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PC.DEL/573/23
4 May 2023

Original: ENGLISH



United States Mission to the OSCE

On the Moscow Mechanism Report exposing Russia's War Crimes against Ukraine's Children

As delivered by Ambassador Michael Carpenter
to the Permanent Council, Vienna
May 4, 2023

Today is the 435th day of Russia's full-scale war against Ukraine. From the very first days of this war, this Council has been discussing and documenting the war crimes committed by the Russian Federation's forces in Ukraine. Some are so stomach-churning that even their mere description provokes an instinctual recoil. But of all the crimes that Russia has committed in Ukraine, perhaps the most incomprehensible and inhuman are those committed against children. Children are associated everywhere with innocence and the need for protection and nurture, which is why in every human society, crimes against children are viewed as particularly repugnant. That is why we must have accountability for these terrible crimes and why this Moscow Mechanism report is so important. It exposes Russia's war crimes against Ukrainian children, and especially their forcible transfer and/or deportation, which, as the report notes, "may amount to a crime against humanity."

I'd like to thank Dr. Cecilie Hellestveit, Dr. Elina Steinerte, and Professor Veronika Bilkova for producing this well-documented report. It is heart wrenching to think of Ukrainian children being stolen from their families and uprooted from their homes, and then subjected to systematic efforts to erase their Ukrainian identity and replace it with a Russian one. The "re-education" of Ukrainian children by the authorities of the Russian Federation should send a chill down everyone's spine. As the report makes clear, "Not only has the Russian Federation manifestly violated the best interests of these children repeatedly, it has also denied their right to identity, their right to family...as well as their right to thought, conscience, and religion, right to health, and right to liberty and security." The report found that the Russian Federation's "non-consensual evacuations, transfers and prolonged displacement of Ukrainian children constitute violations of international humanitarian law, and in certain cases amount to grave breaches of the Geneva Convention and war crimes."

The report notes that this has been part of a broader effort by Russia to engage in forcible transfers of the Ukrainian population since 2014, and that over 1,000 children have been taken from Crimea alone. Thousands more have been taken from the other occupied areas of Ukraine. These children have been sent as far away as Siberia and the Russian Far East. This is all in direct violation of Russia's obligations under international humanitarian law, and in

contravention of its OSCE commitments. In the 1999 Istanbul Summit Declaration, OSCE participating States committed themselves to “actively promote children’s rights and interests, especially in conflict and post-conflict situations.” Yet while thousands of children have been taken from Ukraine, the report notes that, as of April 23, only 361 have been returned. Only 361. That leaves thousands of families torn apart by Russia’s authorities, and thousands of children traumatized. As Yale University’s Humanitarian Research Lab noted in its recent report on this issue, this effort appears to be centrally-organized and systematically implemented across Russia’s many regions as well as across the Ukrainian territories that Russia controls or occupies.

In one example, Yevhen, a Ukrainian father from Mariupol who was subjected to Russia’s brutal “filtration” process, was separated from his three children, 12-year-old Matvey, 7-year-old Sviatoslava, and 5-year-old Alexandra. After 45 days of detention in Russia’s filtration gulag, he was released but given no information on the welfare or whereabouts of his children. While Yevhen was in captivity, his kids were sent to a boarding house near Moscow, and then subsequently taken to live with a Russian family. One day, out of the blue, his oldest son Matvey called his father to say “Dad, you have five days maximum to come pick us up – otherwise they’re going to adopt us.” This story ends happily, since Yevhen was able to travel to Moscow and get his children out of Russia. But how many other stories that remain undocumented end in grief and tragedy?

Besides being separated at “filtration points,” one of the most cynical ways that Russia has stolen Ukrainian children from their families is by offering all-expenses paid trips to children’s camps in occupied Crimea, as well as in Russia and Belarus. The report notes that parents who expressed reluctance at sending their children to such camps faced implicit and, at times, explicit threats that this “would lead to the reconsideration of their parental rights as the refusal would be seen as akin to a neglect of the child.” Russia has kept these children on false pretenses and moved them among various camps, without the consent of their parents or legal guardians, and without providing information on their welfare or whereabouts. For children that are adopted, this may entail a change of name, surname, and place of birth. The report notes that in these circumstances it becomes “impossible to ascertain the true identities of adopted children” because of the secrecy mandated by Russia’s laws and Russian authorities’ failure to fulfill their obligation to provide information to the Ukrainian government or international organizations on the children transferred or deported.

Putin’s decree of May 20, 2022 made it possible for heads of institutions where Ukrainian children are staying to apply for Russian citizenship on behalf of the children. As the report noted, altering the nationality of Ukrainian children by offering Russian citizenship is a violation of the Fourth Geneva Convention. Additionally, each belligerent party has an obligation under international humanitarian law to establish procedures to keep track of persons, including children, who fall into its hands. Yet Russia has manifestly failed to do so.

The report notes that Russia also stole children from Ukrainian institutions in Kherson while its forces were retreating. When the staff of the institutions where these children were being kept strongly resisted, Russia took the children anyway. As the report notes, this constitutes a *grave* breach of the Geneva Convention and a war crime. The report notes that Ukraine did everything

it could to prevent such transfers and even organized buses to evacuate children from Kherson to safety elsewhere in Ukraine, but Russia refused to allow humanitarian corridors to be established and took the children to Russia instead. Once in Russia, the report notes that Russia violated the children's rights relating to identity by exposing them to pro-Russian information campaigns often amounting to targeted re-education.

Mr. Chair, the evil being perpetrated by the Russian Federation against Ukrainian children must end now. These grave breaches of the Geneva Conventions and likely crimes against humanity are anathema to every principle this Organization stands for. We must continue to do what we can to document these crimes to ensure there is accountability. We should also take urgent steps, either through the Support Program for Ukraine or through other OSCE institutions, to help Ukraine to build the capacity to document such crimes, to ensure timely family reunifications do occur or can occur, and to provide these children, and their families, with the support and counseling they clearly need.

Mr. Chair, there is no defense of the indefensible. There are no words to justify what Russia has done with Ukraine's children. There is no comfort for those who suffer today. There is only the certain knowledge that future generations will look back on these crimes and question their perpetrators' humanity.

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