

Report

This report highlights the forcible transfer and deportation of Ukrainian children by Russia to ascertain State Practice. Focussing on what the international community are saying about the 're-education' centres, fast-tracked adoptions, and the potential re-nationalising of Ukrainian children by Russian forces and their agents. This report concludes state practice does not permit the use of 're-education' centres, adoption and changing a child's nationality during armed conflict and is there for a breach of customary international law.

History of the conflict

Following the Ukrainian revolution in 2014, Russia annexed Crimea from Ukraine and backed separatist groups, the Donetsk People's Republic, and Luhansk People's Republic. Russia has maintained that Ukraine is part of Russia and opposes Ukraine's increasingly closer ties to the West, including Ukraine's desire to join NATO. On the 24th of February 2022 Russia invaded Ukraine. Since March 2022 from liberated parts of Ukraine there has been reports and evidence of war crimes to have been likely committed against civilians by Russian forces and those acting on their behalf (Global Conflict Tracker, 2022). Appendix 1 shows a map of the annexed areas of Ukraine as of 26th February 2023. Appendix 2 shows the number and estimated location of current internally displaced persons (IDPs) due to the conflict.

Summary of International Law

International law comes from both Treaties and Customary International Law (CIL). This report focuses on CIL. CIL is state practice which fills in the gaps from written conventions (Treaties) it is general practices and behaviours which become law, by showing it is state practice and that practice is believed by the international community to be required. In this instance CIL can offer better protection to victims of conflict, as those not party to a Treaty would still be bound by CIL (Greenwood, 2008).

Report focus

This report will focus on the forcible transfer and deportation of Ukrainian children by Russia. By looking at the journey of the forcibly transfer or deported child the following 3 themes were found and will be examined further;

- The Camps the children are alleged to be taken to, for processing, re-education, and military training
- The alleged adoption process, how that has been streamlined, to allow non-nationals to be adopted without parental consent and those adopting being given financial incentives to do so.
- How the alleged forced change of the child's nationality from Ukrainian to Russian, if true, could amount to genocide

The report will identify key allegations made against Russia regarding the themes above and provide responses from the International Community with the view to identify state practice.

The law surrounding the forcible transfer and deportation of protected persons are;

United Nations Security Council (UNSC) Resolution 1261 [1999]

Grave Violation 5 – Abduction of Children by State or non-State actors during both interstate and intrastate warfare.

Fourth Geneva Convention

Art.49 – prohibits individual and mass forcible transfer, as well as deportations of protected persons from an occupied territory to the territory of the Occupying Power, or to that of any other country, occupied or not, regardless of motive.

Art.50 – The Occupying Power shall take all necessary steps to facilitate the identification of children and the registration of their parentage. It may not, in any case, change their personal status...

Art.4(1) - defines as “protected persons” those persons “who, at a given moment and, in any manner, whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals”.

Rome Statute – International Criminal Court (ICC)

Art.7(1) – For the purpose of this statute ‘crimes against humanity’ means any of the following acts when committed as part of a widespread or systematic attack directed at any civilian population, with knowledge of the attack; 1(d) – deportation or forcible transfer of population.

Convention on the Rights of the Child (CRC)

Art.7 – A child shall have the right to a name, nationality and as far as possible the right to know and be cared for by their parents.

Art.8 – The right of a child to preserve their identity, including nationality, name, and family relations.

Art.9 – A child shall not be separated from their parents against their will, except when separation is in the best interests of the child.

Art.38 - States Parties to undertake to respect and to ensure respect of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

Allegations and Responses of the international community

1.1 Alleged behaviour - Forced deportation of Ukrainian children

Reports from the commissioner of the president of Ukraine for children’s rights and rehabilitation (Daria Herasymchuk) allege that Russia is illegally deporting or transporting children to the occupied territories and refusing to keep track or report on where the children have been taken to. Appendix 3 shows a picture of the condition's children are being held in when being deported to Russia. Appendix 4 shows the path to deportation and the reasons why children are being deported. Appendix 5 shows the figures of children being deported as of 1st March 2023.

The United Nations' top rights official expressed concern in July that Ukrainian children had been taken from orphanages in the eastern Donbas region and "forcibly deported" to Russia. They are joining other international institutions in asking for the UNHRC to be allowed free and regular access to Ukrainian children in Russia. (Conference of INGOs of the Council of Europe, 2023).

Response – The Ministry of Foreign Affairs of Ukraine

The ministry of Foreign Affairs of Ukraine states that the forced displacement of civilians into the territory of the aggressor state, including children, shows signs of abduction. Such actions are a gross violation of international law, in particular international humanitarian law. (Ministry of Foreign Affairs of Ukraine, 2022).

Response – EU Parliament – Motion for a Resolution on human rights violations in the context of forced deportation of Ukrainian civilians and forced adoption of Ukrainian children in Russia

EU Parliament stated that the Russian Federation relaunched an “unprovoked, unjustified and illegal war of aggression against Ukraine” and that Russia has committed “massive and grave violations of human rights and war crimes from the beginning of its full-scale invasion of Ukraine” they include in the list of atrocities “forced deportation of children” which they state is prohibited under international law and must be prosecuted. They state that the forced transfer of Ukrainian children is a war crime and a potential crime against humanity and is one of the most serious violations of international humanitarian law committed by the Russian Federation during the war (European Parliament, 2022, P9TA (2022)0320).

Response – Independent International Commission of Inquiry on Ukraine

Many speakers “condemned Russia’s unprovoked and unjustified military action” stating that it is a clear violation of international human rights law. The speakers went on to state that the forced deportation of children is “shocking”, “appalling”, and “escaped any reasoning”. The commission stated that it would continue its investigation, including the alleged forcible transfer of children (United Nations Human Rights Office of the High Commissioner, 2022).

Response – Defence Secretary Rt Hon Ben Wallace, oral statement on war in Ukraine. House of Commons

The UK Defence Secretary branded the splitting of families through forced relocation into Russian occupied territories, or Russia itself as “morally bankrupt”, emphasising that this is not the work of corrupt individuals, but systemic. He goes on to state “The UK and the international community’s dedication to help Ukraine is solid and enduring and will not let up through 2023 and beyond.” (Rt Hon Ben Wallace, 2022).

Response - Janina Ochojska MEP - Poland

States that the information regarding the number of Russian children being forcibly deported is “terrifying”, States that Russia is consistently implementing its plan to destroy the Ukrainian nation and its future generation (EP Debates, 14th Sept 2022).

Response - Raphaël Glucksmann MEP – France

States that tens and tens of thousands of Ukrainian children have been forcibly deported to Russia and many of them forcibly adopted. He states “you will understand that Putin is not just a dangerous and tough autocrat, he is a criminal against humanity. That his war is not just a war but an attempt to annihilate a nation” (EP Debates, 14th Sept 2022).

Response UN Representative for France, Nicolas De Riviere

Expresses shock at reports of the forcible transfer of Ukrainian civilians to Russian-occupied areas or to the Russian Federation — including children (UN 9126th Meeting (PM), 7th September 2022)

Response – Lord Ahmad of Wimbledon – The Minister of State, Foreign, Commonwealth and Development Office, House of Lords (HOL) Debate

States in the House of Lords Debate “Ukrainian children in their thousands are being taken from their families and sent to orphanages in Russia. That is pure abduction of young children, and an attempt to terrify a whole population and the next generation of Ukrainians. Therefore, we condemn Russian atrocities, including the alleged abductions and deportations of innocent Ukrainians, and will hold Russia to account.” (HOL Debate, 10th February 2013).

Response – Human Rights Council, Fifty-second Session

The Report states that The Commission has investigated violations of the laws of occupation and transfers of children. It has found that violations of human rights and international humanitarian law, as well as related crimes, have been committed across Ukraine, and in the Russian Federation (Human Rights Council, Fifty-second Report, 27th February – 31 March 2023, p4).

Response – Amnesty International’s Secretary General, Agnes Callamard

States “Separating children from their families and forcing people hundreds of kilometres from their homes are further proof of the severe suffering Russia’s invasion has inflicted on Ukraine’s civilians...Russia’s deplorable tactic of forcible transfer and deportation is a war crime. Amnesty International believes this must be investigated as a crime against humanity, (Callemard, A, 2022).

Response – UN representative of Mexico, Juan Ramon De La Fuente Ramirez

Parties to an international armed conflict may not deport or move by force the civilian population of an occupied area. Violation of this law is a war crime (UN, 9126th Meeting, 2022).

Response – Nanaia Mahuta, The Minister of Foreign Affairs, New Zealand

States New Zealand are placing sanctions upon Russia’s Childrens Rights Commissioner for her involvement in the “abhorrent abduction and forced relocation of thousands of Ukrainian citizens...These acts by Russia are calculated and an attempt to erode the sovereignty of Ukraine. It is important that Aotearoa New Zealand demonstrate our opposition to such acts and our support for the jurisdiction and decisions of the ICC,” (Hon Nanaia Mahuta, 2023).

Response – The European Union and another 49 countries, including Canada, Cyprus, Georgia, Japan, Republic of Korea, and North Macedonia

Issued a joint statement - "We unequivocally condemn Russia's actions in Ukraine, including and in particular the forced deportation of Ukrainian children, as well as other grave violations against children committed by Russian forces in Ukraine," (The Kyiv Independent, 2023).

1.2 Alleged behaviour – Children are being sent to “summer camps” under false pretences. These camps concentrate on the re-education of children, and some include military training

Timofey Lopatkina, a 17year old Ukrainian child was trapped in a camp in Mariupol with his 5 siblings. A Ukrainian doctor arranged an evacuation for the children but once they reached the checkpoint the Russian troops refused to recognise the children's documents, and forcibly deported them to Donetsk Peoples Republic, a Russian held territory. Timofey stated that he was a few months away from his 18th birthday, and at this point he would be conscripted into the Russian military and used to fight against Ukraine. Timofey stated “for the DPR, I would never go to fight in my life, I understood that I had to get out of there one way or another”

This was echoed by Serhiy Haidai, the governor of Luhansk, stating that he fears Ukrainian children will be enlisted into the Russian military (Sarah El Deeb, Anastasia Shevets and Elizaveta Tilna, 2022).

This allegation was also made in Yale HRL. The report states “military training” is part of the program at children's camps in Chechnya and Crimea. One camp near Chechnya states how young boys would take courses listed as “for a young fighter” at the Russian University of Special Forces. These courses are targeted to “at risk” boys and those with criminal records. The “School for Future Commanders” run by an ‘all-Russian military-patriotic movement” are attended by approximately 50 Ukrainian children. The children handle military equipment, drive trucks, and study firearms. Children at a school in Russian occupied Kherson in Ukraine, were visited by representatives who advertised opportunities to visit camps in Artek and spoke of the “concept of Motherland and the requirements to the future defenders of the Fatherland” (Yale School of Public Health Humanitarian Research Lab, 2022)

Appendix 6 shows how the children are being brainwashed in these camps and re-education programmes.

Response - US Secretary Antony Blinken

“A new [#ConflictObservatory](#) report details Russia's vast program to take Ukraine's children from their families or legal guardians, relocate them across borders, and "re-educate" them to be pro-Russia. These actions are unconscionable and must stop” (US Secretary Anthony Blinkden, 2023).

Response - Fabio Massimo Castaldo MEP – Italy

States the “plan is clear” in relation to the 250,000 Ukrainian children listed for adoption into Russian families, suggesting they will be used in the future to substitute Russia’s fallen soldiers, and “stands firm” condemning the atrocities. “The plan here is crystal clear. The Russian regime does not plan to stop sending these young men and women to die for a brutal and unjustifiable war. Instead, they have already started to substitute those who fall with other innocent human beings, disrespecting all basic international laws” (EP Debates, 14th Sept 2022)

Response – Admiral Rob Bauer, Chair of the NATO military Committee

“Russia has embarked on an increasingly steep downhill path. And has now even reached the low level of abducting and mistreating Ukrainian children in a network of so-called 're-education camps'.” stating that NATO military are closely watching Russia's pattern of aggression (Machiavelli Lecture, 2023)

Response – U.S. State Department Spokesperson, Ned Price

In response to the findings of the Yale Report, regarding the Ukrainian children's political re-education and Russian ‘summer camps’ states action may be taken against 12 individuals who the Yale Reports state are not yet sanctioned, saying "We are always looking at individuals who may be responsible for war crimes, for atrocities inside of Ukraine, just because we have not sanctioned an individual to date says nothing about any future action that we may take." (Landry. J and Lewis., S, 2023)

Response – Human Rights Committee, Fifty-second Report

The Committee acknowledge the alleged confinement of children in Russian ‘summer camps’, stating Russian authorities require parents to travel in person to Russia to collect the children, involving long and complicated travel and security risks. “It has found that Russian authorities violated their obligation under international humanitarian law to facilitate in every possibly way the reunion of families dispersed

as a result of the armed conflict. Such conduct may also amount to the war crime of unjustifiable delay in the repatriation of civilians. 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 or her identity, including nationality, name, and family relations without unlawful interference, as recognised by international human rights law" (Human Rights Committee, Fifty-second Report, 2023, p14).

Response – U.S Mission to the OSCE, Ambassador Michael Carpenter

Discussing the 'summer camps' states "The evidence collected so far makes this appear to be yet another clear-cut case of Russia choosing to violate its wartime responsibilities to protect civilians. This systematic effort of "re-homing" Ukrainian children reflects decisions made and actions taken at all levels of the Russian government" calling the children's experience in camps "harrowing" (Ambassador Michael Carpenter, 2023).

1.3 Alleged behaviour – forced deportation of children with the purpose of adoption into Russian families

Reports that Ukrainian children are being subjected to forced deportation and adoption into Russian families. The Yale School of a Public Health's Humanitarian Research Lab (HRL) have identified more than 6000 children in Russian custody, and 43 facilities which are alleged to hold children from Ukraine since Feb 22. Some of these are suspected of housing children who will be put up for foster care or adoption into Russian families, these include a psychiatric facility and a family centre. These children are often removed for evacuation for "safety concerns" or "medical treatment" but are alleged to be deported for the purpose of fostering and adoption. Yale HRL identified at least 20 children from 2 different camps that held alleged orphans that have subsequently been adopted into Russian families living in Russia and attending local schools.

It is alleged that parents were often under duress when giving consent for the children to attend the camps, and the elements of consent that they did agree to

were violated, for instance the duration of the child's stay and the procedures regarding reuniting the families. Some parents are said to have refused to consent and the children were taken anyway.

Yale HRL allege that at least 4 camps have suspended the return of the children. Two camps have allegedly suspended the reuniting of the children to their families indefinitely (Yale School of Public Health Humanitarian Research Lab, 2022).

Russia has prepared a register of suitable Russian families for Ukrainian children to be adopted into. These families are paid up to \$1000 when the children are given official Russian citizenship. Nobody knows if these children have surviving families as they are forcibly deported by Russian troops. Russia portrays the forced adoption of Ukrainian children as a "generosity" that gives them new homes and medical care, stating that some of them need help to "overcome trauma" Maria Lvova-Belova, Russians Childrens Rights ombudswoman has even herself taken in one Ukrainian child who has been given Russian citizenship and a Russian passport (Sarah El Deeb, Anastasia Shevets and Elizaveta Tilna, 2022).

Appendix 7 shows the pathway that children follow when being adopted into Russian families.

Response - EU Parliament

EUP "strongly condemns" the reported atrocities committed by the Russian Armed Forces, including the forced deportation of Ukrainian civilians, including children. Calls on Russia to immediately cease the forced deportation and forced transfer of children to Russian occupied areas as well as the adoption of Ukrainian children into Russian families. Insists those responsible are held accountable for forced relocation and forced deportation of the children, citing Article II of the UN Convention on the Prevention and Punishment of the Crime of Genocide, calling upon Member States to support efforts of the Ukrainian authorities to collect, document, and preserve evidence of these human rights violations (European Parliament, 2022, P9TA (2022)0320).

Response – Evin Incir, MEP, Sweden

States “It hurts when history repeats itself right in front of our eyes. Practices used by communist, and the Nazi dictatorships are being used today by Putin's regime against the Ukrainian people. The deportation of thousands of innocent children, robbed of a peaceful childhood and from their families and country- this is a crime against humanity.” (Evin Incir, MEP, 2022)

Response – President of the United States of America, February 21st, 2023

President Biden in his speech to mark the one-year anniversary of the Russian invasion of Ukraine states “(They’ve) stolen Ukrainian children in an attempt to steal Ukraine’s future. He went on to say “No one — no one can turn away their eyes from the atrocities Russia is committing against the Ukrainian people. It’s abhorrent. It’s abhorrent.” (President of the United States, Joe Biden, 2023).

Response – Independent International Commission of Inquiry on Ukraine

Many speakers branded the forced deportation of children and forced adoption into Russian families as “shocking”. The commission stated that it would continue its investigation, including “the conditions under which expedited adoption of children were allegedly taking place” (United Nations Human Rights Office of the High Commissioner, 2022).

Response – US Embassy in Ukraine, February 14th, 2023

The US Embassy states that the unlawful transfer and deportations of children is “unconscionable by any standard”, demanding that Russia must immediately halt the forced transfers and deportations and return the children to their families (U.S. Embassy in Ukraine, Office of The Spokesperson, 2023).

Response – Stephen Rapp, former US Ambassador-at-large for War Crimes

Issues

States that forced adoptions are not something that happens as a spur of the moment. Ukrainian children should be fostered by Ukrainians, protecting their culture and identity. Vladimir Putin has explicitly supported these adoptions. Consent to these adoptions has not been given by Ukraine. However, with the decree signed enabling Russian families to adopt Ukrainian children and makes it harder for the

families to win the child back (Sarah El Deeb, Anastasia Shevets and Elizaveta Tilna, 2022).

Response UN Representative for Latvia, Andrejs Pildegovics

Speaking also on behalf of Estonia and Lithuania, called on the Russian Federation to immediately stop violating international humanitarian law and Ukrainians' human rights. He condemned the forced "passportization". He further condemned the deportation of Ukrainian civilians to the Russian Federation, the forcible transfer of children, illegal adoption of Ukrainian children (UN, 9126th Meeting, 2022).

Response – UN Representative of Albania, Ferit Hoxha

Russians have separated Ukrainian children from their families and have placed them with Russian families. International humanitarian law prohibits the forcible transfer of people, he pointed out, adding that the international crimes committed in Ukraine will not go unpunished. "This may only be the tip of iceberg," (UN, 9126th Meeting, 2022).

Response - Viola von Cramon-Taubadel MEP - Germany

Among the deported Ukrainians, there are up to 600 000 children. One cannot imagine the pure evil it takes to abduct children from their countries, separate them from their parents, label them as orphans, forcefully put them up for adoption, and try to erase their Ukrainian identity. This is nothing short of genocide (EP Debates, 14th Sept 2022).

Response - Anna Fotyga MEP – Poland

States "Over 2 million of forcefully departed people to the hands of the enemy attacking brutally their country. Over half a million kids. Terrified undergoing forced Russification, illegally adopted and terrified because they are so distant from their families, their parents. Russia has to be defeated in this war, clearly defeated and forced to repeal all legislation and allow, by the pressure of the whole international community, to return all of them home, to their homeland and possibly still to their families. We wish them all the best. God bless Ukraine" (EP Debates, 14th Sept 2022).

Response - Ilze Brands Kehris, Assistant Secretary-General Head and of the Office of the United Nations High Commissioner for Human Rights (OHCHR)

Voiced concern that Russian authorities have adopted a simplified procedure to grant Russian citizenship to children without parental care, and that these children would be eligible for adoption by Russian families — stressing that under Article 50 of the Fourth Geneva Convention, Moscow is prohibited from changing the children’s personal status, including nationality (UN, 9126th Meeting, 2022).

Response - Isabel Wiseler-Lima MEP - Luxembourg

States “the very notion of human dignity is annihilated when we find ourselves faced with the acts of deportation of civilians thousands of kilometres away from their place of life and the adoption of Ukrainian children in Russia. These are despicable acts that recall times that we had hoped were over on the European continent...These acts cannot go unpunished” (EP Debates, 14th Sept 2022).

Response – Baroness Brinton – UK House of Lords (HOL)

Discussed in the House of Lords the children held in specialised institutions in the Krasnodar Territory waiting to be adopted into Russian families, stating “This is the straightforward abduction of children of one nationality who are then moved to another country. It must be stopped. When the time is right, these children must be reunited with their birth families.” (HOL Debate, 10th Feb 2021).

Response – Andrejs Pildegovics – UN Representative for Latvia, also speaking on behalf of Estonia and Latvia

called on the Russian Federation to immediately stop violating international humanitarian law and Ukrainians’ human rights. He condemned the forced “passportization”. He further condemned the deportation of Ukrainian civilians to the Russian Federation, the forcible transfer of children, illegal adoption of Ukrainian children (UN, 9126th Meeting, 2022).

1.4 Alleged behaviour – forceable transfer of Ukrainian children with the intent to destroy their nationality and make them Russian

Kharkiv Human Rights Protection Group have alleged that Ukrainian human rights groups have been monitoring the “kidnapping” of children from Ukrainian children through forced deportation and alleged that these are attempts to turn the children into “Russians”, stating that these are acts of genocide. It is suggested that Russia’s deportation of “orphans” as part of its genocide of the Ukrainian people. One of the alleged motives is that the Russian Federation want to boost their “Slavonic” part of the Russian population. Prior to the invasion Russian families could not adopt Ukrainian children without consent from the competent authority in Ukraine. These restrictions were removed and by 25th May 2022 Vladimir Putin issued a decree simplifying the process to gain Russian citizenship. Putin claimed parts of Donetsk, Luhansk, Kherson and Zaporizhzhia were now “Russia” and the residents “Russian” effectively using forced deportation and adoption to impose citizenship and forcibly alter Ukrainian children’s nationality (Conyash, H, 2022).

Response- The Institute for Study of War, Washington, U.S.

The Institute for the Study of War stated that the forced adoption of Ukrainian children under the guise of vacation or rehabilitation schemes likely results in a deliberate ethnic cleansing campaign (The Kyiv Independent News Desk, 2022).

Response – EU Parliament

The European Parliament states that once children are in Russian occupied territories the process of leaving is incredibly complex, the adoption of the children created further complexities, often they have been given Russian citizenship. They cite UN Convention on the Rights of the Child and the Fourth Geneva Convention, which prohibit occupying powers from changing children’s personal status, including their nationality. The European Parliament states that according to Article II of the UN Convention on the Prevention and Punishment of the Crime of Genocide, the forcible transfer of children of the group to another group, with the intention to destroy, in whole or in part, a national, ethnical, racial or religious group, constitutes genocide (European Parliament, 2022, P9TA (2022)0320).

Response - UN High Commissioner for Refugees

States that giving Ukrainian children Russian nationality and having them adopted goes against fundamental principles of protecting children in war and states “This is something that is happening in Russia and must not happen” (Filippo Grandi, 2022).

Response - The Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights

The Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights noted in their second report that the forced displacement of Ukrainian citizens to Russia or Russian-controlled territory would amount to a violation of International Humanitarian Law and a war crime, evidencing that this practice of forced transfer/deportation is unlawful. They stated, “deportation and forcible transfer of population, when committed as part of a widespread or systematic attack directed against any civilian population with the knowledge of this attack, constitutes a crime against humanity.” (Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights, 2022).

Response – UN Representative of the United Kingdom, Barbara Woodward

Expressed concern that the Russian Federation is potentially using forced deportations and displacement to forcibly change the demographic makeup of parts of Ukraine. This tells the world several things about the Russian Federation’s war in Ukraine, including that it is not just an attempt to destroy Ukrainian democracy; rather, it also seeks to destroy Ukrainian identity and culture. “Alleged de-Nazification is a cover for de-Ukrainianization,” (UN, 9126th Meeting, 2022).

Response - Jadwiga Wisniewska MEP - Poland

“Putin wants the destruction of Ukrainian identity and the Russification of children. Russia kidnapped over 200,000 Ukrainian children which is nearly 6% of Ukraine's child population. We strongly condemn the forced deportation of civilians and the abduction of children and the illegal adoption of Ukrainian children. We believe- we all agree on this matter- that we are witnessing the genocide of the Ukrainian people” (EP Debates, 14th Sept 2022).

Response - Evin Incir MEP - Sweden

“Last week we were hit with horrific reports that Russia forcibly adopted thousands of innocent Ukrainian children after stealing many of them from the arms of their parents, as a demographic weapon against the Ukrainian population. This is nothing but a cleansing of a people. It is also a war crime and a crime against humanity. Referred to these crimes as “heinous” (EP Debates, 14th September 2022).

Response – Raphael Glucksmann MEP- France

“Keep in mind that tens of thousands of Ukrainian children were deported to Russia and many of them were forcibly adopted to be Russified. And then you will understand that Putin is not just a tough a dangerous and tough autocrat, he is a criminal against humanity. That his was is not just a war, but an attempt to annihilate a nation.” (EP Debates, 14th September 2022).

Response – Office of the Spokesperson, U.S. Department of State

“Mounting evidence of Russia’s actions lays bare the Kremlin’s aims to deny and suppress Ukraine’s identity, history, and culture. The devastating impacts of Putin’s war on Ukraine’s children will be felt for generations. The United States will stand with Ukraine and pursue accountability for Russia’s appalling abuses for as long as it takes.” (U.S. Department of State, 14th February 2023).

Response – U.S Mission to the OSCE, Ambassador Michael Carpenter

States “the unlawful transfer and deportation of children is a grave breach of the Fourth Geneva Convention on the protection of civilians, and as such, constitutes a war crime. Furthermore, the transfer of children for purposes of changing, altering or eliminating national identity can constitute a component act of the crime of genocide.” (Ambassador Michael Carpenter, 2023).

Acknowledgement

This report acknowledges most of the state responses above are from countries within Europe and the U.S.A. It has found while many other countries condemn Russia's invasion of Ukraine, the specific condemnation of the topics of this report, the forcible transfer/deportation of children, forced adoption of Ukrainian children, the forcible

change of Ukrainian children's nationality, and the allegations involving summer camps could not be found. The report acknowledges that the European Union plus 49 countries condemned the forcible transfer/deportation of children alongside other atrocities involving children (The Kyiv Independent, 2023), however the attempt to locate individual statements from the countries signatory to the joint statement has been unsuccessful.

Conclusion

This report has highlighted the main themes of how Russian actors, from the top of the Russian Government to the Forces on the ground have created a system to forcibly transfer and deport Ukrainian children into Russia or Russian controlled areas. Summer camps, which appear to be places where Ukrainian children are being 're-educated' and those close to the age of 18 are being enlisted in the Russian military. The forced adoptions which have been sanctioned from the very top of Russian Government, where fast-tracked adoption processes have been legislated for, meaning consent from parents is no longer required, have all been condemned by the international community. The intent to forcibly transfer and deport children has enabled Russia to attempt to wipe the nationality of Ukrainian children, amounting to what many has described as genocide. This report demonstrates countries of the Europe and U.S.A have publicly condemned the actions of Russia to the children of Ukraine. Other countries condemn these actions, as demonstrated by becoming signatory to the joint statement, however, attempts to source individual statements from other countries has been unsuccessful, with no statements being found to publicly condemn the specific treatment of children discussed in this report. This report concludes that based upon the statements found, State Practice for many countries does not allow for the forced transfer and deportation of children through re-education centres, forced adoptions during armed conflict, and that it amounts to a breach of CIL.

References -

- Admiral Rob Bauer, Chair of NATO Military Committee, for the Machiavelli Lecture, 22nd February 2023 Available at https://www.nato.int/cps/en/natohq/opinions_212156.htm?selectedLocale=en
- Ambassador Michael Carpenter, 16th February 2023, U.S. Mission to the OSCE 'The Russian Federation's Ongoing Aggression Against Ukraine' Available at <https://osce.usmission.gov/the-russian-federations-ongoing-aggression-against-ukraine-42/>
- Callemard, A, 2022, Amnesty International Report "Like a Prison Convoy- Russia's Unlawful Transfer and Abuse in Ukraine During 'Filtration' Available at <https://www.amnesty.org/en/latest/news/2022/11/ukraine-russias-unlawful-transfer-of-civilians-a-war-crime-and-likely-a-crime-against-humanity-new-report/>
- Centre for Preventative Action, 2022. Conflict in Ukraine. [Online] Available at <https://www.cfr.org/global-conflict-tracker/conflict/conflict-ukraine>
- Coynash, H, 2022, Russia's Forced Deportation of Ukrainian Children is Genocide with Identifiable Perpetrator [Online] Available at <https://khpg.org/en/1608811498>
- European Parliament Debate, CRE 14/09/2011-15.1, 2022 [Online] Available at https://www.europarl.europa.eu/doceo/document/CRE-9-2022-09-14-ITM-015-01_EN.html
- European Parliament, 2022, P9_TA (2022)0320 - Human rights violations in the context of forced deportation of Ukrainian civilians to and forced adoption of Ukrainian children in Russia [Online] Available at https://www.europarl.europa.eu/doceo/document/TA-9-2022-0320_EN.pdf
- Evin Incir MEP, 2022, Forced Adoption of Ukrainian Children to Russia is a Crime and Must Be Stopped, [Online] Available at <https://www.socialistsanddemocrats.eu/newsroom/forced-adoption-ukrainian-children-russia-crime-against-humanity-it-must-be-stopped>
- Greenwood, C. 2008. Sources of International Law an Introduction. [Online] Available at https://legal.un.org/avl/pdf/ls/greenwood_outline.pdf

- House of Lords Debate, 10th February 2023 [Online] Available at <https://hansard.parliament.uk/lords/2023-02-09/debates/AF481860-7271-4464-A2E5-3FE8FD95F012/Ukraine>
- Human Rights Council, Fifty-second Report ‘Report of the Independent Commission of Inquiry on Ukraine’ 27th February – 31st March 2023 Available at https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiu_kraine/A_HRC_52_62_AUV_EN.pdf
- Landre. J and Lewis. S - U.S.-backed report says Russia has held at least 6,000 Ukrainian children for 're-education', 15th February 2023, [Online] Available at <https://www.reuters.com/world/europe/us-backed-report-says-russia-has-held-least-6000-ukrainian-children-re-education-2023-02-14/>
- Office of the Spokesperson, U.S. Department of State, 14th February 2023 Evidence of Russia's War Crimes and Other Atrocities in Ukraine: Recent Reporting on Child Relocations [Online] Available at <https://www.state.gov/evidence-of-russias-war-crimes-and-other-atrocities-in-ukraine-recent-reporting-on-child-relocations/>
- Mahuta, N, “Further sanctions on Russia and Belarusian political and military figures, 31st March 2023 [Online] Available at <https://www.beehive.govt.nz/release/further-sanctions-russian-and-belarusian-political-and-military-figures>
- President of the United States, Joe Biden, 2023, Remarks by President Biden Ahead of the One-Year Anniversary of Russia’s Brutal and Unprovoked Invasion of Ukraine [Online] Available at <https://ru.usembassy.gov/remarks-by-president-biden-ahead-of-the-one-year-anniversary-of-russias-brutal-and-unprovoked-invasion-of-ukraine/>
- Sarah El Deeb, Anastasia Shevets and Elizaveta Tilna – How Moscow Grabs Ukrainians and Makes Them Russians, 2023 [Online] Available at <https://apnews.com/article/ukrainian-children-russia-7493cb22c9086c6293c1ac7986d85ef6>
- The Kyiv Independent News Desk, 2022, Russia Promotes Forced Adoption of Ukrainian Children [Online] Available at

<https://kyivindependent.com/news-feed/russia-promotes-forced-adoption-of-ukrainian-children>

- The Kyiv Independent News Desk, - 49 countries condemn Russia's attempts to justify deportation of Ukrainian children, 5th April 2023, [Online] Available at <https://kyivindependent.com/49-countries-condemn-russias-attempts-to-justify-deportation-of-ukrainian-children/#:~:text=The%20European%20Union%20and%2049,of%20thousands%20of%20Ukrainian%20children.%22>
- The Rt Hon Ben Wallace MP, oral statement on war in Ukraine, 2022, [Online] Available at <https://www.gov.uk/government/speeches/defence-secretary-oral-statement-on-war-in-ukraine>
- U.S. Embassy in Ukraine, Office of the Spokesperson, 2023, Evidence of Russia's War Crimes and Other Atrocities in Ukraine; Recent Reporting on Child Relocations [Online] Available at <https://ua.usembassy.gov/evidence-of-russias-war-crimes-and-other-atrocities-in-ukraine-recent-reporting-on-child-relocations/>
- UN High Commissioner for Refugees, Filippo Grandi, 2022, [Online] Available at <https://www.reuters.com/world/europe/un-refugee-chief-russia-violating-principles-child-protection-ukraine-2023-01-27/>
- United Nations 9126th Meeting (PM), 2022, [Online] Available at <https://press.un.org/en/2022/sc15023.doc.htm>
- United Nations Human Rights Office of the High Commissioner, 2022, Independent International Commission of Inquiry on Ukraine to the Human Rights Council: War Crimes Have Been Committed in Ukraine [Online] Available at <https://www.ohchr.org/en/press-releases/2022/09/independent-international-commission-inquiry-ukraine-human-rights-council>
- United States Secretary Anthony Blinken, 2023, Twitter reaction to U.S. Department of State Press Release on Evidence of Russia's War Crimes and Other Atrocities in Ukraine; Recent Reporting on Child Relocations [Online] Available at <https://twitter.com/SecBlinken/status/1625586905474555904?lang=en>
- Yale School of Public Health Humanitarian Research Lab, 2022, Russia's Systemic Program for the Re-education & Adoption of Ukrainian

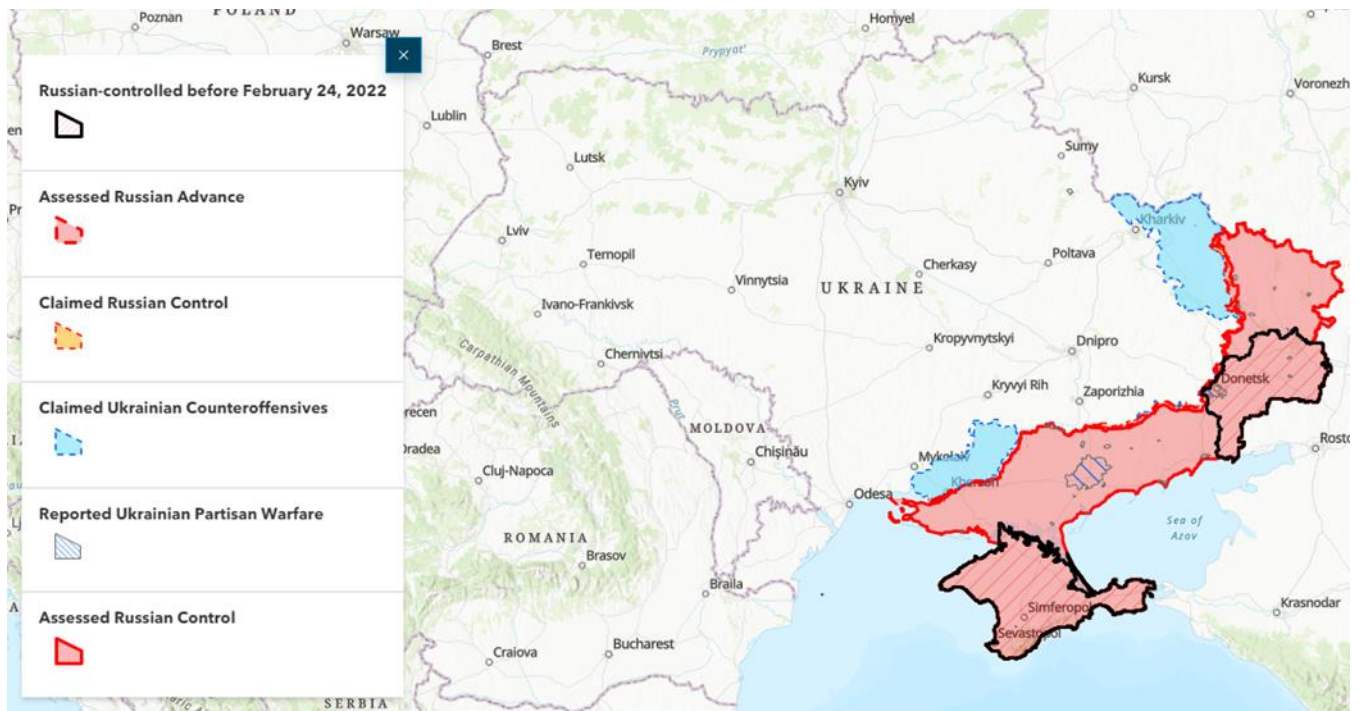
Children [Online] Available at

<https://hub.conflictobservatory.org/portal/sharing/rest/content/items/97f919ccfe524d31a241b53ca44076b8/data>

Appendices –

1. Map of annexed areas of

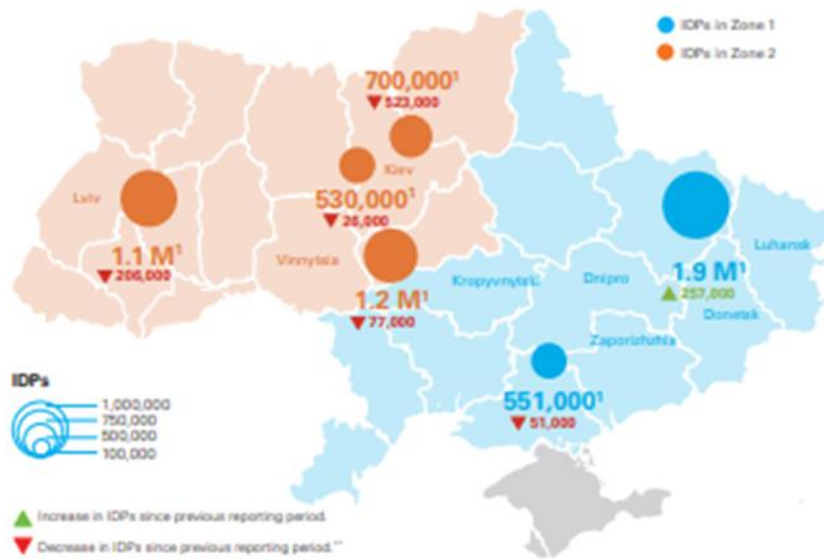
Ukraine <https://storymaps.arcgis.com/stories/36a7f6a6f5a9448496de641cf64bd375>



2. Map of number and estimated location of internally displaced persons

(IDPs) due to the conflict. https://reliefweb.int/report/ukraine/humanitarian-response-children-inside-ukraine-factsheet-end-year-factsheet-24-february-31-december-2022?_gl=1*14on9uf*_ga*MTcwNzc1MTUyMi4xNjc3NjU5ODE3*_ga_E60ZNX2F68*MTY3NzY1OTgxNi4xLjEuMTY3NzY2MDc0Ny42MC4wLjA

Estimated Location of Internally Displaced Persons by Macro-Region*



The map does not reflect a position by UNICEF on the legal status of any country or territory or the delimitation of any frontiers.

¹The figures represent IDP variation estimates as per IOM's November/December 2022 survey (11th Round).

*A macro-region is a territorial unit comprised of multiple oblasts (regions), as defined by the Law of Ukraine "On the Principles of State Regional Policy" (Article 1, item 2).

¹¹The relative decrease in the IDP figure may partially be related to recent expansion of phone service coverage to newly accessible areas, where fewer IDPs reside.

3. Screenshot from a video portraying the conditions the children are held in when being deported to Russia.

<https://www.youtube.com/watch?v=zBrip5ze0pc>



4. An infographic showing the path to deportation and reasons why children are being deported.

<https://twitter.com/euromaidanpress/status/1605884604463955973>

RUSSIA DEPORTS UKRAINIAN CHILDREN. THIS IS GENOCIDE

TOP LEAD

The path to the deportation of Ukrainian children



The occupying administrations of Donetsk and Luhansk regions created **separate detention centers for children** before the beginning of the invasion. These centers also exist in almost all regions of Russia.



Putin simplified **the acquisition of Russian citizenship** for orphans and children without parental care from Ukraine.



From April to October 2022, the Russian occupation administration submitted **38,000 complaints to the "court"** about the deprivation of parental rights.



Adults who want to adopt Ukrainian children undergo ideological processing.

Who is deported by Russia

- Children with parents
- Orphans
- Deprived of parental care
- Those left without parental care

Deprivation of parental care

- 1 The occupation administration forcibly mobilizes fathers.
- 2 Mothers are forced to leave to earn money and leave their children to be raised by relatives or friends.
- 3 "Commissions for observing the rights of minors" work in the occupied territories.
- 4 The occupation administration deprives such parents of their child's rights.

Why is this genocide?

The forcible transfer of children from one human group to another with the intent to destroy that group is genocide under the UN Convention.

How many children did Russia deport?

13 124

According to the National Information Bureau of Ukraine, Ukraine cannot obtain accurate data because part of the territory is occupied.

min 82 000

The Russian authorities plan to conduct an in-depth medical examination of so many deported children — because "adoptive parents" often refuse "adopted" children.

715 934

children were "evacuated" (as Russia calls it) from the occupied territories. These are the data of the Russian authorities; they cannot be verified.

Джерело: Загн "Правозахисна діяльність дітей в РФ", інформаційний Східний територіальний штаб на територіях окупованих територій в Україні — дані станом на грудень 2022; Національне інформаційне бюро України — дані станом на 13 грудня 2022; Комісія про запобігання злочину геноциду та покарання за нього.

t.me/uawarinfographics

5. The figures of children that have been deported. In the info section of 'deported' it states that this is the figure of officially reported deportations, but the figure estimated through open sources is closer to 738,000.

<https://childrenofwar.gov.ua/>



6. An infographic showing how the children are being brainwashed in these camps and re-education programmes. <https://uacrisis.org/en/how-russia-brainwashes-children-in-the-occupied-ukrainian-territories>

HOW RUSSIA BRAINWASHES CHILDREN IN THE OCCUPIED UKRAINIAN TERRITORIES

- THE TRANSITION TO THE RUSSIAN LANGUAGE AND SCHOOL CURRICULUM
- FORCING CHILDREN TO VISIT "SCHOOL CELEBRATIONS" DESPITE THE BATTLES NEARBY
- PROMOTION OF THE MANIPULATIVE THESIS ABOUT "THE OPPORTUNITY TO USE THE RUSSIAN LANGUAGE FOR THE FIRST TIME IN 8 YEARS"
- THE PROHIBITION AGAINST USING UKRAINIAN NOT ONLY DURING THE EDUCATIONAL PROCESS BUT ALSO DURING BREAKS
- INCITING HATRED TOWARDS UKRAINE
- THE DESTRUCTION OF BOOKS ON UKRAINIAN HISTORY AND LITERATURE
- REPLACEMENT OF TEACHERS AND SCHOOL PRINCIPALS WHO ARE DISLOYAL TO THE OCCUPIERS WITH LOYAL ONES
- PORTRAYING ALL UKRAINIANS AS NAZIS AND FASCISTS
- ORGANIZING MEETINGS WITH "HEROIC" RUSSIAN SOLDIERS WHO FOUGHT AGAINST UKRAINE
- CAMPAGNING FOR APPLYING TO THE RUSSIAN UNIVERSITIES

UKRAINE CRISIS INFO CENTER

7. A diagram showing the pathway that children follow when being adopted into Russian families.

<https://hub.conflictobservatory.org/portal/apps/sites/#/home/pages/children-camps-1>

