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Russia: Children and the military

Main session

Submission to the Committee on the Rights of the Child on the
combined sixth and seventh periodic reports of the Russian Federation

December 2023

Summary

- **Deficient reporting.** Most of the questions and recommendations that the Committee has put to the State party in relation to its implementation of OPAC remain unanswered, notably on the prohibition on child recruitment and use.
- **Child recruitment into state armed forces.** Despite specifying 18 as the minimum age for military recruitment, Russia deems children aged 16 and 17 in 'military training colleges' as full members of the armed forces performing military service. Trainees are required to sign a binding contract of service when they turn 18; those who decline must refund tuition costs in full. Domestic legislation does not appear to prohibit the deployment of child trainees in a time of war.
- **Child recruitment into non-state armed groups.** While domestic legislation appears to prohibit child recruitment into unsanctioned non-state armed groups, it is silent on such recruitment by groups allied to the state.
- **Conscientious objection decisions made in childhood made binding in adulthood.** Contrary to international standards, the conscientious objection of an adult conscript is deemed invalid unless they applied for recognition in childhood, thereby placing an age-inappropriate burden of responsibility on child registrants.
- **The military conditioning of children in military schools.** A large network of military schools puts many thousands of children, particularly those without parental care, through military training under military-style discipline. The government does not appear to collect any disaggregated data on enrolments and has not explained the disciplinary arrangements.
- **Compulsory military training in all civilian schools.** All civilian secondary school students are required to complete basic military training as part of the curriculum.
- **Forced relocation of Ukrainian children.** Children separated from their parents in Ukraine have been transferred to Russia, a number of whom have not been allowed to return. Some

have been adopted by Russian families and even issued with Russian passports, rendering them liable for military conscription at age 18.

Introduction

The Child Rights International Network (CRIN) and Conscience and Peace Tax International (CPTI) present these observations as part of their project to monitor progress in implementing the Optional Protocol to the Convention on the Rights of the Child (CRC) on the involvement of children in armed conflict (OPAC).

Country situation

State background

Since the break-up of the Soviet Union in 1991, the Russian Federation has been involved in numerous armed conflicts. Wars against a secessionist movement in the north Caucasus republic of Chechnya took place in 1994 and 2004; in 2008 Russia invaded and occupied the Tsinkvali (South Ossetia) region of Georgia; in 2014 Russia gave covert support to secessionist movements in the Donetsk and Luhansk regions of Eastern Ukraine and unlawfully annexed the Crimean peninsula; in 2022 it invaded Ukraine and claimed without legal justification to have annexed four Ukrainian provinces in violation of International Humanitarian Law. The population of occupied Crimea is now subject to conscription into the Russian armed forces.

The Russian Federation has also supported the Syrian government in its civil war and, through the Wagner Group of private military and security companies, the Haftar faction in the Libyan civil war. Wagner has also played a direct role in other conflicts in which Russia is not overtly engaged, notably in Central African Republic and Mali.

Russia is internationally unusual in its large number of institutions for children dedicated to military conditioning and indoctrination.

Population (2022): 142 million.¹

Armed forces personnel (2022): 1,190,000, including up to 400,000 regular conscripts and a further 300,000 others mobilised in autumn 2022. The intention is to increase the trained strength further to 1.5 million.

Military service: Compulsory for all males aged 18 and over. Duration: 12 months. *De facto* child recruitment occurs through military schools.

¹ International Institute for Strategic Studies, *The Military Balance*, 2023.

Conscientious objection:	Recognised in the 1994 Constitution with implementing legislation promulgated a decade later in 2004. Civilian alternative service duration: 18 months.
OPAC ratified:	2008.
OPAC report:	State party report: CRC/C/OPAC/RUS/1 , 2012 (with list of issues CRC/C/OPAC/RUS/Q/1 , 2013 – no written replies, but see summary record CRC/C/SR.1865) Concluding observations: CRC/C/OPAC/RUS/CO/1 , 2014.
CRC reviews since OPAC report:	CRC/C/RUS/6-7 , received 2019 (with replies to list of issues available only in Russian, CRC/C/RUS/RQ/6-7 , 2023).

Issues arising

Deficient reporting

In the List of Issues for the present reporting cycle, at para 15, the Committee asked the State party:

‘With reference to the Committee’s concluding observations on the State party’s initial report on the Optional Protocol to the Convention on the involvement of children in armed conflict, please describe the measures taken by the State party:

- (a) To ensure that children under the age of 18 enrolled in higher military institutions are not the subject of recruitment and use, even when they receive a military education;
- (b) To amend the Criminal Code to add provisions that explicitly criminalize the recruitment of all children under the age of 18 by the State party’s armed forces or by non-State armed groups, and the use and involvement of children in hostilities;
- (c) To put in place mechanisms to identify at an early stage refugee, asylum-seeking and migrant children coming from countries where there are or have been armed conflicts and who may have been involved in armed conflict, and provide adequate support and reintegration for those children.’

The State party’s reply addresses only the second of these questions (and gives no indication that the recommendation referred to has been implemented).

Child recruitment through ‘military training colleges’

Military training colleges: definition

The State party’s OPAC report in 2012 referred to a system of state-operated ‘military training colleges’, described by the 1992 Education Act as ‘educational institutions... where military

vocational courses are taught' (para 13).² At the time, the Ministry of Defence planned to operate 10 such institutions, and pointed to a further eight already operated by other, unnamed government departments.

Reach

As of 2010, 2,586 boys and girls aged 16 and 17 were enrolled in these institutions from across the State party.³

Status and legal obligations of students

According to the State party's OPAC declaration, children in military training colleges are full members of the armed forces performing compulsory service, and who are obligated to enter follow-on contracts of military service as adults:

'... [C]itizens who have reached the age of 16 are entitled to admission to professional military educational institutions. Upon enrolment in these institutions they shall acquire the status of members of the military performing compulsory military service. The legislation of the Russian Federation guarantees that such citizens shall conclude military service contracts on reaching the age of 18, but not before they have completed the first year of education in these educational institutions.'⁴

The meaning of these arrangements appears to be that time spent in 'professional military educational institutions' is deemed to form a part of later, adult 'compulsory military service'. Although students appear to have a legal right to leave such institutions if they so choose, this amounts to the recruitment of children for military service, who then undergo full military conditioning. As such, the practice exploits a loophole in OPAC art. 2, which by prohibiting 'compulsory recruitment' fails to prevent voluntary recruitment into compulsory service. In our view, this violates the spirit and purpose of the Protocol.

In addition, reports suggest that children who join these colleges have no right to leave military service for three years after graduation.⁵ Trainees who refuse to sign the follow-on contract at the age of 18, or who leave while still minors, remain liable for compulsory military service, albeit of a reduced period of 12 months in recognition of their time at the college, and are also required to pay fees for their time at the school.⁶

Military law and discipline

Although the purpose of military training colleges is vocational training of personnel, the State report in the current review states that the 'general military regulations of the Armed Forces of the Russian Federation do not apply *to organization of the training and educational process in colleges*.' [emphasis added] (para 175). The possibility remains that military regulations may apply to other aspects of the disciplinary regime.

² 1992 Education Act, art. 11(2).

³ State party OPAC report, 2012; State party OPAC declaration.

⁴ UN Treaty Collection, [Chapter IV: Human Rights \(11b\)](#), 2023.

⁵ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report: 2008*, p. 285.

⁶ Ibid.

Harms

The rates of physical injury, prevalence of mental health problems, and the extent of maltreatment, which are all well attested to be elevated in military schools worldwide, are unknown.

Risk of the involvement of children in armed conflict

We are unaware of any domestic legislation prohibiting the participation in hostilities by students in Russia's various military education institutions. The military status of the student body also raises the possibility that the institutions may be targeted in armed conflict.

Child recruitment: Non-state armed groups

According to the State party's replies to the List of Issues, Federal Law No. 260-FZ (2022) raises the penalty for the recruitment and/or use of a child by an 'illegal' armed group to 20 years in prison. No mention is made of recruitment by state-sanctioned armed groups such as private military companies, of which the Wagner Group is an example.

Conscientious objection

All male citizens are required to register for military service before the end of March in the year in which they reach 17, i.e. usually at age 16. They become liable for call-up in the first recruitment period after they turn 18; either in the spring (April-July) or autumn (October-December).

International standards require that the right of conscientious objection to military service should be accessible at any time before, during and, with respect to reserve service liability, after military service. The Russian Federation allows application on the grounds of conscience to substitute civilian alternative service only immediately following registration for military service, with an absolute deadline six months before the potential date of call-up. By definition in almost all cases, this deadline passes before the 18th birthday. Adequate information about the option of applying and the procedures to be followed is also not routinely available.

It is implicit in OPAC that a person under the age of 18 cannot be safely regarded as having capacity to make an informed and mature decision on compulsory military service. The right to freedom of thought, conscience, and religion, including the right of conscientious objection, also includes the freedom to change one's religion or belief. Not only could a conscientious objection to military service develop at any time, it is more than usually likely that an individual's beliefs will be developing during the crucial years between 16 and 18, as will the capacity to comprehend the requirements of the application process and articulate their objection in writing, and not to be intimidated by the interview process. There should therefore at the very least be an opportunity within the system to claim recognition as a conscientious objector *after* the 18th birthday, so that a failure to act before the age of 18 is not irreversible.

Military schools

The Russian Federation maintains a large number of military schools. According to the State party's OPAC report in 2014, these include:

‘Suvorov military schools, Nakhimov naval schools, military music schools and naval cadet corps (...) [which are] federal State educational institutions and provide education in accordance with the basic general-education curricula for general basic and general secondary (full) education and the supplementary curricula designed to provide their students who are minors with military training and to prepare them for military training colleges.’ (para 13)

During the dialogue on the OPAC Report, the delegation stated that Russia operated seventeen different types of military educational establishments for children, including one cadet school for girls, with nearly 10,000 students enrolled overall. The minimum age limits for entry into the various types of institution is unclear.

The Suvorov and Nakhimov schools

The **Suvorov schools** are boarding institutions established during the Second World War, particularly for military orphans, who are still routinely enrolled (without having to sit the competitive entrance exams). In 2016, the Deputy Defence Minister told cadets at the Moscow school that ‘a student of the Suvorov Military School was a person with a special calling who had devoted himself to the Motherland’.⁷

The curriculum mixes standard school subjects with military training. For example, the Suvarov school in the Tver region, which had 500 students in 2021, puts children through basic soldier training exercises, while specialising in training children to use unmanned aerial vehicles (‘drones’).⁸

The Suvarov schools have a naval counterpart in the **Nakhimov schools**, located in St Petersburg and Murmansk with associated ‘cadet schools’ in Vladivostok and Sevastopol in occupied Crimea.

‘Military adoption’

Related to the operation of military schools is a long tradition of the ‘military adoption’. In 1999, the Defence Minister claimed that military institutions were accommodating 35,000 orphans and homeless children, 12,000 of whom were formally enrolled at cadet schools, possibly including 5,000 at ‘official military training establishments’.⁹ (Up-to-date information is unavailable.)

During the examination of the report under OPAC, reference was made to a specific category of adoptees known as ‘sons of the regiment’, being orphans or children deprived of parental care aged between 14 and 16:

‘Although attached to a military unit, they were not enlisted in the armed forces and their unit commander was responsible for their upbringing, well-being and the observance of international human rights standards.’ (SR para 35)

In its concluding observations on the OPAC Report, the Committee expressed its abiding concerns as follows:

⁷ Ministry of Defence, [‘First Deputy Defence Minister Ruslan Tsalikov addressed the cadets of the Moscow Suvorov military school with words of encouragement’](#), 2016.

⁸ Ministry of Defence, [‘Russian Defence Minister inspected Tver Suvorov Military School’](#), 2021.

⁹ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report: 2004*, pp. 266-267.

‘Boys from care institutions or in other vulnerable situations aged between 12 and 15 years are enrolled in cadet schools, often without their consent, or the consent of their parents when parental rights have not been removed, or often without their having the necessary information to make an informed decision. Such children are subjected to military discipline and punishment’ (para 10c)

Lack of adequate data

In view of the large scale of the military education and training of children in Russia’s jurisdiction, the Committee has regretted the lack of adequate data and recommended that the State party collect suitably disaggregated data in future:¹⁰

‘In particular, such data should be collected in relation to children below the age of 18 years in military schools and asylum-seeking, refugee and migrant children under the State party’s jurisdiction who may have been involved in armed hostilities in other countries.’¹¹

If this has been done, the results have not been reported in the State party’s report in the present reporting cycle.

Military training in civilian schools

In addition to martial training and conditioning in military schools, similar, more limited programmes are compulsory for all male students in civilian schools. Articles 12 to 14 of the Law on Military Duty and Military Service stipulates that all boys in secondary schools must complete ‘training in the military fundamentals’ during their final two years. This includes weapons and combat training, according to the Committee’s concluding observations on Russia’s OPAC report.

Forced relocation of Ukrainian children

An unknown number of children from Ukraine, having been separated from their parents during Russia’s invasion, or who were institutionalised, have been transferred to Russia. Russian authorities have been quoted to the effect that 2,000 ‘orphans and children left without parental care’ in Donetsk and Luhansk were transferred to Russia in February 2022 and a further 380 between April and October 2022.¹² A decree has facilitated applications for Russian citizenship for some categories of children, while others have been placed with Russian foster families.¹³

An Independent Commission of Inquiry mandated to investigate the human rights situation in Ukraine reported in March 2022 that it had examined 164 individual cases. In all of them:

‘Russian authorities violated their obligation under international humanitarian law to facilitate in every possible way the reunion of families dispersed as a result of the armed conflict [...] In addition, the citizenship and family placement measures which may have a profound implication on a child’s identity are in violation of the right of a child to preserve his

¹⁰ CRC, Concluding Observations on Russian Federation OPAC report, paras 6, 7.

¹¹ Ibid.

¹² Independent International Commission on Ukraine, *Report to UN General Assembly, A/78/540*, October 2023, para 94.

¹³ Ibid, para 96.

or her identity, including nationality, name and family relations without unlawful interference, as recognised by international human rights law.’¹⁴

The Commission came to a similar conclusion regarding ‘large numbers of children’ who travelled with the consent of parents to holiday camps in Russia and Crimea, but were then not returned after settlements from which they had travelled were recaptured by Ukrainian forces.¹⁵ The Commission subsequently considered the case of 31 children from one institution in Donetsk transferred in May 2022, 27 of whom remained on Russian territory a year later, finding that this amounted to ‘an unlawful deportation, which is a war crime.’¹⁶

In the context of OPAC, a particular concern is the indoctrination and militarisation of transferred children. It has been alleged that more than 40 children transported from the Donbass area have been coerced into joining Russian cadet forces, for example.¹⁷ One report concerns a transferred child aged 17 who, on approaching the age of 18, was served with a call-up notice into the Russian army.¹⁸

Suggested recommendations

We suggest that the following recommendations be made to the State party:

1. Declassify all children at military schools and training academies as members of the armed forces, prohibit in law their deployment on active service, and guarantee that all disciplinary practices are consistent with the dignity and best interests of children.
2. Remove all courses involving weapons or combat training from the curriculum for any school students aged under 18 in the State party.
3. Provide in the next report to the Committee a comprehensive list of educational institutions providing military education and/or training, together with a breakdown of student numbers and clear statement on the disciplinary arrangements that apply.
4. Noting the assurance that domestic law allows for the prosecution and punishment of those who organise or participate in armed groups ‘contrary to the interests of the Russian Federation’ (reply to List of Issues, para 101), extend the same legal liability for all military recruitment under the age of 18 in the State party, including that by state-allied non-state armed groups.
5. Provide in its next report full details of mechanisms to identify refugee, asylum-seeking and migrant children coming from countries where there are or have been armed conflicts and who may have been involved in armed conflict, and provide adequate support and reintegration for those children.

¹⁴ Ibid, para 102.

¹⁵ Independent International Commission on Ukraine, *Report to Human Rights Council, A/HRC/52/62*, March 2023, para 99.

¹⁶ Independent International Commission on Ukraine, *Report to UN General Assembly, A/78/540*, 2023, paras 98, 99.

¹⁷ Brendan Cole, [‘Russia Making Cadets Out of Children Kidnapped from Ukraine: Report’](#), *Newsweek*, 8 August 2023.

¹⁸ Nina Nazarova, [‘Ukrainian teen who received call-up to Russian army’](#), *BBC News*, 10 November 2023.

6. Amend the regulations governing alternative civilian service to allow for the possibility of a conscript seeking transfer to such service on the basis of conscientious objection after their military service begins.
 7. Secure the immediate return of all children transferred from Ukraine to the territory of the Russian Federation and desist from conscripting the population of the occupied areas of Ukraine for military service.
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