Deportation of Children during Armed Conflicts



HELP
Human Rights Education for Legal Professionals
Council of Europe

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Deportation of Children During the Armed Conflicts

HELP ONLINE COURSE

Duration: 4 hours

Available for free on the CoE HELP eLearning platform

Statement of Accomplishment

START COURSE

Council of Europe
Human Rights Education for Legal Professionals (HELP) Programme

2024

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Background

Deportation of people during the armed conflicts, separation of families, violence and abuse constitute flagrant violations of human rights of the civilian population. Since the beginning of the Russian aggression against Ukraine, deportation of Ukrainian civilians, in particular children, constitute a serious feature of aggression and example of a state actor's abuse, resulting in violations of International Humanitarian Law (IHL), International Human Rights Law (IHRL), and international criminal law. These violations include, but are not limited to, the illegal deportation, forcible transfer, unlawful alteration of custody, and adoption of Ukrainian children.

In April 2023, the Parliamentary Assembly of the Council of Europe adopted the 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". The recommendation encourages the development of a new Human Rights Education for Legal Professionals online course on the deportation of children.

About the course

This HELP course was developed in 2024 by the Council of Europe HELP programme, within the framework of the Project "HELP (Human Rights Education for Legal Professionals) for Ukraine, including during wartime", implemented as a part of the Council of Europe Action Plan for Ukraine "Resilience, Recovery and Reconstruction" (2023-2026) and as follow-up to the PACE Recommendation 2253(2023).

Through a detailed examination of applicable IHL and IHRL frameworks, this course provides legal professionals with advanced knowledge of the legal standards governing forced displacement in conflict zones. It equips with the knowledge and skills necessary to apply these frameworks in the prosecution and adjudication of international crimes, thereby reinforcing accountability for the perpetrators of such egregious violations, to address the complex issues of child deportation in conflict zones and to enforce international legal standards effectively.

Additionally, the course covers the treatment of children during forced displacement, as well as the rights to family reunification and return, emphasising the roles of states, international organisations, and other actors in facilitating these processes. Finally, the course explores the mechanisms for holding both individuals and states accountable for illegal deportations.

Course outline

The course consists of the following **modules:**

Introductory module
- About the course and learning objectives
- Resources
- Structure of the course

1 Setting the scene
- Scale of displacement
- Children as a vulnerable group
- Basic terms
- Situations and applicable laws

2 Illegality of deportation of children during armed conflicts
- Legal prohibition of forced displacement of civilians
- Consensual displacement and evacuation of civilians

3 Treatment of children during deportation/transfer
- Applicable sources and key provisions
- Family links and social identity
- Assistance and care
- Education
- Obligations of third states

4 Obligation to facilitate return of children
- Family reunification
- The right to return
- Relevant actors

5 Accountability for deportations and transfers of children in armed conflicts
- Deportations and transfers as crimes
- Individual responsibility
- State responsibility

Target audience

The course is primarily addressed to **legal and justice professionals** (judges, prosecutors, lawyers) wishing to enhance their knowledge on the legal frameworks and key issues surrounding the deportation and forcible transfer of children during armed conflicts. The course can also be used by anyone interested in the topic.

How to access the HELP online course

The course is freely available in self-learning format on the CoE HELP eLearning platform. Those who complete it in self-learning format can obtain an electronic '**Statement of accomplishment**'.

To access the course, you need to have a HELP account. If you haven't created one yet, you can sign up here, it only takes 2 minutes.

