

Russian Federation

SOLUTIONS TO PROMOTE DIGITAL EDUCATION FOR YOUNG PEOPLE AND TO ENSURE THEIR PROTECTION FROM ONLINE THREATS

Submission prepared by the Sphere Foundation for the
United Nations High Commissioner for Human Rights



CONTENT

1. What steps is the Government taking to ensure that young people can realize their human rights online in a safe, empowering, and inclusive way?	3
2. Today's consequences for freedom of expression and right to education of young people in Russia.....	6
3. Conclusion.....	6

INTRODUCTION

This report is prepared by the Sphere in the framework of the call issued by the United Nations High Commissioner for Human Rights on the topic “Solutions to promote digital education for young people and to ensure their protection from online threats”. **The focus of the submission** is right to seek information, right to access to information (LGBTQ+ related information, sexual reproductive health and rights of young people) and protection from online threats.

The Sphere Foundation (spherequeer.org) is a human rights organisation that has been advocating for the rights of the LGBT+ community in Russia since 2011. The Sphere Foundation possesses expertise in developing and coordinating programs for psychological, emergency, and legal assistance, as well as monitoring of discrimination and engaging in national and international advocacy. It actively assists and supports LGBT+ individuals and collaborate with other organisations that share similar objectives in various regions of Russia. Additionally, in response to Russia's full-scale invasion of Ukraine, the Sphere Foundation has taken an active stance against the war.

1. What steps is the Government taking to ensure that young people can realize their human rights online in a safe, empowering, and inclusive way?

Starting from 2013 there is clear focus on limiting spreading information on LGBTQ+ among minors, the state considers it as “gay propaganda” and a clear threat to young people’s minds. Protection of traditional values, rights, health and morals of minors **is used** to limit LGBTQ+ people rights in Russia¹. Such practice escalated after the Russian invasion to Ukraine in February 2022.

In 2013 there was a shift towards limitations of LGBT+ rights². Article 6.21 was introduced into the Code of Administrative Offences of the Russian Federation, which established administrative liability for "propaganda of same-sex relations among minors".

In 2013-2021, Article 6.21 was applied very selectively. While before 2021 it was mainly used as a basis for banning or dispersing public LGBT+ events or protests, the situation has significantly worsened since 2021. The number of administrative sanctions in the form of a fine (which for individuals was 5,000 roubles) did not exceed 6-8 cases per year. In November 2022 there was expansion of the ban on “gay propaganda” law, which prohibited any gay propaganda offline and online to anyone, not only minors, and imposed high administrative fines for breaking the law.

Federal Law "On the protection of children from information harmful to their health and development" dated December 29, 2010 N 436-FZ³ in particular, article 5, para. 4 on types of information harmful to the health and (or) development of children was amended in 2022. According to the amendments information:

“4) denying family values and creating disrespect for parents and (or) other family members;

4.1) promoting or demonstrating non-traditional sexual relations and (or) preferences;

4.2) promoting pedophilia;

4.3) capable of causing a desire in children to change gender”.

¹ For details – see Joint submission on protection against violence and discrimination based on sexual orientation and gender identity, in relation to the human rights to freedom of expression, association and assembly for the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Sphere Foundation, Coming out, NC SOS, 2024, <https://spherequeer.org/submission-for-un/>

² For details – see Joint submission on protection against violence and discrimination based on sexual orientation and gender identity, in relation to the human rights to freedom of expression, association and assembly for the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Sphere Foundation, Coming out, NC SOS, 2024, <https://spherequeer.org/submission-for-un/>

³ Federal Law "On the protection of children from information harmful to their health and development" dated December 29, 2010 N 436-FZ, https://www.consultant.ru/document/cons_doc_LAW_108808/

In 2022 according to the Database of Sphere Foundation there were **around 11** cases on LGBT propaganda, but 2023 became a year of massive application of the amended law. Since 2022, LGBTQ+ resources including sites of LGBTQ+ organisations, LGBTQ+ podcasts on Russian streaming services, LGBT+ online communities on VKontakte (the Russian social networking site), and many others have also begun to be [blocked](#) en masse for containing information "aimed at propagating non-traditional sexual relations". In 2022 and 2023, TV channels and streaming platforms were [fined](#) for "propaganda of non-traditional relations". In 2022, a Moscow court [fined](#) Meta and [Tiktok](#) tens of thousands of euro for refusing to take down what the authorities considered "LGBT propaganda". [Cinema screenings](#), theater plays, [books](#) and bookstores were also targeted. In 2023 according to the Database of Sphere Foundation there were **at least 110** cases on "LGBT propaganda", which is a signal of mass violations of freedom of expression and the signal of escalating repression.

Thus, the access to information on SOGI and SRHR for young people (belonging to LGBTQ+ community or no), the right to seek such information, online or offline, the right to education, the right to academic freedom have been massively limited. Such limitations are seen as violations of human rights of young people as such limitations are disproportionate and discriminatory in nature.

On 30th of November 2023 the decision of Russia's Supreme Court constituting the "International Public LGBT movement" as an "extremist organization" [was held](#). The decision of the Supreme Court equates any activities associated with LGBT+ movement as extremism under the Federal Law "On countering extremist activities"⁴.

The Court ruling proclaimed that: "**Propaganda of destruction of the ideology of traditional family values**" and "**inciting social discord by criticizing anti-LGBT laws in Russia**" are several reasons to acknowledge the movement as extremist. Thus, anyone either not fitting the "ideology of traditional family values" (still undefined within Russian legislature) or criticizing passed legislature going against human rights standards might be persecuted as "extremist" on this basis.

Under the ruling the following activities considered as "extremist":

- the abbreviation "LGBT".
- "rainbow" flag and its variations, black and pink triangle, lambda, etc.; images of them on clothing, toys, accessories, etc.
- the words "lesbian", "gay", "bisexual", "transgender", "transsexual", "crossdresser", "drag queen", "drag king", "genderqueer", "asexual", "pansexual".

⁴ Federal Law "On countering extremist activities", No. 114-FZ, July 25, 2002, <http://www.kremlin.ru/acts/bank/18939>

- calls for recognition of LGBT rights, same-sex marriage, allowing same-sex families to adopt and raise children, and anti-discrimination laws.
- LGBT literature.
- conducting events (i.e. that could be seen as LGBT-related).
- submitting alternative reports to international organizations.
- calls for protests and negative evaluations of laws.

The notion of extremism is vague and arbitrary applicable, there is no clear practice yet. Moreover, the extremist law is applicable for the past activities, before the movement was proclaimed as extremist. Thus, it places anyone who was active as an activist for LGBTQ+ rights, who researched LGBTQ+ issues, feminism, traditional values at risk of being prosecuted for extremism.

The decision of the Supreme Court is discriminatory in its nature. It has no similar precedent worldwide, and might result in some dire consequences: firstly, in further persecution of LGBTQ+ people by the Russian authorities, and, secondly, might become something that could be used as a positive example by the **anti-gender movement** and by far-rights parties as a tool for undermining democratic trends.

Thus, after the Supreme court's decision in November 2023, freedom of expression, right to access to information, to seek and spread it (online and offline), right to education by and for LGBTQ+ community, including young people, have been dramatically limited. Moreover, there is high level of censorship and self-censorship by business who produce or spread LGBTQ+ related content as well as self-censorship by people. Such censorship is the way to get away from administrative and or criminal responsibility according to gay propaganda law and Supreme Court's decision on extremism.

Moreover, it directly influences academic freedom at school and university. If there is legal limitation to discuss, research, talk on certain issues (for instance, as was stated above, the topic of war in Ukraine, LGBTQ+, SRHR), the fear of been fined or arrested for expressing any view related to the topics is high.

When it comes to the state, it legally limits or censors any content, any opinion by adopted certain legislation (described above), therefore, there is a tendency of erosion of certain views, certain discussions and research projects, in particular in social sciences, in Russian society.

Thus, young people in Russia **can not realize** their human rights online in a safe, empowering, and inclusive way, more vulnerable group of young people are LGBTQ+ minors.

2. Today's consequences for freedom of expression and right to education of young people in Russia

After 2022, freedom of expression does not protect teachers, students, professors from administrative or criminal responsibility, when it comes to certain dissent opinions that go against state's ideology on the war in Ukraine or traditional values. Any dissent expressed opinion, online or offline, could lead to persecution.

Due to the "gay propaganda" law, there is official ban on discussion of LGBTQ+ issues in schools among minors. This has had a significant impact on academic freedom and freedom of expression in educational institutions, particularly in the humanities and social sciences. It has also led to self-censorship among educators who fear reprisals for discussing these topics. There is no separate course on sexual education in schools. In 2023 the studentbook [on family and its foundation](#) was introduced for pupils. The content of the book consists of "traditional values" discourse, there is no any reference to SOGI and LGBTQ+ community. There is no appropriate course for SRHR at schools.

According to the Sphere database, there were 20 cases of online bullying and outing in the educational environment registered from 2020 to 2024.

3. Conclusion

Freedom of expression, right to seek information to access information in conjunction with right to education of young adults in educational institutions in Russia is under significant threat in recent years. The situation with limitation of such interconnected rights escalated after the Russian invasion to Ukraine in 2022, although since 2013 LGBTQ+ related topics discussed among were considered as "gay propaganda" and were punished by fine. The war in Ukraine became a start point for further limitations of freedom of speech, academic freedoms and right to education. Censorship and self-censorship are on the rise both for businesses and people, the space for discussion and research is limited by current legislation.