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**UKRAINIAN CHILDREN IN SEARCH OF A WAY HOME FROM RUSSIA**

**How does the child protection system work in Ukraine and in the world?**



*Photo www.ukrinform.ua*

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**Ukraine is trying to identify children illegally taken away by Russia**

Currently, there is no exact figure on how many Ukrainian children were deported to Russia or moved to the territories occupied and controlled by it, such as Crimea.

Moscow [says Russia has](https://www.vedomosti.ru/society/news/2023/02/20/963624-svishe-53-mln-bezhentsev-s-ukraini-i-iz-donbassa-pribili-rossiyu) taken in 5.3 million people from Ukraine since its full-scale invasion, including 738,000 children. Russian authorities do not provide more detailed statistics and it is impossible to verify this information. No lists or any personal data at all is available. Russia does not submit reports to any international organizations and does not report to Ukraine either.

**Verkhovna Rada Commissioner** [for Human Rights Dmytro Lubinets](https://uk.wikipedia.org/wiki/%D0%9B%D1%83%D0%B1%D1%96%D0%BD%D0%B5%D1%86%D1%8C_%D0%94%D0%BC%D0%B8%D1%82%D1%80%D0%BE_%D0%92%D0%B0%D0%BB%D0%B5%D1%80%D1%96%D0%B9%D0%BE%D0%B2%D0%B8%D1%87) claims that the figure of 700,000 ‘moved away’ children is exaggerated. The Ombudsman [suggests](https://www.slovoidilo.ua/2023/02/17/novyna/suspilstvo/ombudsmen-nazvav-kilkist-ditej-nezakonno-vyvezenyx-ukrayiny-rf) that Russia has illegally removed about 150,000 children from Ukraine.

Adviser-Commissioner of the President of Ukraine for Children's Rights and Children's Rehabilitation [Daria Gerasymchuk](https://uk.wikipedia.org/wiki/%D0%93%D0%B5%D1%80%D0%B0%D1%81%D0%B8%D0%BC%D1%87%D1%83%D0%BA_%D0%94%D0%B0%D1%80%27%D1%8F_%D0%9C%D0%B8%D1%85%D0%B0%D0%B9%D0%BB%D1%96%D0%B2%D0%BD%D0%B0) calls the figure "several hundred thousand children, that is, somewhere around 200-300,000." She [notes](https://fakty.com.ua/ua/ukraine/suspilstvo/20230619-rf-mogla-vykrasty-z-ukrayiny-do-300-tys-ditej-povernuty-vdalosya-mensh-nizh-400-gerasymchuk/) that the aggressor country, Russia, might have illegally ‘imported’ from Ukraine up to 300,000 children during the war. Currently, Ukrainian authorities have confirmed information about less than 20,000 deported Ukrainian children. "According to our estimates, we can talk about 200-300,000 children they could have kidnapped," Gerasymchuk said.

Gerasymchuk explained that it is impossible to evaluate the exact figure today, since the Russian Federation also deports children from the temporarily occupied territories of Ukraine.

It is only after the liberation of certain settlements that Ukraine will be able to collect reliable data.

"Despite the fact that we are talking about 200-300,000 deported and forcibly removed children, today we have only accurate information about 19,499 such children," Gerasymchuk said.

Data on the deportation of young Ukrainians is collected by the National Information Bureau of Ukraine. This body receives applications from parents, relatives, witnesses, as well as representatives of local authorities about forced removal of children. After a detailed verification of deportation data in the Ministry of Internal Affairs, the National Police, the Security Service, the Prosecutor General's Office, the information enters the register of the National Information Bureau.

"Thus, as far as 19,499 children are concerned, there is personal data for each of them. We understand who these children are and where they were abducted from. However, this does not mean that we know where this child is," Gerasymchuk said.

**The reaction of the world community**

According [to](https://www.radiosvoboda.org/a/news-mezentseva-chervonyi-khrest-vykradeni-dity/32383511.html)Maria Mezentseva, the head of the Verkhovna Rada delegation to the Parliamentary Assembly of the Council of Europe**,** [Ukraine](https://suspilne.media/tag/ukraina/)handed over a list with the names of 19,000 Ukrainian children abducted  [by Russia](https://suspilne.media/tag/rosia/) to the [International Committee of the Red Cross (ICRC).](https://uk.wikipedia.org/wiki/%D0%9C%D1%96%D0%B6%D0%BD%D0%B0%D1%80%D0%BE%D0%B4%D0%BD%D0%B8%D0%B9_%D0%BA%D0%BE%D0%BC%D1%96%D1%82%D0%B5%D1%82_%D0%A7%D0%B5%D1%80%D0%B2%D0%BE%D0%BD%D0%BE%D0%B3%D0%BE_%D0%A5%D1%80%D0%B5%D1%81%D1%82%D0%B0)  They have the authority to visit them and learn about the conditions of children's detention.

On 5 April 2023, 49 countries issued a joint statement on the illegal forced [deportation of Ukrainian children](https://uworld.news/news/deportovanyi-iz-mariupolia-pidlitok-namahavsia-1002090.html) to Russia in response to an [Arria](https://en.wikipedia.org/wiki/Arria_formula_meeting) meeting Security Council meeting chaired by Russia.

The Organization for Security and Co-operation in Europe (OSCE) stated that the Russian [Federation clearly violated the rights of Ukrainian children illegally taken to Russian territory](https://uworld.news/news/49-krain-svitu-zasudyly-rosiiu-1002111.html), and the deportation itself may contain elements of a crime against humanity.

On 17 March 2023, the Pre-Trial Chamber of the International Criminal Court in The Hague [issued arrest warrants for](https://uworld.news/news/suddi-mks-v-haazi-vydaly-1001732.html) Russian President Vladimir Putin and Russian Commissioner for Children's Rights Maria Lvova-Belova.

At the same time, the Prosecutor General's Office reported that there is currently no single transparent algorithm or mechanism that makes it possible [to return Ukrainian children deported to Russia](https://suspilne.media/437478-ukraina-sukae-mozlivosti-dla-poverenna-ditej-z-rf-ofis-genprokurora/).

Adviser-Commissioner of the President of Ukraine for Children's Rights and Children's Rehabilitation Daria Gerasymchuk [believes](https://interfax.com.ua/news/general/917545.html)  that today there is no international structure in the world that could offer an effective mechanism for the return of deported children in Ukraine.

"Regarding the deported children, we handed over to certain international organizations all available lists and personal information. Unfortunately, there was no retroactive action. So, today there is no international structure that could offer an effective mechanism for the return of our deported children," Gerasymchuk said in an [exclusive interview with](https://interfax.com.ua/news/interview/917543.html) [Interfax-Ukraine](https://interfax.com.ua/).

She believes that "Ukraine has seen the total absence of a child protection system in the world."

"There are well-written documents in the world within the framework of international law, such as the Geneva Convention and the UN Convention on the Rights of the Child and others that could be activated. And theoretically, they should work if all signatories complied with these rules," she said.

"But the point is that there is one signatory country, in this case, the Russian Federation, which wanted to spit on all these rules it itself signed. It reads them in its own way, argues all its actions as she wants, namely with its fictional and absolutely painful imagination," Gerasymchuk said.

According to her, "the whole world had put its hopes in an organization that has the broadest mandate in this regard, about deportees and forcibly displaced people - this is the International Committee of the Red Cross. It is not only about the deportees, because now we are talking about, in particular, the victims of the tragedy due to the terrorist attack at the Kakhovka [says Gerasimchuk](https://interfax.com.ua/news/interview/917543.html) . It is the same here: those who hoped that the International Committee of the Red Cross would be the organization that should be the first on the spot and save people. Unfortunately, in practice this did not work in Ukraine."

In the territory controlled by Ukraine[, according to](https://interfax.com.ua/news/interview/917543.html) Gerasymchuk, children were not physically injured during the flooding. "So far, no cases have been identified. As for the temporarily occupied territory, where we do not have access, I cannot unfoundedly state whether there are such cases. There are various stories that overgrow with new details. Therefore, until I personally encounter confirmed cases myself, I will not comment on this information. And there is no such data on the dead children.

It is known that in Oleshky and Kherson there were institutions from which the occupiers took children away before the de-occupation or flood. According to the information we have, there are no orphanages or other children's institutions in the areas affected by the flooding. These are statistics published on the Telegram channel of the Coordination Headquarters working on the consequences of the flooding."

**Forced displacement of children not only to the Russian Federation but also to Belarus**

At the state level, Ukraine properly responded to the declaration of the head of the Red Cross Society of Belarus Dmitry Shevtsov saying that the organization headed by him "participated, takes and will take an active part" in the evacuation of Ukrainian children – allegedly, "these children come to Belarus for rehabilitation." Shevtsov [said this on the air of one of the](https://twitter.com/Belsat_Eng/status/1682033951626657792?s=20)  Belarusian TV channels. Earlier, during a trip to the temporarily occupied territories of Ukraine, Shevtsov was seen in camouflage and with a chevron of the occupiers with the letter Z.

Ukrainian Foreign Minister Dmytro Kuleba [called on the](https://twitter.com/dmytrokuleba/status/1681643294290313217?s=46&t=JHHzChDbvSf3JHpnTV6Hcg)  International Criminal Court to issue an arrest warrant for Shevtsov, who "publicly confessed to the crime of illegal deportation of children from the occupied territories of Ukraine."

Permanent Representative of Ukraine to the United Nations Sergiy Kyslytsya, at a meeting of the Security Council on 21 July asked relevant United Nations officials, in particular the Special Representative of the Secretary-General for Children and Armed Conflict,  [to respond to](https://www.ukrinform.ua/rubric-polytics/3738897-kislica-poprosiv-oon-vidreaguvati-na-ziznanna-glavi-ch-bilorusi-u-deportacii-ukrainskih-ditej.html) the involvement of the head of the Belarusian Red Cross in organizing the forcible removal of Ukrainian children from the temporarily occupied territories.

As for the position of Belarus, it was voiced by Lyudmila Makarina-Kibak, a deputy of the House of Representatives of the National Assembly of the Republic of Belarus. "The kidnapping charges have no legal basis. Children come to us in accordance with international requirements and with the assistance of international organizations and funds of the UN system, the Red Cross, etc.,"  [she said](https://twitter.com/i/status/1681936578350919680).

The International Federation of the Red Cross and the Red Crescent Societies (IFRC) issued [a statement](https://www.ifrc.org/article/statement-response-belarus-red-cross-secretary-generals-visit-luhansk-and-donetsk-and-his?fbclid=IwAR29MNEqx1_SI3G1ZZ0T6jqJBQ1XYideZLVt4oDnphtyZtrM052t-2dgxCQ) on this matter. The organization claims that "they were not informed about Shevtsov's visit to the temporarily occupied territories of Ukraine" and that they have already referred the case of the Belarusian representatives to the Committee on Compliance and Mediation, which, according to Article 32  [of the IFRC Statute](https://www.ifrc.org/statutory-texts), "resolves any violations of integrity or disagreements related to national member societies or any body in the Federation."

The International Federation of the Red Cross and Red Crescent was also [approached](https://telegra.ph/Reakc%D1%96ya-na-d%D1%96i-B%D1%96loruskogo-CHervonogo-Hresta-07-20-2) by the Ukrainian Parliament Commissioner for Human Rights Dmytro Lubinets with a demand to ensure that the Belarusian Red Cross requests full information about children from the temporarily occupied territories of Ukraine who were on "rehabilitation" and "rest" in the Republic of Belarus during 2021, 2022 and 2023. "I also appeal to the Central Tracing Agency of the International Committee of the Red Cross to verify information and establish contact between children and their parents or other legal representatives," he said.

"I draw the attention of people from all over the world who provide financial assistance to the International Red Cross Movement to the fact that the organization should adhere to the goals and principles for which it was created," the Ombudsman said.

**386 children returned to Ukraine**

**To date, 386 children have been returned to Ukraine. According to Gerasymchuk, “**there is no frequency in the return of children. And one of the biggest problems with returning children is that we do not know who we are looking for because we are talking about 200-300,000 children, and we have only information about the deportation and forced removal of slightly more than 19,000.

As for the return of children, he said, in order to collect information faster, the portal Children of War’ was created at the President's Office last summer. Every morning at 8 am you can see updated statistics.

[The platform "Children of War"](https://childrenofwar.gov.ua/?fbclid=IwAR2z1pz0ycb-UT5eVeO6VX-Zc_v3CJNmfFci_zesn71sHtRITK8Yfk-UZLQ) was created on behalf of the Office of the President of Ukraine by the Ministry for Reintegration of the Temporarily Occupied Territories of Ukraine together with the National Information Bureau, the Office of the Prosecutor General, the National Police, the Office of the Verkhovna Rada Commissioner for Human Rights, the Office of the President for the accumulation, processing and partial publication of information about children under martial law, namely: the number of wounded and dead children, deported children, those who have been found and those who are wanted.”

**The return of each Ukrainian child is in fact a separate, individually designed special rescue operation**

Unfortunately[,](https://interfax.com.ua/news/interview/917543.html) **Gerasymchuk notes in an** exclusive interview with [Interfax-Ukraine](https://interfax.com.ua/), that “today there is no single mechanism for the return of our children. “We do not have negotiations with Russia for such returns. They do not recognize these children as detained, deported, forcibly displaced. They call it "evacuation." Moreover, negotiations mean that we could make exchanges but we do not have Russian children to exchange. We did not detain any of them, we did not kidnap anyone. The Russians should simply return all Ukrainian children immediately.”

All 386 children were not returned through negotiations. There have never been any approvals or organized groups on the Russian side. All this is now happening case by case. That's why it's happening so slowly. Unfortunately, every time we are talking about a separate, individually developed special operation to saveeach of our children. With the help of public organizations, we manage to unite parents, and we lead them to their children in small groups. So sometimes 50 children are concerned or 40, 30, 15 and that's by luck really.

But it's a lottery. Always! Because there are cases when the Russians say: ‘No, we will not give the child back to parents! It is dangerous there – in Ukraine, and we decided that he or she will stay here. And if you want to stay with your child, please get Russian citizenship and stay in Russia.’ We do everything in our power when there are parents, if there are no parents or parents cannot leave, or it can be military parents, or it can be a pregnant mother, or it can be parents who have some diseases and cannot leave because they simply will not return or will not arrive at their destination. We are looking for other relatives who can arrange custody of the child, we help with the preparation of the necessary documents, the route or everything else so that they can leave. But every time it is a lottery. We are never sure who will be able to return. But so far there is such an option.”

**Adoption by Russian families**

Of course, there are no complete statistics[, Gerasymchuk](https://interfax.com.ua/news/interview/917543.html) **notes. T**here are confirmed cases of adoption by Russians but in many cases, adoptions are not made public or are registered as "temporary custody."

As far as we know, the Russian Ombudsman of Lviv-Belova "temporarily takes care" of a child from Ukraine in this way, although she even told the President of the Russian Federation that she "adopted" the boy.

Gerasymchuk [said](https://interfax.com.ua/news/interview/917543.html) **that there were several return cases** of children already "adopted" in Russia.

There are also cases of children who were sent to camps. Parents signed documents by which they agreed to send their children to a camp for three weeks. The Russians pledged to return them but it was not the case. The children were told by the Russians: "You will not return", "Your parents abandoned you", "They do not need you" or "A Russian family is waiting for you," despite the fact that a number of them continued to talk to their parents on the phone. Children were transported to camps for six months – from camp to camp. Six months later, they were considered as left without parental care and were sent to Russian families. Afterwards, they were granted Russian citizenship, and their names were changed. All possible schemes are used to deprive children of their biological families.

Russians have a clear genocidal policy,  [Gerasymchuk](https://interfax.com.ua/news/interview/917543.html) **notes.** They aim to either destroy the identity of Ukrainian children or replenish their nation at the expense of the children they kidnap.

**Who helps in the return of Ukrainian children illegally displaced by Russians?**

International organizations do not offer any mechanisms for the return of children,  [Gerasymchuk](https://interfax.com.ua/news/interview/917543.html) **notes.** “There is a total lack of an effective system for the protection of such children in this situation".

“Yes, we try to use every opportunity. We are working with the OSCE Moscow mechanism and the special UN mechanism of the CAAC – this is the mechanism of the Special Representative of the UN Secretary General ‘Children and Armed Conflicts.’ We also work with the International Criminal Court. We document everything and we do everything we can. However, I repeat, no one can offer a single mechanism or any effective algorithm.

That is why we created our own Action Plan – Bring Kids Back UA – and invited everyone who wants to help to join it. We also realized that now, by saving Ukrainian children, we are creating a new global system of child safety around the world.”

**CAAC mechanism**

Ukraine [responsibly cooperates with the Special Representative of the UN](https://mfa.gov.ua/news/komentar-mzs-ukrayini-shchodo-richnoyi-dopovidi-genseka-oon-z-pitan-ditej-ta-zbrojnih-konfliktiv) Secretary-General for Children and Armed Conflict (CAAC) in order to stop and prevent violations against children during the conflict, and calls on the UN to fundamentally and persistently demand from the Russian Federation cooperation with the CAAC mechanism, access to all temporarily occupied territories of Ukraine, as well as to its territory, since the CAAC mandate includes child abduction crimes. Currently, this special representative is Virginia Gamba, who explores all armed conflicts.

The CAAC mechanism includes aggressor countries, countries against which aggression is conducted, and countries where there are domestic wars and conflicts. The mechanism deals with the study of six gross crimes against children – the crime of recruitment, attacks on schools and hospitals, the crime of sexual violence, obstruction to humanitarian needs, kidnapping of children, murder and injury. It is only last summer that Ukraine came to the attention of the CAAC mechanism and Russia in the same way.

In Ukraine, a local office consisting of representatives of UN structures, the so-called "UN Working Group on Children and Armed Conflicts" in Ukraine, was immediately established. It is chaired by Denise Brown, UN Resident Coordinator in Ukraine, and Murat Sahin, UNICEF Representative in Ukraine. Each country also assigns a national focal-point for interaction with the CAAC mechanism. In Ukraine, this is Advisor – Commissioner of the President of Ukraine for Children's Rights and Children's Rehabilitation Daria Gerasymchuk*.* Ukraine has also already established an interdepartmental working group of representatives of relevant ministries.

Daria Gerasymchuk [emphasizes](https://interfax.com.ua/news/interview/917543.html) that Ukraine is the first country in the world to voluntarily create a preventive National Plan to prevent these six gross violations against children in armed conflicts.

In May 2023, Ms. Virginia Gamba was in Ukraine and afterwards she [visited](https://news.un.org/ru/story/2023/05/1441287) Moscow. [According to](https://interfax.com.ua/news/interview/917543.html) Daria Gerasymchuk, Ukraine had the biggest concerns about this process, because she met there with Maria Lvova-Belova (Children's Ombudsperson of the Russian Federation), for whom the International Criminal Court issued an arrest warrant. "I personally spoke with Virginia last week in Oslo at an international conference on the CAAC mechanism and asked if there was a need to meet with Lviv-Belova. And Ms. Gamba confirmed that they had warned the International Criminal Court that since Lviv-Belova had a wealth of information, a meeting with her was necessary. Therefore, there was nothing illegal. In my opinion, the only justification for such a meeting could be the need to learn more about Russia's crimes against Ukrainian children, and nothing else."

On 5 July 2023, at the Seventy-seventh session of the General Assembly of the UN Security Council, the Secretary-General [noted](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/144/98/PDF/N2314498.pdf?OpenElement) in his report "Children and Armed Conflict" that he was concerned by reports, some of which have been confirmed by the United Nations, of children transferred to the Russian Federation from regions of Ukraine partially under or under temporary military control of the Russian Federation.

**Recommendations**

Human Rights Without Frontiers supports the recommendations of the UN Secretary-General, who urges

* Russia to ensure that no changes are made to the personal status of Ukrainian children, including their citizenship;
* all parties to continue to ensure that the best interests of all children are respected, including by facilitating family tracing and reunification of unaccompanied and/or separated children who find themselves outside borders or control lines without their families or guardians;
* parties to the conflict to grant child protection authorities access to these children to facilitate family reunification;
* his Special Representative on “Children and Armed Conflicts’, together with United Nations agencies and partners, to consider ways to facilitate such processes.

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