



**Permanent Mission of Ukraine**  
to the International Organizations in Vienna

**Statement by the Delegation of Ukraine  
on the OSCE Moscow Mechanism invoked by 45 participating States,  
following consultations with Ukraine, to address the forcible transfer  
and deportation of Ukrainian children as part of russia's war  
of aggression against Ukraine**

As delivered by Ambassador Yevhenii Tsymbaliuk,  
Permanent Representative of Ukraine to the International Organizations in Vienna,  
to the 1421<sup>st</sup> meeting of the Permanent Council,  
04 May 2023

**Mr. Chairperson,**

The Delegation of Ukraine expresses its gratitude to the distinguished experts Prof. Dr. Veronika Bilkova, Dr. Cecilie Hellestveit and Dr. Elīna Šteinerte for the preparation of the independent international report under the OSCE Human Dimension Moscow Mechanism, in line with the mandate established by 45 OSCE participating States and Ukraine, to address the forcible transfer and deportation of Ukrainian children as part of russia's war of aggression against Ukraine.

We highly value that Mission was able to visit Ukraine in the middle of April 2023 to meet with the representatives of Ukrainian authorities, NGOs and civil society.

The report gives us a clear indication of russia's full responsibility for the investigated crimes, as well as that at present time there is no place for russia among civilized nations, be it within the OSCE, UN or other international organization.

**Distinguished colleagues,**

The "Report on violations and abuses of international humanitarian and human rights law, war crimes and crimes against humanity, related to the forcible transfer and/or deportation of Ukrainian children to the Russian Federation" is a result of a significant work accomplished by the independent Mission of experts, and it is a comprehensive international report dedicated specifically to the problem of deportation of Ukrainian children.

One of the most important elements of the document is that the Mission established that a large number of Ukrainian children have been, since 24 February 2022 and even prior to this date, displaced to the temporarily occupied territories of Ukraine and to the territory of the russian federation, which may amount to a crime against humanity of "deportation or forcible transfer of population".

I wish to add in this context that in its official Comment to the Report, the Ukrainian side stressed that the forcible transfer or deportation of Ukrainian children to the Russian national group may also constitute genocide under Article II of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.

The findings of the Mission clearly testify that the practices of 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 IV and war crimes.

In addition, the experts found that the forcibly transferred or deported Ukrainian children are placed in institutions or in Russian families and find themselves in an entirely Russian environment, including language, customs and religion. Moreover, they are exposed to pro-Russian information campaigns often amounting to targeted re-education as well as being involved in military education.

The report concluded that such Russia's actions as altering the nationality of Ukrainian children, the exposure of unaccompanied children to adoption or similar measures of assimilation are in violation of the Geneva Convention IV.

It was also clearly identified by the Mission that the Russian Federation creates various obstacles for families seeking to get their children back, and that it was also not possible to establish a list of the children concerned and their whereabouts, which is in violation of the Geneva Conventions.

Finally, the Mission concluded that numerous and overlapping violations of the rights of the children deported to the Russian Federation have taken place, including numerous ongoing violations of several articles of the UN Convention on the Rights of the Child.

We call on the Russian Federation to immediately cease the criminal practices of forcible transfer or deportation of Ukrainian children, to ensure their safe return to Ukraine, and swiftly implement all other Mission's recommendations.

**Mr. Chairperson,**

Ukraine expresses its gratitude to the Mission of experts for the important and responsible work accomplished.

We are confident that Mission's sound conclusions regarding considerable amount of violations and abuses of international humanitarian and human rights law, war crimes and crimes against humanity, related to the forcible transfer and/or deportation of Ukrainian children to the Russian Federation, will significantly contribute to the international efforts and accountability mechanisms to ensure justice and hold to account the masterminds and perpetrators these appalling crimes.

We call on the OSCE and its autonomous institutions, in particular ODIHR, to remain seized of the matter and undertake further steps to address the devastating consequences of the ongoing Russian's war of aggression against Ukraine.

I kindly ask that this Statement be attached to the Journal of the Day.

**Thank you, Mr. Chairperson.**