



ANALYSIS

THE STOLEN CHILDREN

HOW RUSSIA ATTEMPTS TO KIDNAP UKRAINE'S FUTURE

| TETIANA FEDOSIUK |

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Cover page photo: Children play in front of a ruined building in Mariupol on 28 August 2022 amid the ongoing Russian military action in Ukraine (Stringer / AFP / Scanpix)

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INTRODUCTION

As early as 8 April 2022, less than two months into the full-scale invasion, Ukraine's then-Commissioner for Human Rights Liudmyla Denisova alerted the United Nation's Committee on the Rights of the Child (UNCRC) and Global Alliance of National Human Rights Institutions (GANHRI) that over 121 000 children had been abducted from Ukraine by the occupant authorities. By mid-summer, the number had more than doubled to 276 000.¹ The Commissioner warned that many of those children were being taken under a government plan with the purpose of their subsequent adoption in Russia.² And she has been proven right.

Since then, U.N. High Commissioner for Human Rights Michelle Bachelet expressed her concern about Ukrainian children being "forcibly deported." The United Nations International Children's Emergency Fund (UNICEF) also confirmed that it had been aware that Russia "may be modifying existing legislation to facilitate the fast-tracking of adoption."³ A Joint Motion for A Resolution on "forced adoption of Ukrainian children in Russia" was tabled at the European Parliament.

¹ Iryna Lysohor, "[Росіяни примусово вивезли вже 121 000 українських дітей, – Денісова](#) [Russians forcibly removed over 121 000 Ukrainian children, – Denisova]," *LB.ua*, 8 April 2022.

² Organization for Security and Co-operation in Europe (OSCE), [Report On Violations Of International Humanitarian And Human Rights Law, War Crimes And Crimes Against Humanity \(1 April – 25 June 2022\)](#), ODIHR.GAL/36/22/ Corr.1 (Warsaw: OSCE, Office for Democratic Institutions and Human Rights, 14 July 2022), 72.

³ "[UN's Bachelet concerned over Ukraine orphans 'deported' to Russia for adoption](#)," United Nations News, 15 June 2022.

classified orders (unless we are yet to find out about some new secret protocols that would shed light on Moscow's preparation for the war and the accompanying genocide), Russia boasts about its conduct in Ukraine for the world to see, and to record.

This analysis aims to compile what we know so far in order to create a timeline, map the cornerstones of the Russian policy of state-sponsored abductions, and provide the context in which these developments are taking place. In doing so, it also touches upon the propaganda aspect and abusing children as tools of Russia's psychological warfare against Ukraine. It is important to note that this analysis relies exclusively on the open-source information, as stated by Ukrainian and Russian officials and reported by the media. Yet, for as long as the war continues, there is no way to independently confirm these data. It is recognised that the numbers, in particular, may be inflated for propaganda purposes. Drawing from the historical precedents and international law put in place after them, this analysis presents a compelling case against Russia in the court of law and the court of public opinion.

With the plenitude of war crimes (and an abundance of irrefutable evidence) committed from day one of the invasion on 24 February 2022, Russia has always known that its actions constitute a violation of international law. Until now, it has also believed that it will be able to get away with anything including

murder, even mass murder.⁴ The annexation of Crimea and subsequent ethnic-based persecution of the Crimean Tatar population have taught it as much.⁵

This analysis hints at the political, legal, institutional, and moral challenges Ukraine will have to grapple with for (potentially and unfortunately) decades after its victory on the battlefield. With regards to Ukraine's ongoing struggle on this front, it further highlights the areas where efforts could and should be applied already today, as well as at the resources needed to do so.

Russian law might have prohibited inter-state adoption, yet on 30 May 2022, President Putin issued a decree allowing for one exception. Decree No. 330 eased and hurried the process for the Russian nationals who wanted to adopt children from Ukraine

1. "NOW, THEY ARE OURS"

1.1. THE RUSSIAN STATE POLICY OF LEGALISED ABDUCTION

Russian law might have prohibited inter-state adoption, yet on 30 May 2022, President Putin issued a decree allowing for one exception. *Decree No. 330* eased and hurried the process for the Russian nationals who wanted to adopt children from Ukraine.⁶ First, the measure

applies to orphaned children and children left without parental care. Second, it extends not only to the so-called 'Donetsk and Luhansk People's Republics' (DPR and LPR) but also to all under-age citizens of Ukraine – i.e., beyond the territories that Russia had occupied and unilaterally 'incorporated.' Third, deciding whether a child is, in fact, an orphan eligible for adoption is left to the discretion of the Russian authorities and the occupant administrations.

The Ukrainian Ministry of Foreign Affairs regards the decree as "an attempt by the Kremlin to legalise the illegal displacement."⁷ In its view, Putin's Russia legalised the abduction of children from Ukraine. In a separate comment, the Ukrainian Foreign Ministry also notes that, in addition to being "yet another encroachment on Ukraine's sovereignty and territorial integrity," this move testifies "to the continuation of the Kremlin's course of seizing Ukrainian lands, the destruction of the Ukrainian State, and the forced assimilation of the Ukrainian nation."⁸

Russian legal experts and the Kremlin's 'human rights lawyers' quickly came out with opinions to justify the presidential decree and subsequent amendments to the Family Code as a long-overdue and much-needed humanitarian measure.⁹

Russian Colonel General Mikhail Mizintsev, head of the National Defence Management Centre, claimed on 16 August 2022 that Russia had accepted 3.4 million Ukrainian refugees from Donbas, with 14 242 children crossing the border into Russia on that given day alone and 556 000 children altogether.¹⁰ (It has thus far remained the highest-rank official account

⁴ On MH17, see: "[Flight MH17 shot down by a Russian-supplied Buk missile 'most convincing scenario by far'](#)", says PACE," Council of Europe, 23 June 2022; On the war in Syria, see: United Nations, [Report of the Independent International Commission of Inquiry on the Syrian Arab Republic](#), A/HRC/43/57 (Geneva: Human Rights Council, 28 January 2020); On the war in Chechnya, see: Anne le Huérou Amandine Regamey, "[Massacres of Civilians in Chechnya, Mass Violence & Résistance](#)," *SciencesPo*, 9 March 2015.

⁵ "[Crimea: Persecution of Crimean Tatars Intensifies: Arbitrary Detentions, Separatism, Terrorism Charges](#)," Human Rights Watch, 14 November 2017.

⁶ Translation from Russian: "Установить, что дети-сироты и дети, оставшиеся без попечения родителей, недееспособные лица, являющиеся гражданами Донецкой Народной Республики, Луганской Народной Республики или Украины, приобретают гражданство Российской Федерации в упрощенном порядке." For the full text see: President of the Russian Federation, [Указ Президента РФ №330 от 30 мая 2022](#) [Decree of the President of the Russian Federation No. 330 dated 30 May 2022] (Moscow: President of the Russian Federation, 30 May 2022).

⁷ Ministry of Foreign Affairs of Ukraine, [Comment of the MFA of Ukraine on the decree of the President of the Russian Federation on simplifying the procedure for obtaining Russian citizenship for Ukrainian orphans](#) (Kyiv: Ministry of Foreign Affairs of Ukraine, 31 May 2022).

⁸ Ministry of Foreign Affairs of Ukraine, [Statement of the MFA of Ukraine on the decree of the President of the Russian Federation on a simplified procedure for granting Russian citizenship to citizens of Ukraine](#) (Kyiv: Ministry of Foreign Affairs of Ukraine, 11 July 2022).

⁹ Stanislava Odoevtseva, "[В России рассказали о гражданах, рвущихся усыновить детей Донбасса](#)" [Russia says citizens eager to adopt children from Donbas], *MK.RU*, 10 March 2022.

¹⁰ "[Число эвакуированных в РФ с Украины и из Донбасса превысило 3,4 млн человек](#)" [The number of evacuees from Ukraine and Donbas in the Russian Federation surpasses 3.4 million people], *Interfax Russia*, 16 August 2022.

to originate from Russia) With such a number of ‘refugees,’ the allegedly unaccompanied minors among them needed to be settled – somewhere and somehow – to fit in the Kremlin’s messiah ‘special operation’ mission.

As a financial stimulus amid the worsening economic situation, the Russian government announced that they would pay extra 20 000 rubles in a lump-sum to all households with children.¹¹ Separately, a little over 20 000 rubles were reserved as a one-time benefit for each child adopted; for each disabled child, a child over 7 years of age, or siblings, a Russian family would receive a one-time payment of 156 428 rubles.¹² The “new Russian regions” were made eligible for ‘maternity capital’ (a programme launched in 2007 to boost population growth), which was promised to grow by over 12% (up to 590 000 and 780 000 rubles for the first and second child, respectively) in 2023.¹³

With the green light from the Kremlin, the regional competition thus began. Moscow, for instance, has been long lauded as the most progressive region in Russia, so progressive that even before Putin’s decree, already in April 2022, it had opened a government-operated hotline and a register for the Russian families willing to adopt children from Ukraine.¹⁴ By the end of the year, the Moscow Oblast Duma voted to approve additional monthly benefits (varying from 5 394 to 19 140 rubles) to the local households who ‘incorporated’ children from Ukraine.¹⁵

¹¹ “Разовая выплата 20 000 рублей: ПФР выплатит деньги российским семьям с детьми [One-time payment of 20 000 rubles: Pension Fund to pay Russian families with children],” *BFM.RU Novosibirsk*, 28 June 2022.

¹² “Пособия при усыновлении ребенка [Benefits to families with adopted children],” *GOGOV*, last modified on 9 January 2023.

¹³ “Татьяна Голикова: право на материнский капитал в новых регионах осуществляется в полной мере [Tatiana Golikova: right to maternity capital in new regions is fully guaranteed], *TASS*, 11 January 2023.

¹⁴ “Горячая линия’ для желающих принять детей-сирот из Донбасса в семьи [A ‘Hotline’ for those who wish to take orphaned children from Donbas into their families],” *Usynovite.Mosreg*, 18 May 2022; В Подмосковье создали реестр приемных семей, готовых принять детей из ЛДНР “В Подмосковье создали реестр приемных семей, готовых принять детей из ЛДНР [Moscow Oblast creates a register for families ready to take children from LDPR],” *MosregToday*, 15 April 2022.

¹⁵ “В Подмосковье приёмные родители, взявшие на воспитание детей-сирот из Донбасса, будут получать дополнительную выплату [Parents in Moscow Oblast who took orphaned children from Donbas into their care will receive additional benefits],” *In-vidnoe*, 15 October 2022.

The state machine has been running rather smoothly. Before reaching Moscow or other regional centres with much fanfare (to be discussed in greater detail further in this analysis), southern regions closer to the border are usually the first stop of the deportation trains and buses, where the children wait in the confinement of repurposed summer camps. Olga Volkova, who heads a boarding school in occupied Donetsk, admitted that 225 children had been “evacuated” to an area near the Russian seaside city of Taganrog, and 10 had already been adopted in April.¹⁶ As to the procedure, the so-called DPR and Russian officials make a list of suitable candidates, “secure citizenship for them,” and “send them to new families in Russia,” she further explained. Volkova contended that “[i]f there are Ukrainian relatives, they can stay in touch, call and perhaps eventually meet.” Thereby, Russia acknowledged that at least some of the abductees had living relatives in Ukraine, from whom they were deliberately separated as part of this state-run operation.

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By August of 2022, the Official Internet Portal of the Department for Family and Childhood in Krasnodar Krai claimed that over 1 000 Ukrainian children abducted from the city of Mariupol were available for the illegal adoption scheme in Krasnodar Krai.¹⁷ 300 more minors were reportedly placed in childcare facilities and waiting to be adopted in Krasnodar Krai alone. The authorities later deleted the statement and claimed it had been posted “unsanctioned” as a result of a cyber-attack

¹⁶ Sarah El Deeb, Anastasiia Shvets, and Elizaveta Tilna, “How Moscow grabs Ukrainian kids and makes them Russian,” *The Associated Press*, 14 October 2022.

¹⁷ Iryna Znas, “Росія заявила про усиновлення тисячі незаконно вивезених з Маріуполя дітей [Russia announces adoption of a thousand children illegally removed from Mariupol],” *ZN.UA*, 23 August 2022.

on the government website.¹⁸ It has, however, been archived and will serve as evidence for the courts of the future.¹⁹

A Ukrainian official said that one day, the Russians “simply took away all the children [from a hospital in Mariupol] who were left without parents.” Ukraine still does not know where these children are.²⁰ From further investigative reports and the Russian government’s many admissions, we learnt that those children likely vanished into the Russian heartland, to the regions of Tyumen, Irkutsk, Kemerovo, Yamalo-Nenets Autonomous Okrug, Kaluga Oblast, and Altai Krai – over 3 000 kilometres away from their home.

Russia acknowledged that at least some of the abductees had living relatives in Ukraine, from whom they were deliberately separated as part of this state-run operation

16 Russian regions participate in the forced resettlement scheme, with the governors personally responsible for selecting families suitable for the adoption programme.²¹ Being accomplices to forced deportations should, therefore, be added to the running list of crimes, for which the Russian local government officials (governors, in particular) should be sanctioned.²² Just in one week of October, the Kremlin reported that 234 alleged orphans – aged between one and five – had arrived in the Moscow region by a Russian Aerospace Forces plane.²³ In the same month, Novosibirsk Oblast welcomed “the biggest group” of abducted children

¹⁸ “[Информация о кибератаке](#) [Information about a cyber-attack],” Official Internet Portal of the Department for Family and Childhood, 24 August 2022.

¹⁹ Official Internet Portal of the Department for Family and Childhood, “[Мальши из Мариуполя ищут новые семьи](#) [Children from Mariupol looking for new families],” Web Archive, 23 August 2022.

²⁰ <https://www.nytimes.com/2022/10/22/world/europe/ukraine-children-russia-adoptions.html>

²¹ “[Семьи России приняли почти 350 сирот из Донбасса, заявила Львова-Белова](#) [Russian families took in almost 350 orphans from Donbas, Lvova-Belova says],” *RIA Novosti*, 26 October 2022.

²² Ivan U. K. Klyszcz, “[Russia’s Federal Subjects at War: Background and Implications](#),” *The International Centre for Defence and Security*, 24 October 2022.

²³ “[Maria Lvova-Belova brought children from Donetsk People’s Republic to Russia](#),” Official Internet Resources of the President of Russia, 7 October 2022.

from Ukraine, aged from two to sixteen years old; Governor Andrey Travnikov personally “delivered” a plane full of them to their new Russian “parents.”²⁴

It is important to remember that Moscow itself outlawed the adoption of Russian children by foreign nationals with its notorious “Dima Yakovlev Law” and thereby denied many of them the critical medical treatment that they are otherwise unable to receive in their home country.²⁵ Now, however, it exploits humanitarian grounds for forcible transfers and the guise of evacuation. As a legal justification to remove children from Ukraine, Russia claims that they require special medical attention while unapologetic for the fact that its own targeting of the civilian population caused those injuries. 15 000 children, aged from two to seventeen years old, were “examined” by the doctors, commissioned from Russia, in the occupied region of Luhansk alone. According to the Ukrainian government, the Russian doctors concluded that 70% of children needed to be transferred to specialised healthcare facilities in Russia (which they were).²⁶

Following such evacuations for contrived reasons, the return home is delayed. Families, seeking to retrieve their children, are thus lured

Families, seeking to retrieve their children, are lured into Russia or Russia-held territories and then risk being denied crossing back

into Russia or Russia-held territories and then risk being denied crossing back. It was the case for a twelve-year-old Alina from Vovchansk District in Kharkiv Oblast, whom her mother was eventually persuaded to send, under her Ukrainian teacher’s guardianship, for treatment

²⁴ “[Новосибирская область приняла первую группу детей из ЛНР для передачи в приёмные семьи](#) [Novosibirsk Oblast welcomes the first group of children from LPR to transfer them to families for adoption],” *Status-Media*, 13 October 2022.

²⁵ Maria Zelenova, “[Invisible Children: Russia’s Dima Yakovlev Law](#),” *NATO Association of Canada*, 1 February 2017.

²⁶ “[Russians Prepared 10,500 Children For Deportation To Russia](#),” *National Resistance Center*, 26 November 2022.

at a sanatorium in Russia.²⁷ The parent was advised not to give Alina a phone – but she did it anyway, together with a separate sim card and instructions to send a distress signal; this conspiracy allowed them to finally reunite.

Absent such determined and resourceful parents, other children were less lucky. A fourteen-year-old Anya from a home for tuberculosis patients in Mariupol was taken – against her explicit will – for what was first described as a short rehabilitation at a hospital in Moscow; she was then placed with a Russian foster family despite her vocal demands to return to Ukraine.²⁸ In another example, Ukrainian Parliament Commissioner for Human Rights Dmytro Lubinets reported that Russian forces had removed vulnerable children, aged nine to seventeen, from a *‘dytiachyi budynok-internat’* (boarding school) in then-occupied Kherson Oblast before retreating.²⁹ It should be noted that far from all residents at such institutions are orphaned: on the contrary, as of 2017, 92% had parents.³⁰ So does Anya, whose mother is disabled and cannot take her of a special-needs child.

Most recently, an independent journalistic investigation uncovered that fourteen children (all under five years old) had been deported from occupied Kherson to *“Yolochka,”* an orphanage in the city of Simferopol in the Autonomous Republic of Crimea, which specialises in housing patients with neurological and psychiatric disorders.³¹ Previously, the Russian occupation administration in Kherson stated that forty children had been evacuated

to Crimea.³² Some children’s profiles then appeared on *“usynovite.mosreg.ru,”* a Moscow regional government’s website for adoptions. The Simferopol institution already came into the media spotlight in 2020 following accusations of child abuse. Former employees and parents who adopted children from *“Yolochka”* claimed that they exhibited signs of severe neglect, malnourishment, physical exhaustion, and psychological trauma. Back then, even the Kremlin outlets, such as *RIA Novosti*, compared the Crimean orphans’ house to “a concentration camp.”³³ The facility’s declared educational objectives are “fostering patriotism” and teaching its little special-needs residents to “identity as citizens of a multinational Russia.”³⁴ One cannot help but wonder whether these standards of childcare prompted the Russian authorities to choose it.

1.2. THE PERSONIFICATION OF EVIL

Russia’s covert abduction campaign has a very public face. As Petro Andriushenko, an advisor to the mayor of Mariupol, reported citing his sources in the occupation administration, 540 orphans from Donetsk Oblast – with 267 children from Mariupol and Volnovakha – were held on the territory of *“Romashka”* recreational complex in the village of Zolotaya Kosa (Rostovskaya Oblast), close to the Ukrainian border.³⁵ There, the children were processed in order to be issued the Russian passports under the Putin-instituted simplified procedure, he said and added that in charge of the process was Maria Lvova-Belova, the presidential commissioner for children’s rights.

²⁷ Olesya Bida, [“Імовірно, в РФ вивезли 700 тисяч дітей. Навіщо росії українські діти та які шанси повернути їх додому”](#) [700 thousand children might have been deported to Russia. Why Russia needs Ukrainian children and what are the chances to return them home], *Hromadske*, 11 November 2022.

²⁸ Emma Bubola, [“Using Adoptions, Russia Turns Ukrainian Children Into Spoils of War,”](#) *The New York Times*, 22 October 2022.

²⁹ [“Викрадених з Херсонського інтернату дітей вивезли до психлікарні у Криму – омбудсмен”](#) [Children abducted from a Kherson boarding school transferred to a psychiatric hospital in Crimea, - Ombudsman says], *Slovo i Dilo*, 6 November 2022.

³⁰ [“Рева: У 92 % дітей в інтернатах є батьки”](#) [Reva: 92% of children in boarding schools have parents], *Focus*, 17 April 2017.

³¹ Anna Ryzhkova, Regina Gimalova, [“Российские власти вывезли не менее 14 сирот из Херсона младше пяти лет в крымский детдом ‘Ёлочка’”](#) [Russian authorities deported at least 14 orphans under five years old from Kherson to the ‘Yolochka’ orphanage in Crimea], *Verstka Media*, 26 January 2023.

³² [“Детей-сирот из Дома малютки в Херсоне эвакуировали в Крым - власти”](#) [Children from an orphanage in Kherson evacuated to Crimea, - authorities say], *Interfax Russia*, 21 October 2022.

³³ [“‘Невесомый, как кукла.’ Почему крымский дом ребенка стал ‘конлагерем’”](#) [Weightless as a doll. How a Crimean orphanage became a ‘concentration camp’], *RIA Novosti*, 4 September 2020.

³⁴ Yolochka Republican Specialised Children’s House For Children With Central Nervous System And Psychiatric Disorders, [Рабочая программа воспитания на 2021-2025 гг.](#) [Working Programme on Education for 2021-2025] (Simferopol: State Budget Funded Healthcare Facility in Republic of Crimea Yolochka, 2021).

³⁵ [“540 дітей-сиріт з Донеччини утримують у комплексі ‘Ромашка’ Ростовської області РФ – радник мера Маріуполя”](#) [540 orphaned children from Donetsk held at ‘Romashka’ complex in Rostov Oblast of the Russian Federation – advisor to the mayor in Mariupol], *Zmina*, 31 May 2022.

After predecessor Anna Kuznetsova moved into a new office of the State Duma's Vice-Speaker (following the September 2021 general elections and successful campaigning for the 'traditional family values' in the Constitutional Amendments of 2020), Vladimir Putin installed a zealous crusader in her place.³⁶ As a devoted Russian Orthodox, Ombudswoman Maria Lvova-Belova lives by what she preaches: she gave birth to five children, adopted four, and fostered thirteen more.³⁷ One particular case of adoption – to be discussed in greater detail in the next chapter – might, however, land her in the felon's dock.

It was at a meeting with Maria Lvova-Belova in early March of 2022 when President Putin first promised to reduce the red tape and simplify the illegal adoption process of Ukrainian children. The Ombudswoman then complained about 1 090 alleged orphans from Donbas who had already arrived in Russia and needed to find a new home:³⁸

Russians have big hearts and are already queuing up to take care of these children. [...] We have already compiled a registry for those who have documents. Some could be put into temporary accommodation, while those with Russian citizenship could settle permanently.

Every day, the Ombudswoman's office was reportedly receiving dozens of requests from compassionate Russians.³⁹ By 31 May, Maria Lvova-Belova estimated that 1 200 Russian families were queuing to become voluntary accomplices in their state's criminal enterprise.⁴⁰ With as many as 2 000 "unaccompanied children" subsequently "evacuated" from Ukraine, Lvova-Belova promised that she and her office were acting as a middle(wo)man so

that "everyone willing would be able to take a child in due time."⁴¹ She further explained that such service was needed since Ukraine's territories were still inaccessible to Russian citizens.

Cynically, on World Children's Day, Maria Lvova-Belova announced that 240 000 "miserable children were evacuated from Donbas and Ukraine," and 120 Russian families had already applied for their adoption.⁴² And at a news conference on 26 October, she stated that 350 of those children had already been adopted.⁴³ Reporting to the Civic Chamber on the children whom Russia had first stolen from Mariupol, Ombudswoman Lvova-Belova complained that their attitudes to their newly-imposed motherland of Russia were strictly negative.⁴⁴

They were highly critical in their comments about the President [Putin], told nasty things [about Russia], sang Ukraine's national anthem, and [chanted] 'Glory to Ukraine', and so on.

Yet the first field experiments under the state programme of 'de-Nazification' and 're-education' of young Ukrainians into 'proper Russians' were successful in the eyes of the Russian government. With due time and effort, "all the negativity [...] translated into love for Russia," Ombudswoman added. She did, however, admit that achieving such a success, at times, required psychiatrists' involvement. Children separated from their real families and familiar surroundings were so traumatised that they exhibited "troubles sleeping, were crying and weeping at night."⁴⁵ Maria Lvova-Belova's comments are a perfect encapsulation of what the professed policy and its ultimate goal in Ukraine aim at – i.e., erasing the Ukrainian identity, forced assimilation, with family

³⁶ ["Поддержка семей с детьми, профилактика сиротства, общественный контроль: Анна Кузнецова рассказала об изменениях в семейной сфере после принятия поправок в Конституцию](#) [Support for families with children, preventing orphanhood, civic control: Anna Kuznetsova talks about changes in family policy following the amendments to the Constitution], *United Russia*, 10 December 2021.

³⁷ Viktoriya Chyulyukina, ["Путин назначил на пост детского омбудсмена сенатора Марию Львову-Белову](#) [Putin appoints Senator Maria Lvova-Belova to the position of Children's Ombudsman], *V1.RU*, 27 October 2021.

³⁸ ["Meeting with Commissioner for Children's Rights Maria Lvova-Belova"](#), Official Internet Resources of the President of Russia, 9 March 2022.

³⁹ Odoevtseva, "Russia says citizens eager to adopt children from Donbas."

⁴⁰ ["В России 1200 семей готовы принять детей-сирот из Донбасса](#) [1 200 Russian families ready to take in orphaned children from Donbas], *RIA Novosti*, 31 May 2022.

⁴¹ ["Детская омбудсмен РФ незаконно усыновила украинского ребенка из Мариуполя](#) [Russian Children's ombudsman illegally adopts a Ukrainian child from Mariupol], *Focus*, 27 October 2022; ["350 сирот из Донбасса нашли приемные семьи в России](#) [350 orphans from Donbas found adopted families in Russia], *Vedomosti*, 26 October 2022.

⁴² Vladimir Yemelyanenko, ["120 российских семей подали заявки на усыновление сирот Донбасса и Украины](#) [120 Russian families applied to adopt orphans from Donbas and Ukraine], *Rossiyskaya Gazeta*, 1 June 2022.

⁴³ "350 orphans from Donbas," *Vedomosti*.

⁴⁴ BBC News Russian Service (@bbcussian), ["Уполномоченная по правам ребенка Мария Львова-Белова рассказала о том, как сирот из Мариуполя в новых семьях учат любить Россию](#) [Envoy on children's rights Maria Lvova-Belova talks about how the new families teach orphans from Mariupol to love Russia], Telegram, 28 September 2022.

⁴⁵ Yemelyanenko, "120 Russian families applied."

separations and even medical involvement, if necessary.

As to the return of the stolen children to Ukraine, the Ombudswoman ruled it out as “incomprehensive” of a suggestion. She claimed that Ukraine had abandoned them, “[a]nd now, for whatever reason, they want the children back.”⁴⁶ She failed to mention that although the children had been separated from their parents before their deportation, it happened due to Russia’s indiscriminate attacks, with both acts constituting war crimes.

Ukraine has not been alone in attributing the blame to Maria Lvova-Belova. As a facilitator of the Russian aggression in Ukraine, she was sanctioned by the U.S. Department of the Treasury’s Office of Foreign Assets Control (OFAC).⁴⁷

[...] working directly under Putin, [she] has led Russia’s efforts to deport thousands of Ukrainian children to Russia. Lvova-Belova’s efforts specifically include the forced adoption of Ukrainian children into Russian families, the so-called “patriotic education” of Ukrainian children, legislative changes to expedite the provision of Russian Federation citizenship to Ukrainian children, and the deliberate removal of Ukrainian children by Russia’s forces.

The UK Government further accused Maria Lvova-Belova of orchestrating the policy of forced adoptions that enabled 2 000 known cases of violent deportations.⁴⁸ For her active participation in the above-mentioned crimes, Maria Lvova-Belova was also sanctioned by Australia, Canada, France, Switzerland, the EU, and the UK.⁴⁹

1.3. “I HAVE TAKEN A CHILD, SO SHOULD YOU.” PROPAGANDA CAMPAIGN AND PSYCHOLOGICAL WARFARE

Whereas the Nazis used to run their programme in secret, Russians – from state officials on all levels to ordinary citizens – are vocal about their atrocities. Yelena Zaitseva, head of the Department for Trusteeship Over Minors in Moscow, did not curb her enthusiasm when applauding the arrival of Ukraine’s stolen children in July, saying, “Now, they are ours.”⁵⁰

Whereas the Nazis used to run their programme in secret, Russians – from state officials on all levels to ordinary citizens – are vocal about their atrocities

In November, Russian ‘military bloggers’ circulated a multi-part ‘documentary’ series speculating that as many as 150 000 were “evacuated” and put up for adoption.⁵¹

Leading by example, Maria Lvova-Belova – already a mother of twenty-two – has recently taken in one more foster child, teenager Filipp from Mariupol.⁵² Her big announcement to the state TV audiences coincided with the Day of Family, Love, and Fidelity, celebrated in Russia on 8 July. The Ombudswoman claimed that the boy had been “disowned” by his parents. As soon as she had seen him in Mariupol, she immediately understood “he [would be] mine.”⁵³

In no time, Filipp became a poster child for Russian propaganda, with his many appearances and emotional feature films

⁵⁰ Elena Zaitseva (elena_mama2zaek), “Теперь они наши [Now they are ours],” VK, 14 July 2022.

⁵¹ Kostnews (@sashakots), “Детство. Возвращение—3 серия ‘Три семьи’ [Childhood. The Return—Episode 3 ‘Three Families’],” Telegram, 9 November 2022; Voenkor Kotenok Z (@voenkorKotenok), “Детство. Возвращение—4 серия ‘Детям нужно говорить, что ты их любишь’ [Childhood. The Return—Episode 4 ‘Children need to be told that they are loved],” Telegram, 16 November 2022.

⁵² “Детский омбудсмен Львова-Белова взяла под опеку мальчика из Донбасса [Children’s Ombudsman Lvova-Belova took in a boy from Donbas],” RIA Novosti, 8 July 2022.

⁵³ Изнанка. Женщины [Background. Women], “Приёмные дети, личная жизнь и большая политика. Интервью детского омбудсмена. Мария Львова-Белова [Adopted children, private life, and big politics. An interview with the children’s ombudsman. Maria Lvova-Belova],” Background. Women, 2022, YouTube Video, 55:00.

⁴⁶ Robyn Dixon and Natalia Abbakumova, “Ukrainians struggle to find and reclaim children taken by Russia,” *The Washington Post*, 24 December 2022.

⁴⁷ U.S. Department of the Treasury, *Treasury Targets Additional Facilitators of Russia’s Aggression in Ukraine* (Washington D.C.: U.S. Department of the Treasury, 15 September 2022).

⁴⁸ Foreign, Commonwealth & Development Office and the Rt Hon Elizabeth Truss MP, *UK sanctions Russian linked to forced transfers and adoptions* (London: Government of the United Kingdom, 16 June 2022).

⁴⁹ “ALONG THE SANCTIONED PERSONS: Lvova-Belova Maria Alekseevna,” War & Sanctions, accessed on 2 February 2023.

on national TV.⁵⁴ Maria Lvova-Belova further described her struggle to change the boy's manners:⁵⁵

My adopted son runs after my young children and says, 'I will eat the Muscovite.' And this manifests itself in everything. [...] He tells them how he used to go out with a flag to demonstrate in support of Ukraine, how he used to celebrate various Ukrainian holidays. And he is proud of it!

The Ombudswoman complained that children like him "are not at all close to the culture and history of Russia, and they openly admit it;" the Russian Orthodox Church was foreign to Filipp, as well.⁵⁶ Ukraine has always been a multi-faith and multi-denominational society;⁵⁷ conversion of children of other religious backgrounds to the Russian Orthodox Church under duress is another count of crime. Additionally, Head of the Chechen Republic Ramzan Kadyrov boasted of having a young generation of Ukrainian children of whose patriotic re-education he would personally be in charge.⁵⁸

Treating Ukrainians as '*недорусские*' ('under-Russian' or 'not-yet-Russian') is a centuries-old and well-developed tradition that has been engrained in the Russian society. All the quoted remarks contribute to the mainstream

It contributes to the mainstream narrative that Ukrainians need to be civilised by the messianic Russian people for their own good

narrative about the vulgar and primitive Ukrainians who needed to be civilised by the messianic Russian people for their own good. If

adults cannot be brought to salvation, children still can. Akin to the times of the Great Game, the Russian Empire of the 21st century is spreading the word of God among the tribal – and dirty – children of Ukraine. Visuals play an important role in this campaign. It is, indeed, a 'white man's burden:' not surprisingly, the children the Kremlin media shows for their propaganda purposes are always blond.⁵⁹ And so are their 'new parents.' Ethnic minority groups (who are widely suspected to be the main pool from where the military authorities draw their conscript resources), are missing in the adoption propaganda materials.

Maria Lvova-Belova did, nevertheless, acknowledge that she had an ulterior or "another motive, too" behind her most recent adoption – it was her "professional duty" to take a child from the "liberated territories."⁶⁰

I think it would have been dishonest of me had I not contributed personally in any way. We call the governors and tell them: let us support [the campaign], help select the families [...]. And they could have rightfully objected, saying 'You go first and take one...' Now, I can tell them, 'I have taken a child, so should you.'

Indeed, such encouragement worked, and governors did line up to take a photo next to the Ombudswoman with the Ukrainian children in the background. A patriotic calling – as opposed to at least verifying that a child to be adopted was, in fact, orphaned – is apparently a good enough reason for many ordinary Russians. Olga Druzhinina, from the city of Salekhard along the Arctic Circle, adopted four children from Ukraine and was awaiting a fifth from the state. All of them she now considered "fully Russian."⁶¹

⁵⁴ "Это Мой Ребёнок": История Приёмного Сына Марии Львово-Беловой [This child is mine: The story of Maria Lvova-Belova's adopted son], *Tsargrad TV*, 18 November 2022, video.

⁵⁵ Dixon et al., "Ukrainians struggle."

⁵⁶ Yekaterina Rashevskaya, "Кровавая Мэри! Львова-Белова: как женщина-геноцид превращает украинских детей в янычар [Bloody Mary Lvova-Belova: how a genocide woman turns Ukrainian children into Janissary]," *24 Channel*, 28 October 2022.

⁵⁷ U.S. Department of State, *UKRAINE 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT* (Washington D.C.: Office of the International Religious Freedom, June 2022).

⁵⁸ "Кадиров Викрадає 3 Луганщини Дітей, Щоб Вирощувати З Них Головорізів, Які Потім Підуть Вбивати Українців – Гайдай [Kadyrov kidnaps children from Luhansk Oblast in order to raise them as assassins who would kill Ukrainians – Haidai], *5 Channel*, 7 December 2022.

⁵⁹ "Maria Lvova-Belova's visit to LPR and DPR," photographs, Official Internet Resources of the President of Russia, 6 August 2022; Tatyana Vladykina, "В Подмосковье первые дети-сироты из ДНР устроены в семьи под временную опеку [Moscow region puts the first orphaned children from DPR in foster families]," photographs, *Rossiyskaya Gazeta*, 23 April 2022; "Вырастим и выучим: новосибирские семьи приняли детей из ЛНР [We will bring them up and give them education: Novosibirsk families adopt children from LPR]," photographs, *RIA Novosti*, 13 October 2022.

⁶⁰ Julia Borta, "Сразу поняла — это мой сын: Детский омбудсмен взяла в семью сироту из ДНР [I immediately knew he would be my son: Children's ombudsman took an orphan from Donbas into her family]," *Argumenty I Fakty*, 29 October 2022.

⁶¹ Bubola, "Using Adoptions, Russia Turns Ukrainian Children Into Spoils of War."

Our family is like a small Russia. [...] Russia took in four territories, and the Druzhinin family took in four children. [...] We are not taking what is not ours.

Whereas Germans living in the Third Reich could at least claim blissful ignorance when applying to adopt under the government-instituted programme, Russians will have no plausible deniability excuse.⁶² Neither Putin nor they shall ever be granted any legal ‘offramp’ when Ukraine begins a full-scale international campaign to repatriate the children and punish the perpetrators. It includes one “professional foster mother” who was reportedly called in by the Moscow social services to “come and look” at the Ukrainian children and potentially pick one for herself. She did pick and quickly got one after a “guardship trial” in bombed-out Mariupol. She explained herself by saying, “[W]e don’t talk about the war. Politics remains politics. This is not our business.”⁶³ This is a moral loophole that allows Russian people to justify any action by their government or themselves.

Aside from the “obvious echoes of Stalin’s demographic engineering,” Molly McKew, an expert on psychological and information warfare, said, abduction of Ukrainian children and their subsequent adoption act “as a form of internal control against both the Ukrainians and the Russians.”⁶⁴ It can be considered as a means of psychological warfare aimed against the Ukraine people. “It is a warning from the Kremlin that they will leave them with nothing” – no memory and no origin, no culture and no language, no children and no future. As “an attempt at psychological influence,” it failed, nonetheless. Even more so, as an embodiment

The policy itself, as whole-of-government approach suggests it might have been devised as a tool in psychological warfare

of pure evil, it achieved the opposite result by invigorating the Ukrainian society and rallying international support. It is, however, a tool of

⁶² “Stolen Children: Interview with Gitta Sereny,” *Talk* (November 1999), reprinted by permission of the author by Jewish Virtual Library, accessed on 2 February 2023.

⁶³ El Deeb et al., “How Moscow grabs Ukrainian kids.”

⁶⁴ Molly McKew, an interview with the expert, February 2023.

psychological warfare wielded as much against the Russian people, to ensure their complicity. It is “a broad exercise in building systems of control that have a straight line to Stalinist brutality,” Molly McKew concluded.

In parallel with the scale of Stalin’s demographic engineering, it appears clear that the abduction policy itself, as well as the whole-of-government approach (i.e., legislative input by the State Duma and direct involvement of regional authorities on all levels) adopted to put it into practice, indicate a long process of preparation. Such a high degree of premeditation, in turn, suggests that it might have been devised as a form and a tool in psychological warfare against Ukraine. The plethora of official statements serve not only as a public confession, an admission of guilt – but also as an effective propaganda not to be easily dismissed. They are potentially intended as a form of psychological pressure against the Ukrainian people. They are meant to demoralise and exhaust, as well as gaslight, forcing Ukrainian activists and government figures to waste their spare resources to explain why such actions are criminal – and not humanitarian.

Legal gaslighting potentially threatens to undermine support for Ukraine’s case by galvanizing hordes of paid lobbyists, pundits, and otherwise ‘useful idiots’ in the West generating false moral ‘whataboutism’

Yet, one aspect of the emerging Russian narrative warrants special attention. Maria Lvova-Belova claimed to have “rescued” 31 children “from the basements of Mariupol” whose parents “had left themselves and left their children behind.”⁶⁵ Such an outrageous claim – alleging that the parents who were forcefully separated from their children by the horrors of war waived their parental rights – can and will be used by Russia (under Putin and by the adopting families’ lawyers in Russia after Putin) to justify the abductions and reject Ukraine’s future repatriation requests. This legal gaslighting potentially threatens to undermine support for Ukraine’s

⁶⁵ “350 orphans from Donbas,” *Vedomosti*.

case by galvanizing hordes of paid lobbyists, pundits, and otherwise ‘useful idiots’ in the West generating false moral ‘whataboutism.’ The western public’s susceptibility to these claims shall not be underestimated, with the scandalous Amnesty International report that accused Ukraine of placing its civilian-populated cities in the way of the Russian missiles being just one canary in the Donbas coal mines.⁶⁶

2. THE VERDICT DELIVERED AHEAD OF TRIAL

The unlawful transfer and deportation of protected persons is a grave breach of the Fourth Geneva Convention on the protection of civilians and constitutes a war crime. The Kremlin must not be allowed to continue its persistent abuses with impunity.⁶⁷

Or as the U.S. Embassy in Kyiv put it as early as 22 March 2022: “*It is kidnapping.*”⁶⁸ Time and time again, the world (especially the western parts of it) has had to rely on the U.S. to put things in the bluntest terms possible, and oftentimes to be the first one to do so, in order to follow suit in what should not otherwise be a moral, political, or diplomatic dilemma.

This horrific crime that Russia is committing is being documented in real-time. And yet the international human rights organisations watch, not paralysed but still unable to do anything of substance to help the tormented children and their agonised families. A few things, however, *can be and are being done* already today: collecting and presenting evidence for the court of law and the court of public opinion.

2.1. TOO CRUEL TO BE TRUE

International law on abductions, forced deportations, and genocide has been settled. Yet the Kremlin probably thought (and may still

⁶⁶ “Ukraine: Ukrainian fighting tactics endanger civilians,” Amnesty International, 4 August 2022.

⁶⁷ Department of State (@StateDept), “The unlawful transfer and deportation,” Twitter, 18 September 2022.

⁶⁸ U.S. Embassy Kyiv (@USEmbassyKyiv), “According to the Ukrainian Foreign Ministry, Russian forces have illegally removed 2,389 Ukrainian children,” Twitter, 22 March 2022.

think) that the international community would allow it enough wiggle room regardless of how the war ends as it already did after Russia had annexed Crimea.

Russia’s occupation and all subsequent actions in Ukraine’s territories, which includes Russian proxies in the so-called DPR and LPR, are regulated by Article 42 of the 1907 Hague Treaty and the Fourth Geneva Convention.⁶⁹ When such actions constitute war crimes and crimes against humanity – and they do, as exemplified in this analysis – they fall under the Rome Statute.⁷⁰ The latter covers forced transfer of residents from the occupied territory; restricting access to the international monitors to the displaced population in the occupying power’s custody (as well as impeding contact between them and their families); cruel and degrading treatment. All of it, as the Yale School of Public Health’s Humanitarian Research Lab (HRL) already concluded, Russia was culpable.⁷¹

Before being deported to Russia, Ukrainian citizens are put in *filtration camps* where they are interrogated, subjected to inhumane conditions (with their freedom of movement limited by confinement), and pressured to change their citizenship.⁷² The Human Rights Watch (HRW) reported that Russian troops kept

⁶⁹ International Committee of the Red Cross (ICRC), [Geneva Convention Relative to the Protection of Civilian Persons in Time of War \(Fourth Geneva Convention\)](#), 75 UNTS 287 (Geneva: Diplomatic Conference of Geneva, ICRC, 12 August 1949); International Conferences (The Hague), [Hague Convention \(IV\) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land](#), (The Hague: International Peace Conference, 18 October 1907).

⁷⁰ United Nations General Assembly (UNGA), [Rome Statute of the International Criminal Court](#) (New York: United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, 17 July 1998), last amended in 2010. Neither Russia nor Ukraine are state parties to the Rome Statute. Ukraine accepted the International Criminal Court’s (ICC) jurisdiction when applied to all alleged crimes stemming from the war since 2014, see: Iryna Marchuk and Aloka Wanigasuriya, “[The ICC and the Russia-Ukraine War](#),” *ASIL Insights* vol. 26, issue 4 (5 July 2022); Russia signed the document but never ratified it; in 2016, it withdrew from the International Criminal Court Treaty, see: “[Russia withdraws from International Criminal Court treaty](#),” *BBC*, 16 November 2016.

⁷¹ Humanitarian Research Lab at Yale School of Public Health, [System of Filtration: Mapping Russia’s Detention Operations in Donetsk](#) (New Heaven: Yale University, 25 August 2022).

⁷² Spokesman for the Minister Coordinator of Special Services, “[Special Services Have Identified Russian Filtration Camps](#),” Website of the Republic of Poland, 27 July 2022; Shaun Walker, “[Filtration and Forced Deportation: Mariupol Survivors on the Lasting Terrors of Russia’s Assault](#),” *The Guardian*, 26 May 2022.

70 children (five of whom were infants) for 28 days in a schoolhouse basement in the village of Yahidne. Imprisoned, they had no access to fresh air or space to lie down and were forced to use buckets to relieve themselves, all of which resulted in hacking up blood, cough spasms, and high fever in children, according to a witness account.⁷³

As Yale's HRL argues, filtration is a part of a larger system – rather than standalone camps – with “multiple different types of facilities with different purposes.”⁷⁴ It has also been alleged by Ukrainian officials that the structure for filtration and resettlement had been created before the invasion began.⁷⁵ Fourteen-year-old minors were reported to undergo filtration themselves, while younger children were typically separated and forced to wait – in the same dehumanising conditions – for their parents to pass the process.⁷⁶

As the investigation of the Bucha Massacre has uncovered, the murder of children is not a line Russian forces would not cross either.⁷⁷ After the Ukrainian Armed Forces liberated Kherson, the city that had suffered the longest under the Russian occupation, *torture chambers for children* were discovered.⁷⁸ Dmytro Lubinets, Ukrainian Parliament Commissioner for Human Rights, recalled that a fourteen-year-old boy was detained for taking pictures of the Russian equipment. In the “children’s cells,” minors were subjected to psychological pressure and told that they had been abandoned by their parents.

It would not be overreaching to suggest that coercing minors to accept Russian citizenship via torture chambers might be part of an established procedure as well. After weeks in

captivity, any adult – let alone a child – will ‘break’ and ‘voluntarily’ agree to a Russian passport as a means to end the brutal

Any child will ‘break’ and ‘voluntarily’ agree to a Russian passport as a means to end the brutal psychological and mental torture and agree to adoption to save their life

psychological and mental torture and agree to adoption in Russia to simply save their life.⁷⁹

It is important to remember that the U.N. views the criteria governing forcible transfer as resting upon “the absence of consent and may also include the use of force, coercive measures, and inducement to flee.”⁸⁰ Even when provided with some sort of explanation, the cases cited in this analysis testify to the fact that the children were often misled as to the whereabouts of their parents or outright lied about having been abandoned by their families.⁸¹

For instance, despite a woman’s pleading with the occupant authorities not to send her grandson to Russia and assuring them that she would risk her life to travel to the occupied city of Mariupol, the Russians deemed a twelve-year-old boy suitable for adoption after capturing his mother.⁸² Mother and son were brutally separated against their will by Russian troops at the local hospital where they sought medical help having suffered an injury. First deported to Donetsk, he was then told he had no family left. Abuse of healthcare facilities as the grounds to seek out the most vulnerable (and the least likely to resist) is a detail to be remembered.

In another case, six siblings (aged seven to seventeen), whom a family friend tried to

⁷³ “Ukraine: Executions, Torture During Russian Occupation. Apparent War Crimes in Kyiv, Chernihiv Regions,” Human Rights Watch, 12 May 2022.

⁷⁴ Humanitarian Research Lab, *System of Filtration*, 19.

⁷⁵ “Documents provided by Denisova to POLITICO that she said were obtained by Ukraine’s intelligence services,” see: Christopher Miller, “One Ukrainian Family’s Perilous Journey through Russia’s ‘Filtration Camps,’” *POLITICO*, 26 May 2022.

⁷⁶ Simon Ostrovsky, Ainara Tiefenthäler, and Alessandro Pavone “Video: Surviving Russia’s ‘Filtration Camps,’” *The New York Times*, 20 June 2022, video.

⁷⁷ Callaghan Louise, “Bodies of mutilated children among horrors the Russians left behind,” *The Times*, 4 April 2022.

⁷⁸ Tetiana Lozovenko, “Children’s torture chambers found in liberated territories,” *Ukrainska Pravda*, 14 December 2022.

⁷⁹ Mackintosh, Eliza, Oleksandra Ochman, Gianluca Mezzofiore, Katie Polglase, Teele Rebane, and Anastasia Graham-Yooll, “Russia or Die: After Weeks under Putin’s Bombs, These Ukrainians Were given Only One Way Out,” *CNN*, 7 April 2022.

⁸⁰ U.N. Sub-Commission on Prevention of Discrimination and Protection of Minorities, *The human rights dimensions of population transfer, including the implantation of settlers: progress report by A.S. Al-Khasawneh and R. Hatano*, (New York: U.N. Commission on Human Rights, 30 June 1994); para 131.

⁸¹ We only know about these two detailed accounts because those families eventually managed to recover their children.

⁸² Dixon et al., “Ukrainians struggle.”

evacuate to Ukraine-held territories, were apprehended at a checkpoint.⁸³ The Russian forces refused to recognise their documents that indicated that the children had surviving parents. The mother recalled that she had sent all the documents required by the occupant authorities in her effort to recover the children but was, nonetheless, turned down.⁸⁴ Olga Lopatkina went on record, testifying that:

It was kidnapping. The worst thing was that they always told our children, 'Just forget about your parents. That's it. You will go to Russia and you will be Russians.' All along they were telling our kids they would be better off in Russia. [...] Your parents, they abandoned you. They don't want you.

Furthermore, some of those children's parents were known to the Russian authorities to be Ukrainian government officials or serve in the Ukrainian Armed Forces, which might suggest that they were being held hostage as a form of intimidation, blackmail, or retaliation.⁸⁵ In addition, Russian forces kidnapped local children and threatened parents if they revealed troop coordinates.⁸⁶ Dr. Viktoria Obidina, a military physician, was separated from her four-year-old daughter Alisa on Mother's Day by Russian soldiers during the UN/ICRC evacuation from the Azovstal steelworks tunnels; after the filtration camp in the city of Manhush, the whereabouts of the child remained unknown.⁸⁷

Sixteen-year-old Vladyslav Buryak, son of Oleg Buryak, the head of military administration in Zaporizhzhia, was kidnapped by Russian soldiers in April 2022 at a checkpoint on the way from captured Melitopol to Ukraine-held Zaporizhzhia.⁸⁸ According to "Missing Children

Europe," Vlad's was the first recorded case of a "politically motivated criminal abduction of a Ukrainian child."⁸⁹ Not only as a bargaining chip or a human trophy for the homeland, the abducted children were used as 'human shields' for the retreating Russian forces.⁹⁰

Children – as young as two years of age, without guardship by an adult who would have their best interest at heart, and in a foreign country surrounded by propaganda-fuelled, ethnicity-based hostility – are the most vulnerable. They may become victims of human and sex trafficking, child labour, and other forms of exploitation, as well as forced marriages including with minors (which are, unfortunately, still a common practice in Russia's Northern Caucasus provinces).⁹¹ The worst may already be happening. On 2 February 2023, Ukrainian Parliament Commissioner for Human Rights Dmytro Lubinets accused Russia of child pornography.⁹² Although yet to be formally presented as evidence, screenshots that the Ombudsman shared show a pre-school boy, described as orphan from Ukraine and advertised for sex work, with the service allegedly costing 250 000 rubles.⁹³

Additionally, teenage boys face a higher risk of unlawful incarceration and forced recruitment. For instance, speaking with Ombudswoman Maria Lvova-Belova, Head of the Chechen Republic Ramzan Kadyrov asked her to bring "difficult teenagers" to Chechnya for military-patriotic education.⁹⁴ It was not an empty

⁸³ El Deeb et al., "How Moscow grabs Ukrainian kids."

⁸⁴ Dixon et al., "Ukrainians struggle."

⁸⁵ Aleksandra Klitina, "Hundreds of children taken from Ukraine found in Russia's Taganrog," *Kyiv Post*, 27 June 2022.

⁸⁶ OSCE, *Report On Violations Of International Humanitarian And Human Rights Law*, 41.

⁸⁷ Harvard Medical School, "Open letter to the President of the International Committee of the Red Cross, Peter Maurer, and to the Secretary-General of United Nations Antonio Guterres," Google Docs, accessed on 2 February 2023; Senate Foreign Relations Committee Ranking Member (@SenateForeign), "I'm Particularly Concerned about the Children Separated from Their Parents like the Case of Victoria Obidina Who Was Separated from Her 4yr Old Daughter & Remains Missing," Twitter, 25 May 2022.

⁸⁸ For the horrific details of Vlad's solitary confinement, see: Paulina Villegas and Reis Thebault, "90 days in Russian prison: A Ukrainian teen's tale of terror and hope," *The Washington Post*, 16 July 2022.

⁸⁹ "Abducted 16-year-old son of Zaporizhzhia official released from Russian captivity," Missing Children Europe, 26 July 2022.

⁹⁰ Daniel Boffey, "Ukrainian children used as 'human shields' near Kyiv, say witness reports," *The Guardian*, 2 April 2022.

⁹¹ Sheniz Tan, "A profile of Child Marriage in the Caucasus," Asfar CIC, 11 December 2017.

⁹² Keterina Kyznetsova, "Россияне похищают украинских детей и снимают с ними порнографические видео – омбудсмен [Russians steal Ukrainian children and film pornography videos - ombudsman]," *TSN*, 2 February 2023.

⁹³ Ombudsman Dmytro Lubinets, (@dmytro_lubinets), "Із телеграм каналів стало відомо, що росіяни викрадають українських дітей і знімають з ними відео сексуального характеру [Telegram channels show that Russians steal Ukrainian children and film them sexualised videos]," Telegram, 2 February 2023.

⁹⁴ Kadyrov_94 (@RKadyrov_95), "В рамках реализации федеральной программы 'Подростки России' в Чеченскую Республику прибыли 200 трудных подростков из различных субъектов России, в том числе Луганской и Донецкой Народных Республик [Under the auspices of the federal programme 'Russia's Teenagers,' the Chechen Republic welcomed 200 difficult teenagers from various Russian regions, including Luhansk and Donetsk People's Republic]," Telegram, 16 November 2022.

threat. Serhiy Haidai, head of the Luhansk Military Administration, feared that over one hundred teenagers had already been sent to Chechnya.⁹⁵ Haidai recalled that between 2020 and 2021, Ukraine's State Security Service had apprehended several Russian sabotage groups with twenty- and twenty-one-year-old members from Donbas, which meant that they were still children when the war had broken out in 2014.⁹⁶

The 'partial mobilization' campaign introduced by President Putin in September of 2022 immediately exposes teenage boys, who were pressured to take Russian citizenship, to conscription into the Russian military. Being drafted into the enemy's army to fight against his homeland was the fear of Timofey, who was only months away from turning eighteen when he was abducted.⁹⁷

2.2. THE EERILY WARNING SIGNS

Before implementing a nationwide policy, the Kremlin always beta-tests its innovations. Before attempting to swallow entire Ukraine back into the empire (and choking in the process), it annexed Crimea. Before launching a full-scale military assault on 24 February 2022, it invaded Donbas in the spring of 2014.

In January 2023, the European Court of Human Rights in its decision pertaining to the Malaysia Airlines Flight MH17 – finally and officially – confirmed that it was, indeed, Russia who effectively occupied and maintained control over parts of Donetsk and Luhansk Oblasts of Ukraine, not some local separatist militia.⁹⁸ The court thereby ruled that Russia bears full responsibility for the crimes committed there over the last almost nine years.

In 2014, over 80 children from Donbas were stopped at illegal Russian checkpoints and abducted.⁹⁹ In one instance, Russian proxy

forces hijacked a minibus with twenty-five children en route to evacuate from Donetsk region to Dnipropetrovsk region and forced it to drive to Russia.¹⁰⁰ Ukrainian officials chaperoning the bus were stripped from their cell phones and children's identification papers. Despite having no proper documentation, the bus was allowed to cross the border into Russia. Sixteen children were later found at a 'refugee camp' in the city of Novoshakhtinsk in Rostov Oblast.¹⁰¹

Ukraine states that there were 4 323 orphans in childcare facilities in the territory of Crimea as of February 2014.¹⁰² After the occupation, Moscow introduced a "Train of Hope" programme encouraging Russian families to adopt and relocate those children, with their birth certificates changed in the process, which allowed Russia to cover that train's tracks. Although the exact number of children stolen via this programme is unclear, Kateryna Rashevskaya, a human rights defender, can testify to at least 30 cases.¹⁰³ In April 2022, Ukraine's former Commissioner for Human Rights Liudmyla Denisova reminded that Russia had previously been excluded from the European Network of Ombudspersons for Children (ENOC) for "abducting children from the Crimean Peninsula."¹⁰⁴

A report on the "Human rights situation in the Autonomous Republic of Crimea" indicated that abusive measures targeted Crimean Tatars and were to be viewed as a deliberate policy of discrimination.¹⁰⁵ It specifically drew attention to the militarization of schools through course training managed by the Russian officers, attempts to impose militaristic education policies and radicalise young people. Moscow was also accused of compelling persons protected by the Fourth Geneva Convention to

⁹⁵ Kadyrov kidnaps children from Luhansk Oblast, *5 Channel*.

⁹⁶ "Дітей на Луганщині викрадають для кадирівського 'виховання' у Чечні – ОВА [Children from Luhansk Oblast are abducted to be sent for Kadyrov's re-education in Chechnya – OMA]," *Slovo i Dilo*, 7 December 2022.

⁹⁷ El Deeb et al., "How Moscow grabs Ukrainian kids."

⁹⁸ European Court of Human Rights, *Grand Chamber decision Ukraine and the Netherlands v. Russia*, ECHR 026 (Strasbourg: European Court of Human Rights, 25 January 2023).

⁹⁹ El Deeb et al., "How Moscow grabs Ukrainian kids."

¹⁰⁰ "Сепаратисти вивезли в Росію частину захоплених дітей зі Сніжного [Separatists moved some children captured in Snizhne to Russia]," *LB.UA*, 12 June 2014.

¹⁰¹ Roman Kravets, "Терористи відвезли дітей зі Сніжного в ростовський табір для біженців [Terrorists placed the children from Snizhne into a refugee camp in Rostov]," *ZAXID*, 12 June 2014.

¹⁰² "Ethnocide and cultural genocide in Crimea: fiction or factual reality?," *Voice of Crimea. Culture*, 2 January 2022.

¹⁰³ El Deeb et al., "How Moscow grabs Ukrainian kids."

¹⁰⁴ Lyschor, "Russians forcibly removed over 121 000 Ukrainian children."

¹⁰⁵ Council of Europe, *Human rights situation in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine*, SG/Inf(2022)15 (Strasbourg: Council of Europe, 4 May 2022), para 30, 40.

serve in the forces of a hostile power, which is a grave breach of international law.¹⁰⁶ In 2022, Moscow was disproportionately conscripting Crimean Tatars into the Armed Forces of the Russian Federation.¹⁰⁷

The world cannot afford to ignore smaller-scale Russian crimes – not yet again, not even in exchange for some sort of a negotiated solution. New atrocities shall not overshadow earlier misdeeds. Ukraine must return Crimea and Crimea’s stolen children.

2.3. THE BANALITY OF GENOCIDE

In April 2022, *RIA Novosti* published an article titled “What Russia has to do with Ukraine.”¹⁰⁸ That manifesto first accused “common people” of all ages born or raised in independent Ukraine of “being passive Nazis” for the simple act of living in – again – independent Ukraine. “[T]his bulk of the population” would require “re-education through ideological repressions,” which will “inevitably include de-Ukrainization” or “rejection of the large-scale artificial inflation of the ethnic component in the self-identification.” “[N]o less than one generation that has to be born, brought up, and mature” under the Russian “supervision.” Through the “seizure of educational materials and the prohibition of educational programmes” being just one proposed measure, Ukraine “will be eradicated.”

Drawing upon similar public comments, Timothy Snyder thinks (and is hard to argue with) that the deportation and adoption strategy “follows the same logic that led Russia to invade Ukraine in the first place: that Ukrainians are just white Christian proto-Russians, unaware of their true

identity, who can be remade with force.”¹⁰⁹ And from a Ukrainian perspective, this is genocide.

The U.N. Convention ruled that genocide means any “acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group,” specifying that “[f]orcibly transferring children of the group to another group” qualifies as genocide.¹¹⁰ An independent inquiry by a team of experts concluded that there were reasonable grounds to believe Russia was responsible for “direct and public incitement to commit genocide,” as well as “a pattern of atrocities” from which such intent to destroy the “Ukrainian national group” can be inferred.¹¹¹

With that in mind, Ukraine has started to prepare its legal case. In June 2022, then-Prosecutor General Iryna Venediktova announced that her team was examining allegations of the forcible deportation of children to Russia seeking to build a genocide indictment.¹¹² With a strong case on the merits, Ukraine needs to collect the body of evidence to prove Russia committed genocide in the legal battle. Melanie O’Brien, president of the international association of genocide scholars, considered that the forcible transfer of children would be Ukraine’s most damning evidence to win.¹¹³

Even if the grand design never materialises, some elements of this genocide-in-the-making, such as erasing identity through erasing memory in children, shall not be overlooked

Even if the grand design never materialises to its fullest extent (and it can only be prevented

¹⁰⁶ U.S. Ambassador to OSCE Permanent Council James S. Gilmore III, *Russia’s Illegal Conscripting in Crimea in Violation of the Norms of International Law* (Vienna: OSCE Permanent Council, 21 May 2020).

¹⁰⁷ Andrew E. Kramer, “Russia’s draft is targeting Crimean Tatars and other marginalized groups, according to activists,” *The New York Times*, 27 September 2022.

¹⁰⁸ Having been deleted, it is archived at Timofey Sergeitsev, “Что Россия должна сделать с Украиной [What Russia should do with Ukraine?]” *RIA Novosti*, 3 April 2022, archived by Web Archive and accessed on 2 February 2023; For a translation by a team of volunteers, see: Mariia Kravchenko (@kravchenko_mm), “What should Russia do with Ukraine? [Translation of a propaganda article by a Russian publication],” Medium, 4 April 2022.

¹⁰⁹ Timothy Snyder (@snyder), “Russia’s Eugenic War. Four policies of racial cleansing,” Substack, 8 January 2023.

¹¹⁰ U.N. General Assembly, *Convention on the Prevention and Punishment of the Crime of Genocide*, Treaty Series vol. 78, (New York: United Nations General Assembly, 9 December 1948), Article II (e).

¹¹¹ Newlines Institute for Strategy and Policy and Raoul Wallenberg Centre for Human Rights, *An Independent Legal Analysis of the Russian Federation’s Breaches of the Genocide Convention in Ukraine and the Duty to Prevent*, (Washington D.C.: Newlines Institute for Strategy and Policy and Raoul Wallenberg Centre for Human Rights, May 2022).

¹¹² Anthony Deutsch and Stephanie van den Berg, “Exclusive: Ukraine probes deportation of children to Russia as possible genocide,” *Reuters*, 3 June 2022.

¹¹³ Deutsch et al., “Exclusive: Ukraine probes deportation of children.”

by Ukraine's undisputable victory, not by the mere fact that complete 'eradication' is too preposterous of an idea for twenty-first-century Europe), some elements of this genocide-in-the-making, such as erasing identity through erasing memory in children, shall not be overlooked when Russia stops at mass murder.

There are clear rules that govern inter-state adoption even in peacetime. Article 8 of the U.N. Convention on the Rights of a Child stipulates that the states parties shall respect, preserve, and not interfere with the child's identity, including nationality, name, and family relations.¹¹⁴ Article 20 then prescribes that, when considering solutions for a child temporarily or permanently deprived of their family environment, "due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background."¹¹⁵ Finally, the Convention further recognises that inter-state adoption may only be resorted to provided that the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in their country of origin.¹¹⁶

By Russia's own admission, as articulated by its public officials in the previous chapter, it blatantly disregards all those principles. By Russia's own admission, it has no intention to preserve the children's rights to their own culture – to the contrary, it means to erase their Ukrainian identity by the means of physical and psychological violence if necessary. Sasha Romantsova, from the Nobel-Prize-winning "Centre for Civil Liberties," opined that the Russian state policy was to keep the children from ever learning the truth about their Ukrainian origins, thereby denying them their identity.¹¹⁷

Regardless of Russia ever being a State Party to any of the IHL treaties (hastily and spontaneously withdrawing from them has

become a practice as of late),¹¹⁸ Ukraine, by a declaration, accepted the ICC's open-ended jurisdiction over crimes under the Rome Statute occurring on its territory from 20 February 2014 onwards.¹¹⁹ Therefore, when the ICC Prosecutor General authorised his investigation into the crimes committed in Ukraine since the invasion, forcible transfer and deportation of children fell under its purview.¹²⁰ Moreover, as Dr. Alison Bisset writes, the scope of crimes under consideration form part of customary international law by which all States are bound.¹²¹

Historically, military aggressors used to separate children from their parents to terrorise the enemy and break resistance

2.4. TOO MANY PARALLELS

U.S. State Department spokesman Ned Price called the developments "absolutely horrifying, but unfortunately not surprising."¹²² Unfortunately, neither surprising nor unique. Historically, military aggressors used to separate children from their parents to terrorise the enemy and break resistance. The record is long, horrific, and well-studied.¹²³

The U.S. government itself engaged in this heinous practice and tormented its Native American population for centuries, beginning in the Colonial era (which it has admitted and

¹¹⁴ U.N. General Assembly, *Convention on the Rights of the Child*, Treaty Series vol. 1577 (New York: United Nations General Assembly, 20 November 1989), Article 8(1).

¹¹⁵ U.N. General Assembly, *Convention on the Rights of the Child*, Article 20 (1,3).

¹¹⁶ U.N. General Assembly, *Convention on the Rights of the Child*, Article 21 (b).

¹¹⁷ Dixon et al., "Ukrainians struggle."

¹¹⁸ "Putin approves Russia's withdrawal from Council of Europe agreements," *Ukrainska Pravda*, 17 January 2023; Oxford Analytica, "Russia: Moscow backs away from international rules," *Expert Briefings* (January, 2023).

¹¹⁹ "Ukraine: Jurisdiction in the general situation," International Criminal Court, accessed on 2 February 2023; Verkhovna Rada of Ukraine, *Resolution of the Verkhovna Rada of Ukraine 'On the recognition of the jurisdiction of the International Criminal Court by Ukraine over crimes against humanity and war crimes committed by senior officials of the Russian Federation and the Leaders of terrorist organizations 'DNR' and 'LNR'*, (Kyiv: Golos Ukrainy, 18 February 2015).

¹²⁰ ICC Prosecutor, Karim A.A. Khan QC, *Statement of ICC Prosecutor, Karim A.A. Khan QC, on the Situation in Ukraine: Receipt of Referrals from 39 States Parties and the Opening of an Investigation* (The Hague: International Criminal Court, 2 March 2022).

¹²¹ Alison Bisset, "Ukraine Symposium – Russia's Forcible Transfer Of Children," *Articles of War* (West Point: Lieber Institute, 5 October 2022).

¹²² El Deeb et al., "How Moscow grabs Ukrainian kids."

¹²³ The format of this paper is not a comprehensive historical study, it only highlights several points that are the most relevant to today's situation.

repented).¹²⁴ It was viewed as a deliberate strategy to quell tribal military resistance by keeping the abducted Indian children hostages at the boarding schools, where they were starved, physically and sexually assaulted, and exploited as slave labour, while also being assimilated, forbidden from speaking their languages or practicing their religion.¹²⁵ The repressive policy extended well into the twentieth century and was supplemented by the adoption programme.¹²⁶ American scholars began to ring the bell about the history of kidnapping repeating in Ukraine already in the early months of the Russian invasion.¹²⁷

In Europe, the Kremlin's state-sponsored abduction resonates strongly with the 'Lebensborn' Programme (1935-45).¹²⁸ The operation was directly supervised by the German SS and conceived personally by Heinrich Himmler, who wanted the Nazi spirit to "reverberate" in the "children who racially belong to us."¹²⁹ Under the grand plan, Poles would be destined for extermination as an ethnic group; but first, salvageable, selected children were to be 'examined' and 'filtered out' in order to determine the 'racially valuable' among them. In the next phase, they were sent to children's homes in the 'old Reich' to be schooled into submission and thus converted into proper Germans, while younger children could be awarded to law-abiding, Nazi-supporting childless parents. Birth and heredity certificates, as well as names of Teutonic origin, would be issued to them to conceal their true identities. Adopting families genuinely believed (or chose to convince themselves) that they were rescuing Aryan, ethnically German, children from 'the regained

Eastern territories,' who had been orphaned by the war. In reality, those children might have had parents and siblings. Some of the separated families might have even survived the occupation, hostilities, or labour camps but could never reunite after the war was over.

Despite numerous research projects dedicated to investigating this lesser-known genocidal policy of World War II, the exact number – as well as the fate – of the kidnapped children remains unknown till today. According to some estimates, as many as 400 000 could have been stolen.¹³⁰ According to an activist involved, the arduous United Nations Relief and Rehabilitation Administration (UNRRA) campaign to search for the child victims sometimes required house-to-house canvassing equipped with nothing but "tens of thousands of snapshots of babies, toddlers, and older children" and descriptions of when and how they had disappeared.¹³¹

These precedents suggest that the Kremlin clearly derived ideological inspiration from the history textbooks – if not studied some very specific chapters as a practical manual.

3. THE CASE OF AND FOR UKRAINE

All Ukrainian children, who were illegally displaced to the territory of Russia, must be returned to their parents or legal guardians. The Ukrainian side will continue to document the crimes of Russian servicemen and high-ranking officials to bring them to criminal liability.¹³²

The historical precedents, however, suggest that indicting and convicting Russia as a state actor and individual perpetrators promise to be not the most tedious task ahead. The most difficult – if even ever possible – mission will be to repatriate thousands of children, reunite them with their surviving families in Ukraine,

¹²⁴ Matthew L.M. Fletcher and Wenona T. Singel, "[Indian Children and the Federal-Tribal Trust Relationship](#)," *Nebraska Law Review* vol. 95, issue 4 (Lincoln: University of Nebraska, 2017).

¹²⁵ Assistant secretary Indian Affairs Bryan Newland, [Federal Indian Boarding School Initiative Investigative Report](#) (Washington D.C.: U.S. Department of the Interior, May 2022).

¹²⁶ Karen Brooks, "['Baby Veronica' adoption case re-opens wounds for Native Americans](#)," *Reuters*, 24 September 2013.

¹²⁷ Marcia Zug, "[Russia's reported abduction of Ukrainian children echoes other genocidal policies, including US history of kidnapping Native American children](#)," *The Conversation*, 16 May 2022.

¹²⁸ "[Lebensborn program](#)," United States Holocaust Memorial Museum's Holocaust Encyclopedia, accessed on 2 February 2023; "[The Nazi Party: The 'Lebensborn' Program](#)," Jewish Virtual Library, accessed on 2 February 2023.

¹²⁹ "Stolen Children: Interview with Gitta Sereny," Jewish Virtual Library.

¹³⁰ Sabine Peschel, "[The children the Nazis stole in Poland](#)," *Deutsche Welle*, 3 December 2020.

¹³¹ "Stolen Children: Interview with Gitta Sereny," Jewish Virtual Library.

¹³² Ministry of Foreign Affairs of Ukraine, [Statement of the Ministry of Foreign Affairs of Ukraine regarding the illegal adoption of Ukrainian children by citizens of the Russian Federation](#) (Kyiv: Ministry of Foreign Affairs of Ukraine, 23 August 2022).

and help them heal after (potentially years in) Russian captivity.¹³³

Ukraine's Main Directorate of Intelligence at the Defence Ministry stated that the Russia transferred deportees from the occupied territories to 9 500 temporary settlements for displaced persons in Buryatia, Yakutia, Zabaykalsky Krai, Kamchatka Krai, Primorsky Krai, Khabarovsk Krai, Amur Oblast, Magadan Oblast, Sakhalin Oblast, Jewish Autonomous Oblast, and Chukotka Autonomous Okrug.¹³⁴ The suggested destinations— all behind the Ural Mountains and in Siberia – cannot but echo Stalin's genocidal practices. Nikita Khrushchev, when delivering his report to the XX Congress of the Communist Party in 1956, acknowledged that Ukrainians, as a people, narrowly avoided being deported (unlike Chechens or Crimean Tatars) only because they were too many and there was no place suitable for such a grandiose resettlement programme.¹³⁵ It now appears that Soviet Union's successor might have been working to establish the infrastructure necessary to attend to the unfinished business.

Post-victory search and rescue operations will be further complicated by this Russian bureaucratic wilderness

The above-listed regions are also heavily underdeveloped (even by Russian standards), and oftentimes lack basic record-keeping. Therefore, post-victory search and rescue operations will be further complicated by this Russian bureaucratic wilderness in the most optimistic of scenarios. Absent a paper trail, the litigation process in the Russian courts and repatriation of the Ukrainian children

¹³³ For the purposes of this analysis, this chapter only explores the next steps to take under the conditions of Ukraine's complete victory and Russia's total defeat.

¹³⁴ Oleksandr Yankovskyi, "Путін 'краде' дітей з України. Що треба робити для їхнього повернення? [Putin 'steals' children from Ukraine. What should it do to return them?]," *Radio Svoboda*, 1 June 2022.

¹³⁵ The original quote in Russian: "Украинцы избежали этой участи потому, что их слишком много и некуда было выслать. А то он бы и их выселил." "Хрущев Н.С. О культе личности и его последствиях: Доклад на XX съезде КПСС 25 февраля 1956 года. [N. S. Khrushchev. On the Cult of Personality and Its Consequences: Speech delivered at the Twentieth Party Congress of the Communist Party of the Soviet Union, 25 February 1956]" in *Сталин И.В. Сочинения*. [I.V. Stalin. Archive] vol. 16 (Moscow: Pisatel, 1997), 381-440, available via [Центр гуманитарных наук 21-ого века Зеркало Библиотеки Михаила Грачева](#) [Centre for Humanitarian Studies in 21st century, Mirror resource of Mikhail Gorbachev's Library], accessed on 2 February 2023.

risks taking years, if not decades. Cooperation from any future Russian authorities – either on paper or on the ground – is far from a given. Both the Russian government and the Russian people have struggled to acknowledge their state's crimes of the past (with the Molotov-Ribbentrop Pact or Holodomor being just two examples), to which they, personally, were not liable and thus would not be risking anything tangible. Expecting Russia to admit and repent to the crimes of the present – in which many are complicit and for which many should be held responsible – is nothing but naïve.

In the immediate aftermath of the war (i.e., years that the return process will take), the defeated people will remain convinced that they have done nothing wrong. Images of the children – who the Russian general public believes to legitimately belong to them – being 'torn' away from their 'loving and caring parents' will have an immense emotional impact. This emotion can be easily converted into political dividends, nurture sense of victimhood, and fuel a political campaign, at least locally if not nationally. It is indicative that the Russian opposition is yet (a full year into the full-scale military invasion) to publicly withdraw their support for the annexation of Crimea and the war in Georgia. They continue to argue

that it is only "Putin's war," Russian people are devoid of any responsibility, while only Putin and his close circle will bear the consequences. It would also be nothing but dangerously short-sighted to believe that the new post-Putin Russian government (presumably drawn from the pool of today's opposition) would go against the public sentiment, take a moral high ground, and exhibit the political will necessary to return the children to Ukraine. Angering perspective voters in such a manner would be akin to political suicide – a sacrifice that no Russian politician has proven themselves to be capable as of yet. The recent scandals with the Russian opposition media, whose loyalties also tend to tilt towards sympathies for the poor state of 'involuntarily' mobilised (but voluntarily killing) Russian troops on Ukrainian soil, suggest that they shall not be trusted to communicate the message either.

To remedy this problem, Ukraine should demand unconditional repatriation of all its under-age citizens before entering into any

sort of future peace agreement with any administration in Moscow. In particular and in practice, Ukraine could insist on it being a prerequisite for Russia's return to the European Convention on Human Rights and the Council of Europe.¹³⁶ Russia was leading in cases pending at the European Court of Human Rights (ECHR), and it might be leveraged to secure cooperation.¹³⁷

Ukraine should demand unconditional repatriation of all its under-age citizens before entering into any sort of future peace agreement with any administration in Moscow

It would be as much naïve to expect the Russian courts to side with Ukraine while deciding the contested custody disputes. They will be inclined – both legally and emotionally – to favour the Russian nationals over a foreign country's representative. Therefore, Ukraine's and international investigators must be guaranteed unrestricted access – preferably with a mandate from the United Nations – to all parts of Russia, with the order to preserve all documentation effective immediately. Although occupation administration of any type, of course, is highly unlikely, in this particular case relating to the stolen children, some form of a supra-state authority should be exercised. It could, for example, be an impartial, external arbitration body temporarily assembled to review cases concerning Ukrainian minors in Russia.

By the time of Putin's decree in May, Ukraine's Defence Ministry stated that 180 000 children had already been deported from the occupied territories.¹³⁸ Although Presidential Commissioner for Children's Rights and Rehabilitation Daria Herasymchuk said that as of December 2022, Ukraine knew of over 13 000 children who had been abducted by Russia, "tens of thousands more" could be discovered.¹³⁹ She was referring to the data

from the National Information Bureau's base "Children of War" which only records and tracks verified cases. At the time of writing, the official count stood at 16 011; 459 children died, 919 were wounded, and 348 were missing.¹⁴⁰ The real number, however, may be closer to 700 000, suggests Aksana Filipishina, a representative of the Commissioner for the Rights of the Child and the Family.¹⁴¹ A *Special Report* by Ukraine's Ombudsman upheld the estimation that as many as 705 000 children could have been deported to Russia.¹⁴²

Unfortunately, successful returns are few and far between, despite Ukraine's public and private efforts. On the government's side, the campaign is led

by Iryna Vereshchuk, Deputy Prime Minister of Ukraine and Minister of Reintegration of Temporarily Occupied Territories. On 25 August 2022, she first reported that Ukraine managed to repatriate 53 children.¹⁴³ A month later, the figure rose to 96.¹⁴⁴ According to the "Children of War" database, the current number is 126.¹⁴⁵

When it comes to the children outside of Ukraine's physical reach, official Kyiv has to approach each case on individual basis. It relies heavily on volunteers for their pre-existing network and use open-source data to identify the missing children. In one instance, a father saw his son in a Russian propaganda video, recalls Marina Lypovetska, head of the "Missing Children" project run by "Magnolia" NGO.¹⁴⁶ Unfortunately, despite the titanic efforts by

¹³⁶ "Russia ceases to be party to the European Convention on Human Rights," Council of Europe, 16 September 2022.

¹³⁷ Marina Nagornaya, "Россия больше не лидирует по числу обращений в ЕСПЧ [Russia is no longer the leader in appeals to the ECHR]," *Advokatskaya Gazeta*, 2 February 2021.

¹³⁸ Yankovskiy, "Putin 'steals' children from Ukraine."

¹³⁹ "РФ вывезла з України понад 13 тисяч дітей [Russian Federation moved over 13 thousand children from Ukraine]," *Interfax-Ukraine*, 9 December 2022.

¹⁴⁰ "ДІТИ ВІЙНИ [Children of War]," Office of the President of Ukraine, accessed on 3 February 2023.

¹⁴¹ Bida, "700 thousand children might have been deported to Russia."

¹⁴² Ombudsman of Ukraine, *Спеціальна доповідь Уповноваженого Верховної Ради України з прав людини щодо додержання прав осіб, які постраждали внаслідок збройної агресії Російської Федерації проти України* [Special report by the Verkhovna Rada Commissioner for human rights in the rights of persons who suffered from the Russian Federation's military aggression against Ukraine] (Kharkov: Pravo, 2022), 86.

¹⁴³ Nadia Sobenko, "Україна вже повернула з Росії 53 дітей — Верещук, [Ukraine has already returned 53 children from Russia - Vereshchuk]," *Suspilne Novyny*, 25 August 2022.

¹⁴⁴ "Верещук: Україні вдалося повернути з Росії лише 69 депортованих дітей [Vereshchuk: Ukraine managed to return only 69 children deported to Russia]," *Radio Sloboda*, 9 November 2022.

¹⁴⁵ "Children of War," Office of the President of Ukraine, accessed on 3 February 2023.

¹⁴⁶ Oleksandra Bodnyak, "Викрадачі душ. Як і чому Росія краде українських дітей [Soul stealers. How and Why Russia steals Ukrainian Children]," *Zaxid*, 26 October 2022.

volunteers and lawyers in several countries, the boy remained hostage in Russia. Although some preliminary framework – upon which the future structure can be built – already exists. For instance, “СОС Дитячі містечка Україна” (SOS Children’s Towns Ukraine) NGO has been working relentlessly to repatriate Ukrainian children since the first cases in 2014.¹⁴⁷

Ukraine may need an entire government entity to deal with investigating, scouting, locating, litigating, and repatriating

As of now, Ukraine does not have either a comprehensive system or an algorithm to mitigate this crisis. Post-victory, it may need to establish an entire government entity to deal with investigating, scouting, locating, litigating, and repatriating and staff the office with a multi-sectoral cohort of experts, from detectives and lawyers to psychologists. Two enterprises will have to run in parallel to each other. On the one hand, the country will have to build a cross-border search and rescue campaign from scratch. On the other hand, a domestic system of recovery and re-integration for the repatriated children will have to be introduced to guide their families through the process.

Once back home – either reunited with parents and surviving relatives or temporarily under Ukrainian state care – the children will require a functional mental health and psychosocial support (MPHSS) infrastructure on such a scale that only a government can provide. Families will have to rely on a country-wide network of MPHSS professionals to treat post-traumatic stress disorders (PTSD) in children to follow. Mental health practitioners will also have to be embedded in schools, and thus the pre-war system of school psychologists will have to be reformed. For instance, Ukraine will be dealing with thousands of returned children with history of stigmatization for the simple act of speaking the Ukrainian language, which could be a ‘triggering’ experience once they are back in their classrooms. With the country’s resources exhausted after the bloody war, Ukraine will require much support from its international partners – in academia and

among clinical practitioners – to design and implement MPHSS programmes.

Apart from documenting evidence and searching for minors who are suspected to have been deported into Russia, already by late March, the Ministry of Social Policy developed, and the Cabinet approved, an extraordinary measure to alleviate the anguish of children who either lost or were separated from parents, families, or legal guardians due to the war, including cases when contact with the latter cannot be established.¹⁴⁸ The measure expedites the otherwise lengthy process of placing minors in foster care – temporarily – for the duration of the martial law. First, it allows moving the children, especially those who have surviving relatives willing to take them in, out of the bureaucratic limbo. It spares them the re-traumatization by being placed with someone they know and potentially already trust as opposed to (well-meaning but nonetheless) strangers and institutions. On the other side of the partnership solution, it helps those volunteers who have the resources to help do so without being restricted by red tape. Second, it pre-emptively counters the Russian narrative and (il)legal argumentation that exploits humanitarian evacuation and orphan status – these children are not abandoned, not by their families and not by their country.

CONCLUSION

From the early days of the invasion, Russia has been engaging in the state-organised kidnapping of Ukrainian children. These are the children whose parents were killed by Russia’s indiscriminate attacks on Ukraine’s cities, children who were themselves injured during those attacks, and children whom their parents tried to evacuate, were illegally detained, and violently separated from filtration camps. Some children were, indeed, orphaned, while for others their families have been desperately searching for months. Having survived the

¹⁴⁷ Bida, “700 thousand children might have been deported to Russia.” Alina, too, was brought back home due to their efforts.

¹⁴⁸ Ministry of Social Policy (@MLSP.gov.ua), “Діти, які залишились без батьків під час воєнного стану, зможуть бути тимчасово влаштовані до сімейних форм виховання [Children who were left without parental care at time of the martial law can be temporarily placed in foster care],” Facebook, 23 March 2022.

atrocities of war, they were viciously lied about being abandoned. Many of those children were issued false documents, fake birth certificates, and new names. Before being hidden in the far-away regions behind the Ural Mountains, they were paraded for propaganda purposes as human war trophies on the Kremlin TV.

As this analysis shows, there is no room for denying that all pieces of the Russian state-sponsored abduction campaign fit into one grand, intricate, and horrifying puzzle. From a carefully tailored narrative to the national policy, legislative, and administrative frameworks. From occupation and family separations to filtration camps and well-organised deportations. From public officials on all levels to individual citizens pro-actively participating in a pre-existing nation-wide network.

Child deportations are the most explicit marker of genocide and a publicly cheered, whole-of-government effort to erase an identity of an enemy nation

There is also no denying that it spells 'genocide,' either. Child deportations are the most explicit marker of genocide and a publicly cheered, whole-of-government effort to erase an identity of an enemy nation. Together with targeting cultural heritage sites throughout Ukraine, destroying books, banning the Ukrainian language from schools, and imposing a distorted history curriculum in the occupied territories, it therefore can and should be interpreted as a genocide.¹⁴⁹

Real people, many ordinary Russian citizens, gladly contribute to it, with full knowledge and actorship. By the time reckoning comes, too many people will have participated to fit into a courtroom. Depending on how much longer it takes for Ukraine to win, thousands – if not tens of thousands – more Russian families will have become complicit, although forever convinced that they have done nothing wrong. They shall, nevertheless, be held accountable for there is no statute of limitations to apply to crimes

against children. No amnesty should apply to the abductors either. With many toddlers among the stolen children, they risk growing up detached from not only their culture but from their personal roots and history, never getting to know their siblings and cousins. In addition to experiencing and surviving the war, forcing a new identity (especially in such a violent manner) on older children conditions them for severe psychological disorders in adult life.

If the victims will have to forever live with the trauma of what they have gone through, their state abductors and family re-educators should not be spared of the entailing stigma of the crimes that they contributed to or allowed to happen. Russia must finally be held to – if not criminal, then at the very least moral, public, and academic – account as a nation with centuries of perpetuated genocidal practices against their neighbours.

The Ukrainian government has vowed to document this crime and bring everyone involved to justice, as well as to fight to return all Ukrainian children back home. The legal and moral implications of the process are impossible to overestimate. The absence of a paper trail will prove a – if not *the* – major challenge to search and rescue the Ukrainian children now in Russian captivity. Ukraine has gruesome and exhausting non-combat battles away from the frontlines ahead, with the end goal that it will hardly be able to accomplish alone. It will require substantial financial, human, and political resources to

Ukraine has gruesome and exhausting non-combat battles away from the frontlines ahead. It will require substantial financial, human, and political resources to repatriate and reintegrate its little citizens in order to build a resilient future for the country

repatriate and reintegrate its little citizens in order to build a resilient future for the country. But first, Ukraine and its allies must make sure that the Russian regime is not given another off-ramp – for it has used it as a highway to drive military transports full of stolen children.

¹⁴⁹ Roman Rukomeda, "[Russia burns our books hoping to destroy our nation](#)," *Euroactiv*, 25 March 2022; Joanna York, "['Cultural cleansing': New Russian attacks on Ukraine spur cultural preservation efforts](#)," *France 24*, 14 October 2022.

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