian language, both through the imposition of a curriculum entirely in the Russian language and through use of threat and punishment to prevent Ukrainian children from speaking their native language,¹⁰⁸ is a violation of its responsibilities under P1-2 ECHR and

⁹⁷ Ibid.

⁹⁸ CRC (n 19), art 29.

⁹⁹ Ibid.

¹⁰⁰ Protocol No. 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms (adopted 20 March 1952, entered into force 18 May 1954) 213 UNTS 262, art 2.

¹⁰¹ Equality and Human Rights Commission, 'Article 2 First Protocol: Right to Education' (Equality and Human Rights Commission, <https://www.equalityhumanrights.com/human-rights/human-rights-act/article-2-first-protocol-right-education> accessed 17 March 2025).

¹⁰² *Case Relating to Certain Aspects of the Laws on the Use of Languages in Education in Belgium v Belgium* (Merits) (1968) Series A no 6, 1 EHRR 252, para 3.

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ *Catan and Others v Moldova and Russia* (n 20).

¹⁰⁶ Ibid, para 143.

¹⁰⁷ Ibid, para 144.

¹⁰⁸ Amnesty International (n 3).

the CRC to provide education taught in the national language, and to respect the child's language and culture.

The suppression and banning of Ukrainian language can further be argued to violate the child's right to an accessible education under Article 13 ICESCR,¹⁰⁹ recognising that education must be a right available and accessible to all, directed towards fostering personal development, tolerance, and respect for human rights.¹¹⁰ The ICESCR Committee has elaborated that education must be available, accessible, acceptable and adaptable as well as flexible so that it can conform to the changing needs of their students, particularly in diverse cultural settings.¹¹¹ Whilst factors of availability are predominantly considered with safety measures such as safe drinking water and bathroom facilities,¹¹² it could be argued in the context of Russia's banning of Ukrainian language that the education is not *available* to Ukrainian students. This is because if a student cannot fully comprehend content due to language barriers, with no option for translation or for the content to be provided in their native language, this arguably makes the educational content unavailable to the student. This can then be argued to be a violation of the child's right to access education under Article 13 ICESCR.

Russia's failure to respect Article 13 in this instance can be argued to be based on discrimination against the Ukrainian child's language and national origin. Article 2(2) ICESCR protects these characteristics and prohibits the state from restricting any rights under the convention based on discrimination against these. The ICESCR committee has also reinforced this idea, stating that when determining whether education is *accessible*, it must be accessible to everyone without any form of discrimination.¹¹³ It can be argued that Russia's restriction of the Ukrainian language in education, and use of intimidation and punishment against teachers and students who do use their native language instead of the Russian imposed on them, constitutes discrimination. This can therefore be considered a violation of Article 13 ICESCR in conjunction with article 2(2) ICESCR.

Language can also be considered to be a part of the child's cultural identity. The ICESCR committee has stated that the right to education is 'intrinsically linked'¹¹⁴ to the right to partake in cultural life due to the important role that language plays in enjoying and passing on culture.¹¹⁵ This right to partake in cultural life is protected under Article 15(a)

¹⁰⁹ ICESCR (n 26), art 13.

¹¹⁰ *Ibid.*

¹¹¹ CESCR General Comment 13 (n 27), para 60.

¹¹² *Ibid.*

¹¹³ CESCR General Comment 21 (n 28).

¹¹⁴ *Ibid.*, para 2.

¹¹⁵ *Ibid.*

ICESCR.¹¹⁶ The restriction of the Ukrainian child's right to an education in their language can be argued to interrupt their ability to participate in cultural life. By limiting access to education in Ukrainian, Russia not only prevents the transmission of cultural knowledge and identity but also erodes the child's sense of belonging and connection to their heritage. Such measures effectively marginalise the Ukrainian child's cultural identity, contravening the obligations set out in Article 15(a) ICESCR. In sum, the suppression of the Ukrainian language in education under Russian occupation undermines children's rights under IHRL to education and cultural identity.

2.2 Censorship of Ukrainian Identity as Discrimination

This memorandum has so far examined Russia's use of indoctrination and propaganda in education, highlighting how these practices violate key provisions of IHRL. One of the central aims of Russia's indoctrination efforts has been the deliberate erasure of Ukrainian children's identity, and its replacement with a Russian one. Russia's methods have included painting over Ukrainian flags, replacement of curriculums, and the dissemination of propaganda portraying Ukrainians as 'neo-Nazis' in need of 'de-Nazification'.¹¹⁷ This section will argue that the labelling of Ukrainians as 'Nazis' is discrimination based on nationality and is a violation of the child's right to cultural identity and right to education as well as their rights to freedom from discrimination and equality before the law.

Labelling Ukrainians as 'Nazis' fosters a hostile environment for Ukrainian children, which pressures them to conform to a Russian identity,¹¹⁸ and here it will be argued that this constitutes discrimination and a discriminatory restriction of their rights to cultural identity and freedom of expression.¹¹⁹ CERD protects individuals from discrimination based on 'race, colour, descent, or national or ethnic origin',¹²⁰ prohibiting states from engaging in acts of discrimination against these characteristics under Article 2(1), and requiring states to prevent and eliminate racial discrimination in education under Article 5(e)(v).¹²¹ Russia's censorship of Ukrainian identity within education can be argued to be discriminatory against Ukrainian children's national origin and a consequent violation of Articles 2 and 5. This is partially

¹¹⁶ Ibid.

¹¹⁷ Potapova and Petrovets (n 35), 3; T. Sergeytsev, 'What Russia Must Do with Ukraine' (*RIA Novosti*, 3 April 2022) <https://ria.ru/20220403/ukraina1781469605.html>, accessed 16 March 2025.

¹¹⁸ *Ukraine v Russia (Re Crimea)* ECHR 2024, para 1162.

¹¹⁹ UNHRC Communication No. 2212/2012 *Samnikov v Belarus* (14 May 2018) UN Doc CCPR/C/122/D/2212/2012, para 6.11; UNHRC Communication No. 878/1999 *Kang v Republic of Korea* (16 July 2003) UN Doc CCPR/C/78/D/878/1999, para 15.

¹²⁰ CERD (n 73), art 1.

¹²¹ Ibid.

supported by the ICJ's findings in *Ukraine v Russia*.¹²² In this case, the court found that Russia's banning of the Ukrainian language in occupied Crimea violated Articles 2(1)(a) and 5(e)(v) of CERD.¹²³

However, this case can also be argued to undermine the argument that Russia's acts of censorship constitute discrimination under CERD, because the court held that other interferences with Ukrainian and Crimean Tatar rights to freedom of expression, cultural identity, and community life were based on Russia's discrimination against political opinion rather than ethnicity, and therefore outside CERD's scope.¹²⁴ This narrow interpretation was, however, widely criticised for overlooking the CERD Committee's broader understanding of racial discrimination and for failing to take into account the broader context of conflict, occupation, and Russification that the discussed discrimination was taking place in.¹²⁵ The CERD Committee has highlighted the intersectionality of grounds for discrimination, affirming that discrimination can be targeted at ethnic or national origin in intersection with political opinion, and emphasising the need for a contextual and holistic approach when interpreting and applying CERD.¹²⁶ This was considered by Judge Charlesworth in her separate opinion for *Ukraine v Russia*, where she stated that discrimination often occurs against multiple characteristics at one time, and the existence of political discrimination does not negate an underlying ethnic or national basis for discrimination.¹²⁷ These perspectives are in contrast to the ICJ's narrow interpretation, and suggest that the ICJ's stance may evolve over time and further jurisprudence. Therefore, while acknowledging its limits in the present judgment, CERD is argued here to remain a valuable framework to argue that Russia's erasure of Ukrainian children's identity is a breach of IHRL, one which may become increasingly relevant over time.¹²⁸

Russia's discrimination against Ukrainian national origin also violates its obligations under the CRC and ICCPR. Article 2 CRC protects children from discrimination based on

¹²² *Application of the international convention for the suppression of the financing of terrorism and of the international convention on the elimination of all forms of racial discrimination (Ukraine v Russian Federation)* (judgment) General List 166 [2024], para 137.

¹²³ *Ibid*, para 370.

¹²⁴ CERD (n 73), art 1.

¹²⁵ Iryna Marchuk 'Unfulfilled Promises of the ICJ Litigation for Ukraine: Analysis of the ICJ Judgment in Ukraine v Russia (CERD and ICSFT)' (*EJIL Talk!*, 22 February 2024) <https://www.ejiltalk.org/unfulfilled-promises-of-the-ici-litigation-for-ukraine-analysis-of-the-ici-judgment-in-ukraine-v-russia-cerd-and-icsft/> accessed 16 March 2025.

¹²⁶ *Ibid*; UN Committee on the Elimination of Racial Discrimination 'General recommendation XIV on Article 1, paragraph 1, of the Convention' (1993) UN Doc A/48/18, 114, para 1; UN Committee on the Elimination of Racial Discrimination 'General recommendation XXIV concerning Article 1 of the Convention' (1999) UN Doc A/54/18, annex V, 103; UN Committee on the Elimination of Racial Discrimination 'General recommendation XXX on discrimination against non-citizens' (2005) UN Doc CERD/C/64/Misc.11/rev.3.

¹²⁷ *Application of the international convention for the suppression of the financing of terrorism and of the international convention on the elimination of all forms of racial discrimination (Ukraine v Russian Federation)* (SEPARATE OPINION OF JUDGE CHARLESWORTH) General List 166 [2024].

¹²⁸ UN Committee on the Elimination of Racial Discrimination 'General recommendation No. 32' (24 September 2009) UN Doc CERD/C/GC/32, para 7.

national, ethnic or social origin or political opinion.¹²⁹ The use of the label ‘Nazi’ to describe ‘any Ukrainian who wishes to assert his or her Ukrainian identity and supports Ukraine’s independence’,¹³⁰ can be argued to be discriminatory against the Ukrainian child’s national origin and political opinion, and therefore a violation of their Article 29 right to education in conjunction with Article 2. Similarly, Article 2(1) of the ICCPR protects the right to freedom from discrimination under characteristics identical to those outlined in Article 2 CRC, and Article 26 ICCPR outlines the right to equality before the law. The HRC decided in *Kang v Republic of Korea* that a systematic ideological conversion system ‘restricts freedom of expression and of manifestation of belief on the discriminatory basis of political opinion and thereby violates Articles 18, paragraph 1, and 19, paragraph 1, both in conjunction with Article 26.’¹³¹ Russia’s claims of a need to ‘denazify’ Ukrainian children and similar discriminatory generalisations about Ukrainian cultural and political identity are used to justify their use of indoctrination and systematic ‘ideological conversion’ of Ukrainian children.¹³² It can therefore be argued in accordance with the decision in *Kang v Republic of Korea* that Russia’s discriminatory attempts at erasure of Ukrainian identity through ideological conversion¹³³ constitute a violation of the child’s freedom of expression under Articles 18 and 19 ICCPR, in conjunction with their Article 2(1) right to freedom from discrimination.¹³⁴

To summarise, Russia’s erasure of Ukrainian identity through indoctrination and discriminatory labelling can be argued to constitute violations of children’s rights to freedom of expression, cultural identity and education, in conjunction to their rights to freedom from discrimination under CERD, the CRC, and the ICCPR.

3. Youth Groups and Militarisation of Children

This section will look at Russia’s use of military-patriotic education in youth groups, arguing that the resulting militarisation of children is a violation of their rights to education, freedom of expression, cultural identity and freedom of assembly and association under IHRL. Part of the re-education and indoctrination of Ukrainian children has been found to be occurring outside of schools within Russian state-funded and supported youth groups, which focus on

¹²⁹ CRC (n 19).

¹³⁰ Azarov D and others, ‘Understanding Russia’s Actions in Ukraine as the Crime of Genocide’ (2023) 21 Journal of international criminal justice 233, 237.

¹³¹ Ibid, para 15.

¹³² UNHRC Communication No. 878/1999 *Kang v Republic of Korea* (16 July 2003) UN Doc CCPR/C/78/D/878/1999, para 7.2.

¹³³ See also on necessity and proportionality: UNHRC Communication No. 2318/2013 *Nepomnyashchii v Russian Federation* (23 August 2018) UN Doc CCPR/C/123/D/2318/2013, para 7.8.

¹³⁴ ICCPR (n 29).

patriotic education.¹³⁵ These youth groups use similar methods of propaganda and indoctrination as outlined so far in this memorandum, but with a focus on the militarisation of children.¹³⁶ This can be seen in Russia's glorification and normalisation of the war and exposure of children to military training and to the production of items which can be used on the front line by soldiers.¹³⁷ 'Yugmolodoi', 'Young Army', 'Movement of the First',¹³⁸ and the 'Labor Brigade'¹³⁹ are names of some of the more known youth group schemes across Russian occupied territory. Children are recruited into these groups through school visits by representatives and joining is 'voluntary', although many children reported that it was made clear by Russian authorities that there would be negative consequences if they did not participate.¹⁴⁰ This is a breach of the child's right to freedom of assembly and association under Article 15 CRC¹⁴¹ which requires that 'children should never be compelled to participate or join organisations' and should always have the right to leave them.¹⁴²

Russia's military-education through youth groups can be considered to be a breach of the child's right to education. Despite being separate from formal school institutions typically associated with the right to education, the youth groups outlined in this section can be argued to be a part of the 'process of education' as outlined in *Campbell v UK*,¹⁴³ where the state's obligations under P1-2 were held to extend to all functions in the sphere of education and teaching, not just formal schooling. This interpretation is supported in the international context by the CRC Committee, which affirmed in a general comment that education 'goes far beyond formal schooling to embrace the broad range of life experiences and learning processes' that enable children to 'develop their personalities, talents and abilities'.¹⁴⁴ Youth groups can therefore be considered a function of education and teaching, given their structured environments and intentional transmission of knowledge, values, and behaviours to children.¹⁴⁵ Consequently, Russia's duty to protect Ukrainian children's right to education, and the applications of this right throughout this memorandum, extends to youth

¹³⁵ Anastasiia Vorobiova, 'Youth movements as the instrument of indoctrination and militarization in the temporarily occupied territories of Ukraine' (*Almenda*, 2023) <[Youth-movements-as-the-instrument-of-indoctrination-and-militarization Almenda \(1\).pdf](#)> accessed 16/03/2025, 23.

¹³⁶ *Ibid*, 39.

¹³⁷ Robert Coalson 'The Militarization Of Childhood': Russian Children Being Roped Into Country's All-Out War Effort' (*RadioFreeEurope*, 9 March 2024) <<https://www.rferl.org/a/russian-children-militarization-war-ukraine/32855157.html>> accessed 13 March 2025.

¹³⁸ Vorobiova (n 135), 6.

¹³⁹ Coalson (n 137).

¹⁴⁰ *Ibid*.

¹⁴¹ CRC (n 19).

¹⁴² UN Committee the Rights of the Child, 'General comment No. 17' (17 April 2013) CRC/C/GC/17.

¹⁴³ *Campbell* (n 18), para 33.

¹⁴⁴ UN Committee the Rights of the Child, 'General comment No. 1' (17 April 2001) UN Doc CRC/GC/2001/, para 2.

¹⁴⁵ Vorobiova (n 135), 3; Maksym Savchuk 'How Russia Prepares Children In Occupied Ukraine For War Against Their Own Country' (*Radio Free Europe*, 3 December 2024) <<https://www.rferl.org/a/russia-prepares-children-occupied-ukraine-war/33217789.html>> accessed 29/04/2025.

groups, particularly in those funded and supported by the state. As a part of these youth groups, children undergo military training including weapons handling, writing letters of support to Russian soldiers,¹⁴⁶ building parts for weapons, making trench candles and other items to be used on the front line, and knitting stockings for amputees.¹⁴⁷ These activities all contribute to the militarisation of the child through their involvement in the war efforts and the subsequent normalisation of conflict. This militarisation has been criticised by multiple UN bodies, including the General Assembly in resolutions condemning the use of ‘military-patriotic’ education¹⁴⁸ in occupied Crimea and Ukraine, and expressing concern surrounding the use of education to ‘indoctrinate [children] to join the Russian military forces.’¹⁴⁹ This use of indoctrination and involvement of children in militarised settings and the use of propaganda to teach pro-Russian sentiments is a breach of the Ukrainian child’s rights to cultural life, education and identity under Article 29 and 31 CRC.¹⁵⁰

Militarisation of Ukrainian children can be argued to go beyond violations of their rights to education, freedom of expression, and cultural identity, breaching their right to be protected from exploitation through labour. Article 32 CRC protects children from labour and economic exploitation, specifically protecting the child from performing any work that is likely to ‘interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.’¹⁵¹ The CRC committee has emphasised the importance of a non-violent education on a child’s development,¹⁵² supporting claims that militarisation of childhood and its subsequent restriction of children’s rights can have a devastating impact on the child in their personal, spiritual and emotional development and their understanding of the world they live in.¹⁵³ The use by Russian-led youth groups of Ukrainian children in production of military supplies can therefore be argued to interfere with their education to cause further harm to their development, therefore violating Article 29, 31 and 32 CRC.¹⁵⁴

In summary, this section has argued that Russia’s use of state-supported military-patriotic youth groups to indoctrinate Ukrainian children can be considered to be a part of the process of the Ukrainian child’s education and to contribute to their militarisation,

¹⁴⁶ Vorobiova (n 135), 26.

¹⁴⁷ Coalson (n 137).

¹⁴⁸ UNGA ‘Resolution adopted by the General Assembly on 7 December 2020’ (14 December 2020) UN Doc A/RES/75/29; UNCRC ‘Concluding observations on the combined sixth and seventh periodic reports of the Russian Federation’ (1st March 2024) UN Doc CRC/C/RUS/CO/6-7, para 45(h).

¹⁴⁹ UNGA ‘Resolution adopted by the General Assembly on 9 December 2021’ (16 December 2021) UN Doc A/RES/76/70.

¹⁵⁰ UNGA ‘51st Session: Impact of armed conflict on children, Note by the Secretary-General’ (26th August 1996) UN Doc A/51/306, para 43.

¹⁵¹ CRC (n 19), art 32(1).

¹⁵² UN Committee the Rights of the Child, ‘General comment No. 13’ (18 April 2011) CRC/C/GC/13.

¹⁵³ Amnesty International (n 3).

¹⁵⁴ CRC (n 19).

undermining the CRC's emphasis on the importance of a non-violent education for the development of the child. This use of youth groups for militarisation and indoctrination has been further argued to constitute violations of their rights to education, freedom of expression, cultural identity, assembly and association, and protection from exploitation under the CRC.

Key Findings and Conclusion

This memorandum has drawn on international and regional jurisprudence, UN treaty body interpretations, and other IHRL sources to establish that Russia's practices in occupied Ukraine amount to state-imposed indoctrination, propaganda, cultural erasure, and militarisation of children. It has been argued that these acts constitute severe and systemic violations of IHRL concerning children's rights to education, cultural identity, and freedom of expression.

Section one has shown that Russia's coercive enforcement of an imposed curriculum amounts to indoctrination as defined by ECtHR jurisprudence and therefore violates P1-2 ECHR and constitutes further violations of Ukrainian children's rights to an education which respects their culture and beliefs under the CRC,¹⁵⁵ ICESCR¹⁵⁶ and ICCPR.¹⁵⁷ Russia's imposition of textbooks to promote war propaganda and erase Ukrainian identity has been outlined as a direct breach of Article 20(1) of the ICCPR, and further violations of the CRC¹⁵⁸ and ICESCR.¹⁵⁹

Section two has argued that Russia's suppression of the Ukrainian language in education is a violation of Article 29 CRC and P1-2 ECHR, as it actively intervenes with the child's right to education. Additionally, the systematic censorship of Ukrainian identity in the curriculum under the guise of 'de-Nazification' of Ukrainians has been argued to be discriminatory and a violation of the CRC¹⁶⁰ and ICCPR,¹⁶¹ as it deliberately erases cultural identity and suppresses children's freedom of expression, using anti-Ukrainian rhetoric which violates children's rights to be protected from discrimination.

Section three has demonstrated that Russia's militarisation of children through youth groups and military-patriotic teaching constitutes violations of children's rights to freedom of

¹⁵⁵ CRC (n 19), art 29.

¹⁵⁶ ICESCR (n 26), art 13.

¹⁵⁷ ICCPR (n 29), art 18, 19, 20.

¹⁵⁸ CRC (n 19), art 29.

¹⁵⁹ ICESCR (n 26), art 13.

¹⁶⁰ CRC (n 19), art 2 and 29.

¹⁶¹ ICCPR (n 29), art 2(1), 18 and 19.

assembly, expression, and cultural identity under Articles 15, 29, 31 and 32 CRC.

Militarisation of children was considered to undermine the CRC requirement that education is non-violent and promotes peace, ultimately breaching the Ukrainian child's right to education.

Taken together, these findings demonstrate Russia's systematic violation of Ukrainian children's rights to education, cultural identity and freedom of expression through methods of indoctrination, propaganda, censorship, discrimination, coercion and militarisation. These acts are part of Russia's aims to erase Ukrainian identity, manipulating young minds through coercion, propaganda and indoctrination, in order to exploit children as instruments of its political and military agenda. A variety of IHRL treaties can be mobilised to substantiate claims that Russia's actions constitute violations of its international legal obligations, including the CRC, ICCPR, ICESCR and ECHR, which collectively safeguard children's rights to education, cultural identity, and freedom of expression. In summary, this memorandum has provided a comprehensive legal analysis of Russia's actions in occupied Ukraine, and has established the ways in which these actions can be argued to constitute widespread violations of Ukrainian children's rights to education, cultural identity, and freedom of expression under IHRL.

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Appendix

Treaty/Convention	Date of Russian Federation's Ratification	Does Russian Federation allow for Individual Communications under this Treaty?	Articles Relevant to Freedom of Expression, Cultural Identity, and Education	Articles that Specifically Mention Children's Rights
The Convention on the Rights of the Child (CRC)	Signed 26 Jan 1990. Ratified 16 Aug 1990.	No.	Freedom of Expression: 12, 13, 14 Cultural Identity: 8, 30, 31 Education: 28, 29	All articles in this treaty.
Optional Protocol to the Convention on the Rights of the Child on the Involvement of children in Armed Conflict (CRC-OP-AC)	Signed 15 Feb 2001. Ratified 24 Sep 2008.	No.	Specific to armed conflict and child recruitment.	All articles in this treaty.
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Signed 18 Mar 1968. Ratified 16 Oct 1973.	No.	Cultural Identity: 15 Education: 13, 14	Article 10(3)
International Covenant on Civil and Political Rights (ICCPR)	Signed 18 Mar 1968. Ratified 16 Oct 1973.	Yes. <i>Acceptance Date: 01 October 1991.</i>	Freedom of Expression: 19, 21, Cultural Identity: 18, 24, 27 Education: 20	Article 24 See also UNHRC General Comment No. 17 ¹⁶²
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	Signed 17 Jul 1980. Ratified 23 Jan 1981.	Yes. <i>Acceptance Date: 01 October 1991.</i>	Freedom of Expression: 4, 5(viii) Cultural Identity: 5(vii) Education: 5(v)	No.
Geneva Convention (IV) Relative to the	Notification of Continuation	N/A	Freedom of Expression: 70	Articles 14, 17, 23, 24,

¹⁶² UN Human Rights Committee, 'General comment No. 17: Article 24 (Rights of the child)' (1989) UN Doc HRI/GEN/1/Rev.6, 144; *'the Committee points out that the rights provided for in Article 24 are not the only ones that the Covenant recognizes for children and that, as individuals, children benefit from all of the civil rights enunciated in the Covenant'*

Protection of Civilian Persons in Time of War	of Ratification on 13 January 1992.		Cultural Identity: 24, 27, 58, 94, Education: 24, 50, 94, 108, 142	38(5), 50, 82, 94, 132.
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)	Notification of Continuation of Ratification on 29 July 1992.	N/A	Education: 78(2)	Article 77 and 78
European Convention on Human Rights (ECHR)	Signed 18 February 1996. Ratified 5 May 1998. Denounced 16 March 2022 (<i>denunciation entered into force 16 September 2022</i>)	Yes – signing of the ECHR allows for individual, group, and inter-state complaints to be made to the ECtHR. <i>Because of Russia's denunciation of ECHR in 2022, complaints can only be made in relation to actions that were carried out by Russia between ratification in 1998 and denunciation in 2022.</i>	Freedom of Expression: 10 Cultural Identity: 9, 11, 14 Education: Protocol 1 Article 2	Protocol 1 Article 2 is specific to the right of parents, but does not mention children.