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29 January 2024

Ad hoc Committee of the Bureau on the situation of the children of Ukraine

Minutes¹

of the meeting held in Paris on 15 December 2023, 9 am to 12:30 pm and from 2 pm to 6 pm

9 am – 9:30 am (in camera):

Ms Olena Khomenko, Vice-President of the Parliamentary Assembly and Chairperson of the ad hoc Committee of the Bureau, opened the *in camera* part of the meeting at 9 am and closed it at 9:25 am.

The Ad hoc Committee discussed the preparation of the meeting.

9:30 am – 12:30 pm

Ms Olena Khomenko opened the public part of the meeting at 9:30 am.

The ad hoc Committee of the Bureau agreed to the meeting being public, livestreamed, and recorded until 4:30 pm.

Ms Khomenko recalled that the main goal of the meeting was for the Assembly to act as a facilitator, a real instrument to help return children. She then presented the two sessions of the meeting, the first being access to education and healthcare for Ukrainian children who have been displaced within Ukraine or who are refugees in Council of Europe member States, and second the follow-up of Assembly Resolution 2495 (2023) and Recommendation 2253 (2023) on “Deportations and forcible transfers of Ukrainian children and other civilians to Russian Federation or to Ukrainian territories temporarily occupied: create conditions for their safe return, stop these crimes and punish the perpetrators”.

Mr Tiny Kox, President of the Assembly, recalled that the Parliamentary Assembly reacted very promptly to the war of aggression of the Russian Federation against Ukraine, by starting the process leading to the expelling of Russia from the Council of Europe. The Organisation had since then been mobilising all instruments available to ensure the Russian Federation’s full accountability for violations of human rights and for serious violations of international law, as well as for providing compensation to victims. Issues connected to access to health were of the utmost importance, as the war had exposed hundreds of thousands of Ukrainian children to traumatic events that put them at risk of long-term mental health problems, in addition to physical injuries. Regarding education, since Russia’s full-scale invasion of Ukraine, nearly 4000 educational facilities throughout Ukraine had been damaged or destroyed, putting the future of Ukraine’s children at risk. The President concluded that the Assembly could act a facilitator to find possible solutions concerning the tracing and safe return of deported children.

Session 1: the situation of Ukrainian children who are currently in Council of Europe member States (including Ukraine) moderated by Ms Despina Chatzivassiliou-Tsovilis, Secretary General of the Parliamentary Assembly

Ms Despina Chatzivassiliou-Tsovilis, Secretary General of the Parliamentary Assembly and moderator of the session, stated that by March 2023, four million people had found temporary protection in the EU. 47% of them were women and 34% children. Thus, 1,36 million children were living temporarily outside Ukraine. The goal of the meeting was to foster political support for member States’ future actions to ensure the best possible reception for those children. Ms Chatzivassiliou-Tsovilis informed the members that the Council of Europe’s intergovernmental sector had launched a consultation process via the Consultation Group on the Children of

¹ The Bureau decided to declassify this document at its meeting on 26 January 2024.

Ukraine (CGU). The objective was to clarify the situation in member States and adjust public policies accordingly from both a legal and technical point of view. Ms Chatzivassiliou-Tsovilis then gave the floor to Ms Slobodnichenko.

Access to healthcare

Ms Maryna Slobodnichenko, Ukrainian Deputy Minister of Health Protection for International Affairs, expressed her satisfaction concerning Ukraine's EU accession negotiations of the previous day. She then went on to recall that 512 children had been killed, 1280 injured, 13 experienced sexual assault and 19546 were deported or forcibly displaced, but that the actual number of kidnapped children may be as high as 744 000. She then drew members' attention to the Healthcare Network, a project created by the Ministry of Health, not only as part of reconstruction efforts but also with a view to innovation. The project was about making the most of new experiences and new opportunities for the benefit of Ukrainian children treated abroad. Moreover, a few months ago, a partnership was launched through which Ukrainian hospitals worked hand in hand with hospitals in partner countries. She mentioned that France was very active in the partnership and that French hospitals had signed partnership agreements and an agreement to share best practices with Ukrainian hospitals. Furthermore, she shared her gratitude for the assistance provided to 131 Ukrainian children by 16 countries, which were part of the ongoing European Commission's MEDEVAC Project. In addition, countries around the world had welcomed some Ukrainian children suffering from cancer or oncological diseases. Over 1500 children had been able to have access to medical centres in these countries. The biggest challenge however, according to the Minister, was the psychological trauma and mental health issues of the children due to the impact of the war. One measure to combat this was to train specialists who could provide support to children and help them overcome the generational psychological trauma. The Minister stressed that it was impossible to determine the long-term impact of that trauma and asked everyone to help fight that epidemic.

Ms Chatzivassiliou-Tsovilis thanked Ms Slobodnichenko for sharing the data and experiences and then gave the floor to Ms Dambina.

Ms Liene Dambina, Chair of the Board of the Children's Hospital Foundation in Latvia, also began by expressing her satisfaction concerning Ukraine's EU accession negotiations. She informed the members about Latvia's help for Ukrainian children who had fled to Latvia but also those who still lived and underwent the tragedies of war in Ukraine on an everyday basis. She represented two organisations, the Child and Adolescent Resource Centre and the Children's Hospital Foundation. The children who fled Ukraine were not physically traumatised, but they were mentally traumatised, and the organisations which she represented thus focused on mental health support. They had identified the various barriers, which were the lack of skill in trauma-focused treatments, the lack of specialists in psychiatric care in general but particularly those speaking Ukrainian, and the stigma concerning mental health in Ukraine. Moreover, in the process of psychological therapies for Ukrainian children, 15 short animated films had been produced by Ukrainian children. They represented the 'happy ending', which for all children meant going back home to Ukraine. In addition, partnerships were formed so that children who were still living in Ukraine could be supported. Ms Dambina explained that all Ukrainian children had psychological trauma. They had created the concept of Psychological Rehabilitation Camps in community settings, which provided psychological support, entertainment and knowledge for children and their mothers for 10 days. They focused on less structured interventions, a safe environment, recreational activities and relationships. This was due to the fact that many of the families coming to the camps were internally displaced, had experienced Russian occupation and had physical war trauma from explosions or had lost a parent or close relatives. She also mentioned that these people had lost their social support environment and that through these camps they formed relationships and could, therefore, support each other after their return to Ukraine. Future camps will be devoted to children who have been deported to Russia and to children having lost their parents. Ms Dambina highlighted that each camp was flexible, and methods were applied according to the needs of the moment. She also expressed her gratitude towards all the mothers for their resilience, courage and strength in fighting every day to support their children. The feedback and the results of these camps were great with positive short- and long-term effects and with high engagement. Ms Dambina concluded by saying that neighbouring countries should strengthen such activities in order to support Ukrainian children.

Ms Chatzivassiliou-Tsovilis thanked Ms Dambina for her enlightening presentation and opened the floor for discussion.

Mr Rousopoulos, speaking on behalf of the Migration Committee, referred to Mr Pisco's report on deportations and forcible transfers of Ukrainian children, which stood as a testament to the urgent need for action, compassion and justice. The ongoing deportations of Ukrainian children by the Russian Federation not only deprived them of their homes and stability, but also inflicted lasting traumathat could irreversibly impact their physical and mental wellbeing. He reaffirmed his belief that the Council of Europe values would prevail, and that together, through collective action and unwavering determination, a world could be created where such atrocities had no place and where every child could live in peace, security and prosperity within their own

communities. Finally, he thanked the speakers for their inputs and reaffirmed the commitment of all present that situation would not become the new normal.

Mr Moutquin thanked Ms Khomenko for her support in the organisation of such an important meeting, and congratulated Ukraine on its EU accession negotiations. As Chairperson of the Social Affairs Committee, he stressed the need to take into consideration the best interests of the child. He then asked what the needs were for the children with post trauma shocks, and for those children with illnesses or disabilities. He also wondered about the mental health of the very young soldiers taking part in the fighting.

Ms Kravchuk underlined the importance of the Consultative Group on the children of Ukraine (CGU), especially on the issue of legal guardianship. She encouraged the members to support the provision of equipment for the hospitals and schools in Ukraine. She also asked Ms Dambina if she could share her experience and practical information with schools in other countries and wondered about best practices to combat instances of bullying of Ukrainian children who were now being schooled in different countries.

Ms Bilozir expressed her gratitude to the EU concerning Ukraine's accession negotiations and thanked the Parliamentary Assembly's leadership for its resolutions and its rapid decision making and welcomed the creation of the ad hoc Committee. 7 million Ukrainian children were affected by the war. 1000 well-equipped hospitals had been destroyed.

Ms Kalnina-Lukasevica expressed her gratitude for the holding of this meeting. Both the physical and mental health of Ukrainian children had been badly impacted, and they needed huge support in their recovery, including those children who had returned from Russia. Thus, she suggested including this area in the Register of Damage. She also wondered whether participating in distance learning, in Ukrainian schools, would be beneficial or not for the mental well-being of the children.

Ms Marra said that 14 000 Ukrainian children were hosted in Switzerland, mostly from orphanages or with their mothers. She thanked the speakers for their presentations and asked how the children could be made to feel more comfortable and better integrated in their new countries, without losing contact with Ukraine. She also noted a discussion around the terminology "refugee".

Mr Lubinets informed members of the huge number of health facilities which had been destroyed in Ukraine: so far, 1 668 healthcare facilities had been destroyed, 384 hospitals and 352 ambulances, and this list was not exhaustive.

Ms Chatzivassiliou-Tsovilis asked the experts to provide brief answers and comments.

Ms Slobodnichenko stressed that physical and psychological rehabilitation centres were needed, as well as trained specialists present in Ukraine rather than online.

Ms Dambina added that the school environment was essential for the child's wellbeing and highlighted that more efforts should have been made to integrate Ukrainian children in European schools. She also provided elements concerning the bullying in schools, which was a big issue in Latvian schools in general. She highlighted that it was feasible for any European country to put in place these kind of psychological support camps, and she hoped that there would be more such camps in the future in other countries.

Ms Chatzivassiliou-Tsovilis thanked everyone for their input and opened the floor for the second subitem about access to education.

Access to education

Mr Serhii Babak, Chair of the Committee on Education, Science and Innovation of the Ukrainian Parliament, indicated that close to 30% of the Ukrainian territory was occupied or under unprecedented attack in the first two weeks of the war, resulting in over 6 million Ukrainians fleeing the country. He expressed his gratitude towards the countries which not only offered shelter to Ukrainian children but also provided access to education for them. Support and assistance to Ukrainian children abroad were crucial and the Committee implemented a very wide range of initiatives to continue guaranteeing education and economic development. The speaker highlighted the importance of keeping the link with Ukraine alive for the Ukrainian children abroad, and that was the reason they designed modules on, inter alia, Ukrainian language and history. Mr Babak also identified two ways to improve the Ukrainian children's integration in their host countries. One way was by ensuring their learning of the local language and the other one was to take measures to combat bullying in schools, by offering teaching on Ukraine in the curriculum for all children. As regards the children in Ukraine, in order to allow pupils to continue going to school, about four billion euros were needed in order to equip schools in Ukraine with bomb shelters, so as to provide protection against falling debris and shrapnel from cruise missiles, which hit the country every day. The expert also said that there was a huge need for school buses and supplies of electronic devices for distance-learning classes in order to maintain the educational system. He concluded by reiterating his gratitude for the support and help coming from Europe.

Mr Witold Hebanowski, President of the Inna Przestrzen Foundation in Poland, gave an overview of the situation of Ukrainians in Poland. This population numbered today more than three million, almost half of whom were women and almost 400 000 were children, of which 180 000 were registered in the Polish educational system. Hundreds of initiatives had come from individuals, NGOs, informal movements, companies and local administrations, creating an odd coalition for a common good cause. These initiatives covered informal education, Polish language courses, integration camps, creation of new or expansion of existing Ukrainian schools as well as summer recreation for children from war-affected areas. In addition, Mr Hebanowski addressed the greatest challenges of the situation: a very large number of children were only in the online Ukrainian education system or completely outside of it, so there was a need for better legislation and of Polish-Ukrainian intergovernmental collaboration. Moreover, financial support for integration instruments in education was running out. Furthermore, there was a need to strengthen the legislative capacity of Polish schools to work with migrant students. What is more, the Polish foster parenting system and even national protection system were in urgent need of updating and upgrading, in the light of the experience of the last two years, and the need for a holistic approach to education, including supporting parents, was great. Finally, fighting discrimination and incorporating Ukrainian identity and culture in the Polish education system were important challenges to be tackled. Mr Hebanowski urged that these issues be addressed as a matter of priority, by bringing together all the actors involved in shaping the right policies and implementing an interparliamentary, multi actor, task-oriented working conference, to make sure that legislation and policymaking were based on practice.

Mr Vasyl Lutsyk, Head of the National Social Service of Ukraine, expressed his gratitude to all countries which had granted protection to Ukrainian children. He stressed that the Ukrainian children could not be considered as refugees, since they fled Ukraine because of an external threat and not an internal one. Ukraine is not the country creating dangerous life conditions for the children but the aggressor State Russia. The Ukrainian children have left Ukraine to obtain temporary protection on the territories of foreign states. There is thus an unreasonable application of article 6 of the 1996 Hague Convention on Parental Responsibility and Protection of Children, dealing with refugee and internationally displaced children. Instead, article 5 of the 1996 Convention should apply, meaning that Ukrainian authorities have jurisdiction to take the measures required by the situation. The measures taken by the Ukrainian authorities should be recognised by all other Contracting States of the 1996 Convention. Mr Lutsyk emphasized that international adoption of Ukrainian children was forbidden during martial law. He informed the members that the necessary steps to deinstitutionalise the care of orphans had been taken, in order to make sure that children living abroad could be protected. There were existing mechanisms which aided in the exchange of the information on children who were placed in foster families abroad, to make sure that their rights were respected. He also highlighted the fact that the national legislation of the host country needed to be clear to the Ukrainian families and the children's guardians.

Ms Chatzivassiliou-Tsovilis opened the floor for debate.

Mr Pisco recognised the irreplaceable work the Council of Europe has done in shining a light on all the above-mentioned issues and asked what concrete measures needed to be taken to support Ukraine.

Mr Moutquin mentioned that the temporary protection directive, which was used for the first time for the Ukrainians, worked very well, nevertheless more stable measures and long-term solutions needed to be taken. A flexible system was required to keep an educational and cultural link with Ukraine.

Ms Bilozir stressed the importance of integrating the Ukrainian children in European schools whilst also maintaining their Ukrainian identity and education. She highlighted that raising teachers' awareness about the situation in Ukraine was vital.

Ms Kravchuk commented on the importance of preserving the Ukrainian identity of those children, by hiring Ukrainian teachers, for example. Another issue she mentioned was that European books should provide the right perception of Ukraine, without misinformation.

Mr Sushko agreed with Mr Babak that the bomb shelters needed to be properly equipped and reinforced and with Mr Lutsyk on the status of the Ukrainian children they should not be considered as refugees, and he requested states to pay attention to the terminology used. He also asked hosting States to recognise Ukrainian documents.

Ms Nykiel wondered what legal mechanisms could be implemented to ensure that access to education of Ukrainian children was more widespread and without bureaucratic barriers.

Ms Clapot asked if it was important to treat women and girls differently in the educational system.

Lord Griffiths highlighted the struggles to maintain humane relationships and integrated communities and help Ukrainians realise that they were valued. Some children were integrated, for others, the issue was more difficult.

Ms Mezentseva asked countries which wished to provide electronic equipment for Ukrainian children to reach out to the members of the Ukrainian delegation. She also advised everyone not to use the term ‘refugee’ but ‘temporary relocated person’.

Mr Rousopoulos confirmed that Ukrainian children should keep their ethnic identity, relying on the mother tongue, customs and religion.

Ms Khomenko informed members that in the Ukrainian Parliament there was a draft law on registration of persons whose lives and health were harmed as a result of the Russian aggression. The Register of Damage of the Council of Europe could cover damage caused during deportation or the first relocation, such as psychological injuries, loss of access to health care services and treatment, loss of access to educational services, physical suffering, emotional stress and discomfort.

Ms Chatzivassiliou-Tsovilis then gave the floor to the next speaker.

European Union protection measures for the children of Ukraine

Ms Anna Schmidt, Policy Officer, European Commission, DG Migration and Home Affairs noted the historic decision to activate the temporary protection directive immediately after the beginning of the Russian Federation war of aggression against Ukraine. The EU provided temporary protection to some 4.2 million officially registered Ukrainians across the EU member states with about half of them in Germany and Poland. One third of those were children. The estimate was that one fifth of the number of children that had lived in Ukraine before the war now lived in the EU. The temporary protection was limited in time (until spring 2025 at this stage). This includes children who were evacuated from Ukrainian institutions, namely around 5600 who came in groups, including sometimes children with disabilities. Member states have their own legislation to give meaning to the temporary protection directive. That means that there is some variation in its application across the EU. To coordinate the response, the EU had set up the “solidarity platform”, essential for organising, coordinating and harmonising the EU response across the member states. Cooperation with other partners, such as the UNHCR, the UNICEF and the Ukrainian authorities has been strengthened, with regular meetings. These partnerships have been essential. Civil society organisations also played an important role in that process.

The EU issued a number of operative guidelines on the implementation of the temporary protection directive, for instance, specifically on how to access education, on the specific challenges related to the reception and care of children fleeing from Ukraine, on the recognition of guardianship decisions. All these guidelines are accessible online. She then referred to the March 2023 Commission communication on one-year temporary protection, a document which was made available for the meeting. The Communication gave an overview of measures taken, with a specific section on children. The Communication underscored the importance of document recognition, as a first step: recognition of children’s registration documents and the recognition of Ukrainian guardianship arrangements by the EU member states, of medical and disability certificates; of education certification and diploma, which will all have an immediate impact on children’s integration in European education systems. The EU enhanced cooperation with the Ukrainian authorities on the recognition of guardianship decisions. Cooperation with Ukrainian parents and legal guardians will also allow tracing of missing children. Guardianship arrangements may change over time. For instance, parents could be divorced. Custody arrangements in separated families would need to be determined either by administrative decisions or through courts. The cooperation at EU level helps exchange best practices across member States. She then referred to the issue of institutionalisation in relation to children who arrive from Ukrainian institutions as groups. Ensuring quality accommodation and care in line with the European standards for these children was a challenge. Some five thousand children from institutions were hosted in Poland. The EU had worked very closely with the Ukrainian authority to identify the best solutions. A pilot project was set up between Ukraine and UNICEF on splitting the broader groups and finding appropriate lodging and care opportunities, also in the context of the enlargement report on Ukraine and the future accession talks.

The temporary protection directive provided for immediate access to state education system at primary and secondary level for Ukrainian children. The EU issued policy guidance to promote peer learning across EU. Member states have done different things: whether it is the employment of Ukrainian assistant teachers, or whether it is about trying to facilitate the access of qualified Ukrainian teachers into their national systems; or whether it is about trying to combine the learning that takes place still online based on the Ukrainian curriculum with the curriculum in that given member state, without overburdening the child. A practical manual has been published by the European Commission together with the Ministry of Education and Science of Ukraine, citing arrangement for cooperation in education that has been followed up by the member States. The focus is on the mutual recognition of academic qualifications and participation in the EU twinning and Eurydice networks. This should also help provide guidelines to Ukrainian schools on how to assess learning outcomes of school attendance abroad upon return, which is also very important. The core of this work should focus on child well-being. The learning should become very practical, helping children recover after the trauma they experienced. Finally, member states will also work more intensely on the reception of specifically unaccompanied children

including separated children arriving from Ukraine. Improving reception capacities in the EU for unaccompanied migrant children must be a priority, she concluded.

Ms Chatzivassiliou-Tsovilis thanked Ms Schmidt for her intervention, and everyone for their active contribution to the discussions. She highlighted the urgent need for rehabilitation centres to support both the physical and psychological health of children. She also stressed the fact that Ukrainian identity must be preserved, notably through education which remained the top priority for Ukraine after defence. She also mentioned concrete needs, such as building bomb shelters.

The Chairperson thanked all participants and closed session 1.

2 pm – 4:30 pm

Session 2: the situation of Ukrainian children deported or forcibly transferred to the Russian Federation, Belarus or territories temporarily occupied by the Russian Federation moderated by Ms Olena Khomenko, Vice-President of the Parliamentary Assembly

Ms Olena Khomenko, the Chairperson of the ad hoc Committee and Moderator of session 2, opened session 2 by emphasizing the obligation of all to make every possible effort to aid in the return of Ukrainian deported and forcibly transferred children. She then gave the floor to the first speaker.

Mr Dmytro Lubinets, Ukrainian Parliament Commissioner for Human Rights, stated that Ukraine had been subjected to violations of its citizens' rights for ten years. According to the latest data, 512 Ukrainian children had died from rockets, 1 158 children were wounded resulting in injuries and mutilations, an increasing number of children had been sexually assaulted, including very young children aged as young as 4 years old, and 75 children had suffered torture. 19 546 children had been abducted and deported to the Russian Federation or to other locations, their fate currently very unclear or completely unknown. Countless schools, hospitals and infrastructure had been damaged and destroyed. Without international assistance the whereabouts of the deported children could not be ascertained. Children under the age of 14 living in the currently occupied Ukrainian territories, were now being recognised as Russian citizens, and often had their names and the dates of their births modified. They were obliged to speak only Russian and to consider themselves as Russians. The world had been made far more aware of the problem thanks to the ICC arrest warrants against Mr Putin and Ms Lvova-Belova. Mr Lubinets stressed his view of the importance of recognising in legal terms these abductions as a genocide. He asked for effective and concrete mechanisms that produced results, such as political and diplomatic pressure. The real problem, according to Mr Lubinets, was that Russia, while sitting in the United Nations Security Council as a permanent member, nevertheless carried on cynically killing Ukrainians every day. He underlined the need for international support to bring all the children back home. Regarding the role of ICRC, whose mandate was to protect civilians, he would like to have further information on the numbers of abducted civilians and the places of detention of Ukrainian prisoners of war. In his view, the ICRC's neutral position in carrying out its work must not run counter to objectivity and the prevailing of justice. He gave a positive example concerning the return of 3 sisters thanks to the support of Qatar and Unicef. Finally, he asked member States to join a new International Coalition of willing countries, which had met for the first time on 8 December 2023 in Kyiv.

Ms Khomenko hoped that this coalition would help the return of Ukrainian children.

Mr Paulo Pisco highlighted that this situation should not become the new normal and should not be allowed to continue. International law had been totally violated, and the acts committed could be qualified as genocide. The international community should take urgent action and give every priority to the return of children to Ukraine. It was necessary to identify and locate all the deported children, otherwise they will be irrevocably lost. He called for increasing pressure, including with sanctions, in order to stop the deportations, the processes of adoption and the acquisition of Russian nationality and finally highlighted the need to put in place the right systems and processes to collect all the information about the abducted children in order to help them reunite with their families.

Ms Philomène Remy, Special Correspondent of the documentary on BFM TV "Russia: Ukraine's stolen children", showed an extract of her film. Russia is leading a massive and structured campaign to assimilate the Ukrainian children into Russian language and culture, under a systemic and organised phenomenon of deportation. She testified that families who had sent their children to so-called holiday camps were afraid of being seen as traitors to their country, which made it difficult for them now to speak up. She urged the members and the international community to act swiftly to ensure the repatriation of the deported children.

Ms Shahida Tulaganova, filmmaker of the ITV documentary "Ukraine's stolen children", showed an extract of her film and said that she was shocked by the massive scale of the deportation of Ukrainian children to Russia. She believed that the Russian Federation had in its possession lists of the deported children, but that it would not share these with the Ukrainian authorities, but rather use the list as a political weapon for negotiations. She described the heart-breaking situation of children being brainwashed into believing that they had no future in Ukraine, of children being held against their will, and of children who were deprived of their Ukrainian identity

by every available means. She also highlighted the issue of parents and families who were travelling alone to find their children, due to fear of stigmatisation. Those without families seeking them – orphans and institutionalised children – are also in a particularly vulnerable situation as regards their chances of return home.

Ms Viktoriia Litvinova, Deputy Prosecutor General of Ukraine, expressed her gratitude to the Assembly for its efforts related to the protection of Ukrainian children from ongoing armed conflicts. As noted in PACE Resolution 2495, forced deportation and transfer of Ukrainian children, changing their nationality and forced adoptions were prohibited under international humanitarian law, human rights law and international criminal law. These practices amounted to war crimes and crimes against humanity and could reach the threshold of the crime of genocide. She also stressed that Belarus should likewise be held responsible for aiding Russia in its violations. The sanctions regime could be an additional tool in the response by the international community both against Russia as well as associated entities and individuals. According to the National Information Bureau, more than 19 000 Ukrainian children have been displaced and deported by the Russians. The first priorities were to make Russia halt the forcible change of nationality and adoption of Ukrainian children and to establish an international mechanism for the children's safe return to Ukraine. She mentioned the first meeting of the International Coalition for the repatriation of illegally deported and forcibly displaced Ukrainian children to Ukraine held on 8 December 2023. The Coalition had agreed to exert all possible efforts to return Ukrainian children and support the process of their reunification with families and placement in family-based care settings. Under international humanitarian law, the parties to the conflict may appoint a third party or Protecting Power to act as an intermediary. As the procedure of appointment had failed, an organisation which offers guarantees of impartiality and efficacy such as the UNHCR could be appointed. Unfortunately, the return and repatriation of children often happened after the end of a war. The Coalition may thus become a critical factor for pressing for practical solutions.

Ms Darya Kasyanova, Ukrainian Child Rights Network, SOS Children's Villages in Ukraine, talked about the categories of the forcibly deported children, which were children whose parents had died in the war, orphans, children who were sent to relatives for security reasons at the beginning of the full-scale war and children whose parents are soldiers. She then described some cases of the children who had returned to Ukraine and been reunited with their families. 135 children had been returned by her team. She enumerated the problems encountered in this process: difficulties in locating the children, perilous and long journeys, danger to life and fear of non-return. In addition, time is a critical factor, as each new day was another step away from the possibility of a return of a child. After returning to Ukraine, rehabilitation and psychological assistance were what was needed in the first instance. Ms Kasyanova finally suggested the creation of a rehabilitation centre in a third country, such as Poland, in which the repatriated children, along with their parents or legal representatives and representatives of international organisations, could be hosted in order to help them narrate and recover from the ordeal they had been through. It was also very important to give priority to finding the orphans and children from institutions who have been deported.

Ms Kateryna Rashevskaya, representative of the Ukrainian NGO Regional Centre for Human Rights, mentioned PACE Resolution 2495, which called on the Russian Federation to ensure the safe return of all deported and forcibly transferred Ukrainian children. So far, 387 out of the identified 19 546 unlawfully displaced children had returned to Ukraine. Ms Rashevskaya stated that the return of the displaced children during the armed conflict was not solely an obligation of Russia, but of all the other countries. The international community should step in to fill the gap left by the unwillingness of Russia to co-operate. Resolutions of the UN General Assembly and PACE are needed not only for the reunification of families but also for children, who are vulnerable, such as orphans. Her organisation has elaborated the concept of a unique legal mechanism for the return of a large number of Ukrainian children. There is a need for legally binding agreements with a third party, be it a State or group of States or an international organisation such as the UNHCR. Ms Rashevskaya highlighted that time was not working in Ukraine's favour, as other conflicts were erupting, and the support of certain countries, particularly in the Arab world, was being lost. She feared that the world community was losing interest. As regards the meeting today with the ICRC, she noted that in 2022 a Russian representative was elected to the Council of the International Federation of the Red Cross (IFRC), which she regretted. She concluded that a unified return mechanism was the only way of fully complying with the rules of international law and with the respect of children's rights, which would serve to maintain attention and prevent Russia from manipulating and accumulating support. Only sanctions might induce Russia to comply.

Ms Khomenko thanked all the speakers for their testimonies and opened the floor for debate.

Mr Sushko thanked the experts for the information they had provided. He regretted the lack of results so far in identifying and returning children and asked for unity and resolute action to bring the children home.

Ms Kalnina-Lukasevica highlighted that the practice of killing, injury, sexual abuse, unlawful transfers and deportations of Ukrainian children to the Russian Federation and to Belarus, their forceable placement in custody or adoption by Russian foster families was a clear combination of hostage taking and russification policy and could be considered as war crimes and genocide. She described the example of the father of three

children who had suffered deportation and torture and who were finally returned home thanks to the tireless work of volunteers. She drew parallels with the treatment by Stalin of Latvian children in 1937, noting that Russia's aim was to impose a Russian identity onto Ukrainian children. She urged the members of the committee to act with all possible and impossible means until each and every child returned in Ukraine. She was looking forward to the *in camera* meeting with UNHCR and ICRC, their help was much needed.

Mr Moutquin noted that the sentence "we do not know where our children are" summed up the core of the problem. He stressed the EU and Council of Europe member States' responsibility to do everything in their power to prevent the risk of genocide. He then asked the journalists present whether the Russian families which were fostering the Ukrainian children, were doing so for financial gain. In addition, he asked the rest of the speakers if there were other players involved, apart from Qatar and Unicef, in the repatriation of the children, although he recognised that this might be difficult to answer since negotiations are by their nature secret on such matters. He concluded by asking the last speaker whether the Ukrainian orphanages had registers or records of the names of the children who had disappeared perhaps centralised in Kyiv?

Ms Mezentseva spoke in support of a new and innovative mechanism, namely the recent Coalition on bringing back the Ukrainian children, which Canada would chair, and which could be a broader coalition with Qatar for example. This showed that everyone could help, regardless of geography. She was also grateful to those Russians who were participating in rescue operations despite the danger to themselves. Regarding the ICRC, she highlighted that their mandate authorised them to visit the children. According to the BBC, there are around 40 camps where children are being held. On the Ukrainian side, different authorities – Prosecutor General Office, National Police and Ombudsman – collect data for all missing persons, adults, and children. Replying to Mr Moutquin, she stressed that Ukraine was highly digitalised and that the collection and provision of the necessary data, for example on children taken from orphanages, would be possible. However, the most difficult issue is then how to search for the children.

Ms Bilozir drew attention to the terrible situation of young Ukrainians who had been deported or living under occupation and who might well now be obliged to join the Russian army and fighting against their own country. She cited the example of Bogdan, 18, returned thanks to Mr Lubinets and NGOs. She said that Russia had no compunction in using Ukrainian young people to fight Ukraine or even other countries, should it come to that. She stressed the need to create rehabilitation centres and welcomed the role of the journalists and the filmmakers who were able to show the world the reality of what was happening.

Mr Jonsson thanked all speakers for their input and stressed the need for the rehabilitation of the repatriated children and their wellbeing. As the Reykjavik Summit had headlined, support to the Ukrainian children was an absolute priority.

Mr Hebanowski stated that the Council of Europe needed to focus and fund programmes and projects dedicated to revealing what was going on in Russia and on how to support the brave Russians who work together with the Ukrainians. He thanked the journalists for their amazing testimonies.

Ms Mikkonen condemned the deportation and russification of children and called for action from the Council of Europe and unity from all in working for the return of the Ukrainian children.

Mr Lubinets specified that 522 Ukrainian children had been returned, including 386 who were deported by the Russian Federation. They had been returned by a large Ukrainian team, Parliament, government, NGOs. He spoke about the International Coalition, which was a result of the initiative of the Ukrainian President and the suggestion of Canada to organise an International Coalition. In his view, Canada had taken the lead in proposing a new, strong, concrete step for the repatriation of Ukrainian children. He also welcomed the intervention of Qatar after a meeting he had held with the authorities of that country. In his view, in his capacity as ombudsman of Ukraine, the neutral position of the ICRC and of the United Nations did pose a problem in that maintaining partnership with the Russian authorities was, for him, not compatible with action to redress violations of the human rights of the children in question. He praised the Council of Europe for its rapid decision to expel the Russian Federation from its member States. Lord Foulkes called for a proper, effective, coordination mechanism and intensification of the sanctions on Russia and on individual Russians. He felt that the Council of Europe was the right organisation to deal with the issue of the human rights of children in Europe.

Ms Kravchuk invited the members to continue working on these issues on a regular basis, including via a mechanism inside the Assembly.

Ms Khomenko thanked the speakers for their powerful speeches and comprehensive presentations. She announced the following *in camera* part of the meeting and closed the public part of the meeting.

4:30 pm – 5:30 pm (in camera): Mr Simon Moutquin (Belgium, SOC), Chairperson of the Committee on Social Affairs, Health, and Sustainable Development, moderated the remaining part of the Ad hoc committee meeting and concluded the event.

APPENDIX 1 – ATTENDANCE LIST / LISTE DE PRESENCE

(The names of members who took part in the meeting are printed in bold / *Les noms des membres ayant pris part à la réunion sont imprimés en caractères gras*)

Chairperson / Présidente : Ms / Mme Olena KHOMENKO (Ukraine, EC/DA / Ukraine, CE/AD)

With the participation of / Avec la participation de :

Mr / M. KOX Tiny **President of the Assembly / Président de Assemblée**

Mr / M. KHRYCHIKOV Sergey **Head of the Private Office / Chef du Cabinet**

Committee on Social Affairs, Health and Sustainable Development / Commission des questions sociales, de la santé et du développement durable

Ms / Mme Laryza BILOZIR	(Ukraine, ALDE / Ukraine, ADLE)
Ms / Mme Olena KHOMENKO	(Ukraine, EC/DA / Ukraine, CE/AD)
Ms / Mme Evhenia KRAVCHUK	(Ukraine, ALDE / Ukraine, ADLE)
Ms / Mme Carmen LEYTE	(Spain, EPP/DC / Espagne, PPE/DC)
Ms / Mme Luz MARTINEZ SEIJO	(Spain, SOC / Espagne, SOC)
Mr / M. Alain MILON	(France, EPP/CD / France, PPE/DC)
Mr / M. Simon MOUTQUIN	(Belgium, SOC / Belgique, SOC)
Mr / M. Georgios STAMATIS	(Greece, EPP/CD / Grèce, PPE/DC)
Ms / Mme Maria SYRENGELA	(Greece, EPP/CD / Grèce, PPE/DC)

Committee on Migration, Refugees and Displaced Persons / Commission des migrations, des réfugiés et des personnes déplacées

Ms / Mme Nerea AHEDO	(Spain, ALDE / Espagne, ADLE)
Mr / M. Paul GAVAN	(Ireland, UEL / Irlande, GUE)
Lord Leslie GRIFFITHS	(United Kingdom, SOC / Royaume-Uni, SOC)
Ms / Mme Ada MARRA	(Switzerland, SOC / Suisse, SOC)
Ms / Mme Mariia MEZENTSEVA	(Ukraine, EPP/CD / Ukraine, PPE/DC)
Ms / Mme Ester MIELI	(Italy, EC/DA / Italie, CE/AD)
Ms / Mme Esther PEÑA	(Spain, SOC / Espagne, SOC)
Mr / M. Paulo PISCO	(Portugal, SOC)
Mr / M. Theodoros ROUSOPOULOS	(Greece, EPP/CD / Grèce, PPE/DC)
Lord Simon RUSSELL	(United Kingdom, EC/DA / Royaume-Uni, CE/AD)
Ms / Mme Domenica SPINELLI	(Italy, EC/DA / Italie, CE/AD)
Mr / M. Ionuț-Marian STROE	(Romania, EPP/CD / Roumanie, PPE/DC)
Ms / Mme Sandra ZAMPA	(Italy, SOC / Italie, SOC)

Committee on Culture, Science, Education and Media / Commission de la culture, de la science, de l'éducation et des médias

Mr / M. Pauli AALTO-SETÄLÄ	(Finland, EPP/CD / Finlande, PPE/DC)
Mr / M. Rino Roland Rino BÜCHEL	(Switzerland, ALDE / Suisse, ADLE)
Lord George FOULKES	(United Kingdom, SOC / Royaume-Uni, SOC)
Mr / M. Claude KERN	(France, ALDE / France, ADLE)
Ms / Mme Mirosława NYKIEL	(Poland, EPP/CD / Pologne, EPP/CD)
Ms / Mme Fiona O'LOUGHLIN	(Ireland, ALDE / Irlande, ADLE)
Mr / M. Pavlo SUSHKO	(Ukraine EC/DA / Ukraine, CE/AD)
Mr / M. Birgir THÓRARINSSON	(Iceland EPP/CD / Islande, PPE/DC)

Committee on Legal Affairs and Human Rights / Commission des questions juridiques et des droits de l'homme

Mr / M. Pablo HISPAN	(Spain, EPP/CD / Espagne, PPE/DC)
Ms / Mme Anna-Kristiina MIKKONEN	(Finland, SOC / Finlande, SOC)
Ms / Mme Susana SUMELZO	(Spain, SOC / Espagne, SOC)

Committee on Political Affairs and Democracy / Commission des questions politiques et de la démocratie

Ms / Mme Elena BONETTI	(Italy, ALDE / Italie, ADLE)
Mr Bjarni JÓNSSON	(Iceland, ALDE / Islande, ALDE)
Ms / Mme Zanda KALNIŅA-LUKAŠEVICA	(Latvia, EPP/CD / Lettonie, PPE/DC)
Mr / M. Gonzalo ROBLES	(Spain, EPP/CD / Espagne, PPE/DC)
Ms / Mme Oleksandra USTINOVA	(Ukraine, ALDE / Ukraine, ADLE)

OTHER MEMBERS OF PACE / AUTRES MEMBRES DE L'APCE

Ms / Mme Mireille CLAPOT	(France, ALDE / France, ADLE)
Ms / Mme Liisa-Ly PAKOSTA	(Estonia, NR / Estonie, NI)

EXPERTS / SPEAKERS

Ms / Mme ALCOFORADO Mariana	ICRC Regional Child Protection Advisor / Conseillère régionale pour la protection de l'enfance du CICR
Mr / M. BABAK Serhii	Chair of the Committee on Education, Science and Innovation, Ukrainian Parliament / Président de la Commission de l'éducation, de la science et de l'innovation, Parlement ukrainien
Ms / Mme DAMBINA Liene	Chair of the Board of the Children's Hospital Foundation, Latvia / Présidente de la Fondation de l'Hôpital pour enfants, Lettonie
Mr / M. HEBANOWSKI Witold	President of the Inna Przestrzeń Foundation, Poland / Président de la Fondation Inna Przestrzeń, Pologne
Ms / Mme KASYANOVA Darya	Ukrainian Child Rights Network, SOS Children's Villages Ukraine / Ukrainian Child Rights Network, SOS Children's Villages Ukraine

Ms / Mme LITVINOVA Viktoriia	Deputy Prosecutor General of Ukraine / Procureure générale adjointe d'Ukraine
Mr / M. LUBINETS Dmytro	Commissioner for Human Rights of the Ukrainian Parliament / Commissaire aux droits humains du Parlement ukrainien
Mr / M. LUTSYK Vasyl	Head of the National Social Service of Ukraine / Chef du Service Social National d'Ukraine
Ms / Mme RASHEVSKA Kateryna	Representative of the Ukrainian NGO Regional Centre for Human Rights / Représentante de l'ONG ukrainienne Centre régional pour les droits humains
Ms / Mme REMY Philomène	Special Correspondent BFM TV / Grand reporter BFM TV
Ms / Mme RUSECKAS Shokhida	Filmmaker ITV / Réalisatrice ITV
Ms / Mme SCHMIDT Anna (ONLINE)	Policy Officer, European Commission DG Migration and Home Affairs / Responsable des politiques, Commission européenne DG Migration et affaires intérieures
Ms / Mme SLOBODNICHENKO Maryna	Ukrainian Deputy Minister of Health Protection for International Affairs / Vice-ministre ukrainienne de la Protection de la santé pour les affaires internationales
Mr / M. VUJAŠANIN Dušan	Head of the CTA Bureau, ICRC's Central Tracing Agency Bureau for the International Armed Conflict between the Russian Federation and Ukraine/ Chef du Bureau de l'ACR, Bureau de l'Agence centrale de recherches du CICR pour le conflit armé international entre la Fédération de Russie et l'Ukraine

DELEGATION SECRETARIES

Ms / Mme DMYTRENKO Alina	Ukraine / Ukraine
Mr / M. POLISHCHUK Maksym	Ukraine / Ukraine
Ms / Mme STOSIC Marija	Suisse / Switzerland

OTHER PARTICIPANTS

Ms / Mme MARTINUZZI Jenna Renee	Conseillère principale / Senior Advisor Ambassadeur du Canada auprès de la France et à Monaco et envoyé spécial auprès de l'Union européenne et de l'Europe / Ambassador to France and Monaco, and Special Envoy to the European Union and Europe
Mr / M. SVIZANS Kaspars	Foreign affair advisor of the Head of the Latvian delegation to PACE / Conseiller des affaires étrangères auprès du chef de la délégation Lettone de l'APCE
Ms / Mme MELNYCHUK Oxana	Project director for « Unis pour l'Ukraine » / Directrice des projets pour « Unis pour l'Ukraine »
Ms / Mme USENKO Yulia	Head of the Department for the Protection of Children's Interests and Combating Violence at Ukraine's General Prosecutor's Office
Ms / Mme ARBOGAST Francesca	Socialists, Democrats and Greens Group Secretary / Secrétaire du Groupe des socialistes, démocrates et verts

**SECRETARIAT OF THE PARLIAMENTARY ASSEMBLY /
 Secrétariat de l'Assemblée parlementaire**

Ms / Mme CHATZIVASSILIOU Despina Secretary General of the Parliamentary Assembly / Secrétaire Générale de l'Assemblée parlementaire

Ms / Mme BARTON Louise Director of Committees/ Directrices des Commissions

Inter-Parliamentary Co-operation and Parliamentary Projects Support Division / Coopération interparlementaire et de soutien des projets parlementaires

Ms / Mme KOPACI-DI-MICHELE Liri Head of the Secretariat / Cheffe du Secrétariat

Committee on Social Affairs, Health and Sustainable Development / Commission des questions sociales, de la santé et du développement durable

Ms / Mme KLEINSORGE Tanja Head of the Secretariat / Cheffe du Secrétariat

Ms / Mme DEVAUX Jannick Secretary / Secrétaire

Ms / Mme GHOLAMI Anita Co-Secretary/ Co-Secrétaire

Committee on Migration, Refugees and Displaced Persons / Commission des migrations, des réfugiés et des personnes déplacées

Ms / Mme GARABAGIU Angela Secretary / Secrétaire

Ms / Mme CHARLIER Clémentine Assistant / Assistante