



I Know What You Did Last Summer

*“Some children ran after me with a toy rifle,
accurately naming all its components.”*

The Russian Federation continues to implement a policy aimed at the forcible transfer of children to the Russian national group. These actions contain elements of the crime of genocide set forth in Article 2 (e) of the Convention on the Prevention and Punishment of the Crime of Genocide¹, reproduced in Article 6 (e) of the Rome Statute of the International Criminal Court. This policy has several dimensions:

- forcible transfer of children to Russian families, of which 400 minor Ukrainians became victims in 2022;
- “re-education” and indoctrination of Ukrainian children in recreation camps;
- medical examinations of minors from the newly occupied territories with further indefinite deportation to the Russian Federation.

Among the 307 children returned to Ukraine², the majority were taken away by agents of the Russian Federation under the pretext of recreation in camps. In 2022, according to the Yale School of Public Health's Humanitarian Research Lab, at least 6,000 children were victims of the relevant policy and were placed for “re-education” in 43 institutions in occupied Crimea and on the territory of the Russian Federation. It should be noted that the “head of the Republic of Crimea,” Serhiy Aksyonov announced plans to accept the 5,000 children only during the summer season and exclusively on the territory of the annexed peninsula³. In addition, at least 2,000 children, mainly from the so-called DPR/LPR, were taken to camps and sanatoriums in Belarus⁴. Representatives of the so-called DPR claim that 18,000 children rested in the camps during 2022⁵. Therefore, the number of affected minors is much higher. In this context, the information provided by the occupied international children's center “Artek” about the plans to receive more than 41 thousand minors in 2023⁶ is alarming because there is a high probability that children from the occupied territories of Ukraine will be among them. In any case, the estimated number of children taken to the camps is at least 20 times greater than the number of

¹ https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf

² <https://childrenofwar.gov.ua/en/>

³ <https://glava.rk.gov.ru/ru/article/show/5610>

⁴ <https://www.bobrlife.by/news/deti-iz-donbassa-snova-priehali-v-belarus-na-ozdorovlenie/>

⁵ <https://archive.ph/H0tEE> , <https://t.me/dnronline/85008>

⁶ <https://artek.org/ob-arteke/obshaya-informaciya/>

children repatriated to their homeland. There is no single legal mechanism to return the children from the occupied territories and the Russian Federation.

Children taken to camps - who are they?

Minors sent to “re-education” camps are children aged 6-17. They have parents or other legal representatives. These are minors from the so-called DPR, LPR, and the (de)occupied Kharkiv, Kherson, and Zaporizhzhia regions.

Are parents criminals? Why did they agree to give the children to the Russians?

According to the parents, they face stigmatization or, at least, misunderstanding why they agreed to the child's rest in the camps. However, it is necessary to understand the circumstances in which the parents gave consent and its scope. First of all, each case of transfer of children followed by indefinite detention was preceded by the return of several groups of minors - with vivid impressions and gifts from the Russians. This had an impact on other children and parents: it created an illusion of security and a feeling of a "bad mother (father)" in connection with the refusal to repeat a “positive” experience. The fact that the occupying state covered the cost of “rest” also had an influence. In addition, the organization and accompaniment of the children were carried out by a person well-known to the families from among school or medical workers, and the occupiers came to the homes to convince them to make the “right decision”. At the same time, the latter increasingly resorted to threats: the parents' refusal could be interpreted as a danger to the child's best interests and, therefore, a reason for the deprivation of parental rights. The general situation in which the consent was obtained matters. This is an armed conflict with a permanent threat of indiscriminate missile, air, and artillery strikes. In the occupied territories, the Russians restricted access to information. The example of a predominantly “limited” reaction to the occupation of Crimea and Eastern Ukraine in 2014, in the conditions of information asymmetry and hostilities, did not inspire hope for the quick liberation of the territories. Parents had to adapt to preserve their custodial rights and avoid forced separation. In addition, “consent” was given for the temporary transfer, rest, and return of the child within the stipulated period, depending on the facility (2-3 weeks). Therefore, the actions of the Russians regarding the arbitrary extension of the term of the transfer of children, change of their place of stay (including without notifying the parents), and refusal to return minors are not covered by consent given under coercion (in the sense of existing international judicial practice). Moreover, in one of the camps, about 200 Ukrainian children aged 14-17 were kept without the consent of their parents⁷. There are known cases of Russians forging documents for children to increase their age until they reach adulthood and, therefore, to enable deportation without the consent of their parents formally.

Children's camps: rehabilitation or exile?

To begin with, we should consider the geography of the facilities to which children were taken: there is a network of 41 existing camps in Russia and occupied Crimea, 12 of which are located

7

<https://hub.conflictobservatory.org/portal/sharing/rest/content/items/97f919ccfe524d31a241b53ca44076b8/data>

on the Black Sea coast, 7 - in other territories of Crimea, 10 - around the cities of Moscow, Kazan, Yekaterinburg. 11 camps are located more than 800 kilometers away from the child's usual place of residence (2 of them - in Siberia, 1 - in the Far East of the Russian Federation). In Belarus, children are placed in at least 4 camps and sanatoriums: in Salihorsk (more than 1,000 kilometers away from home)⁸, in Nowa Huta (more than 800 kilometers away from home)⁹, in Novopolotsk (more than 1,400 kilometers away from home)¹⁰, in Ostroshytsky Horodok (more than 1,200 kilometers away from home)¹¹.

The geography of the location of institutions is not in favor of the child's best interests and, therefore, cannot contribute to the rehabilitation of children. A significant number of institutions (15) are located too far from the child's place of residence. Others are noticeably different from the usual climatic conditions of the child. According to these parameters, the absolute record holder is a vacation in Magadan - 6,300 kilometers away from home. To get to the camp, the children traveled by bus, train, and plane (2 flights).

Some institutions have the status of sanatoriums. This allows us to assume that children received preventive medical intervention in such facilities. The testimony of the parents supports the corresponding assumption. However, it remains unknown which drugs and procedures, as well as for what purpose, were obtained by the minors.

The conditions in the institutions differed. According to the children's testimony in the "Druzhba" sanatorium (Yevpatoria, occupied Crimea), the food was insufficient. Minors were forced to hide bread during meals to eat it afterward. Children insist that there were almost no toys in the camps. In some facilities, in particular, due to the arbitrary extension of the period of stay of children, minors needed more hygiene items, clothes, and shoes according to the season.

Composition "What did I do during the summer holidays?"

According to the testimony of the Commissioner for Children's Rights under the President of the Russian Federation, Maria Lvova-Belova, rest in the camps was aimed at familiarizing children with the Russian language, culture, and prospects for a bright future in Russia. Representatives of the occupation administrations define the goal quite pretentiously "to foster in the shortest possible time true patriots of the Fatherland¹²." Obviously, the Russian Federation is perceived as the fatherland. For example, the Deputy Prime Minister of the Republic of Tatarstan, Leyla Fazleeva, noted that "all camps... are aimed at the patriotic upbringing of youth, development of communication skills, and preservation of [Russian] cultural heritage¹³."

⁸ <https://vsednr.ru/belarus-prinyala-na-otdykh-i-lechenie-eshh/>

⁹ <https://rg.ru/2022/12/11/detej-donbassa-serdechno-vstrechaiut-v-zdravnicah-belarusi.html>

¹⁰ ibid

¹¹ ibid

¹² <https://t.me/Aksenov82/1305>

¹³ <https://www.tatar-inform.ru/news/leila-fazleeva-vstretilas-s-detmi-iz-lnr-i-dnr-otdyxayushhimi-v-lageryax-tatarstana-5875388>

According to the calculations of the Yale School of Public Health's Humanitarian Research Lab, a program of “re-education” and militarization of children was operating in approximately 78% of the camps¹⁴. The minors themselves describe the daily schedule in camps as follows:

In the morning, there was necessarily a drill. Whoever refused to go out was punished. Then they listened to the Russian national anthem. Whoever refused to sing or at least open their mouth was punished. At the same time, the system of punishment provided for circular bail: together with the “guilty child,” their friends had to answer. After the morning “rituals” - breakfast, then - classes (3-4 lessons, including the Russian language, Russian history, physical education, mathematics, and other disciplines within the limits of Russian standards for school-aged children), then - lunch, daytime rest, lunch, entertainment, which included the reproduction of traditional Russian television shows (“What? Where? When?”, “Two Stars”), dinner. After - a disco with Russian songs or a viewing of Russian films, the selection of which was carried out without taking into account the wishes of the children and with disregard for their mental state: often among them were horror films that destabilized the mental health of minors traumatized by the armed conflict.

Along with the lack of understanding of when they would be returned to their parents, such rest caused mental disorders in children, so some minors were placed in medical institutions. This happened without the consent of the parents. The day in the camp ended with the “second dinner,” the so-called sonnyk.

The “rest” program for some Ukrainian children also included guided tours to cultural and religious places (namely conversations with representatives of the Russian Orthodox Church), the so-called “places of glory,” in particular on the territory of the Russian Federation, lectures by Russian “veterans” (mainly those who fought in the Donbas or Syria) and historians, military training (weapon disassembly, physical and tactical preparations, driving and repair of military equipment). Those minors who had sports achievements received additional training. According to the parents, the Russians refused to give up such children and convinced them to leave the minors, promising them a “bright future” in the Russian national teams.

Contrary to the rules of international law, Ukrainian children were placed in camps with their Russian peers. It led to bullying on the part of the latter in connection with the use of the Ukrainian language (speaking Ukrainian in the camps was forbidden), other manifestations of Ukrainian national identity - clothes, accessories, patriotic shouts, attempts of Ukrainian children to convey the truth about the aggression of the Russian Federation. Ukrainian children were called “hokhol, hokhlushka” and were treated as low-class. Educators and the administration of institutions did not react to such manifestations of violence and enmity. Although physical violence by adults was mainly not observed, some children reported being beaten for disobedience and whims (for example, wanting to talk to their parents). Adolescents,

14

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as a rule, were deprived of mobile phones and, therefore, the opportunity to maintain regular contact with their parents.

The Russians involved them in propaganda campaigns regardless of the children's willingness. Images of minors (photos, videos) were posted on websites and social networks of facilities and their employees without the proper consent of parents and children themselves.

A long way home: a mission to repatriate children

Regardless of the vectors of the Russian policy of forcible transfer of children to their national group, there is currently no single mechanism for the return of Ukrainian minors. Therefore, under whatever pretext the Russian agents would not take the children away, a new scheme should be organized each time for their repatriation.

In the most general form, existing ad hoc return mechanisms look like this: after several weeks/months of waiting, parents (independently or with the help of non-governmental organizations/Ukrainian authorities) cross the border through third countries to the Russian Federation, provide documents certifying their parentage, listen to the standard propaganda lectures about staying in Russia, as well as threats of criminal prosecution by Ukraine for collaborationism. In the end, those who decided to return to the Motherland took their children and got home through artificially created barriers at the border.

This scheme has several disadvantages. First, it is sporadic. Therefore, it does not guarantee that the child will be returned. At the same time, cases were recorded when parents were able to take the child after several unsuccessful attempts. Secondly, the organization of the process and the responsibility for the return of the minor rests with the parents, who are in a vulnerable position due to the armed conflict. Cases were recorded when parents did not have the financial ability to make a “trip” to the Russian Federation to pick up their child. Such parents are at increased risk of becoming victims of human trafficking or fraud because the algorithm for returning the child is not clearly outlined, as are the responsible persons, in particular from the Ukrainian authorities, who can be contacted with a specific goal: to immediately and unconditionally return the child. Thirdly, the ad hoc mechanism does not sufficiently comply with the child's best interests principle. Family reunification and repatriation are generally recognized as contributing to the realization of the rights of minors. However, the development of an individual repatriation trajectory does not occur before the return. Therefore, the return is not accompanied by repatriation and reintegration. There have been recorded cases when children returned with their parents to areas of hostilities or increased risk of indiscriminate shelling. Some families who managed to return their children are in difficult living conditions: due to the armed conflict, their houses are damaged, and their source of income is lost.

The role of the Russian terrorist regime

Both in the territories under the effective control of Russia and in Belarus, the policy of forcible transfer of Ukrainian children to the Russian national group is coordinated and financed by the federal government of the Russian Federation. At the top of the “pyramid of evil” is Putin, who, even during his New Year's address, thanked parents from the newly occupied territories

for sending their children to rest camps¹⁵. The “right hand” of the President is Maria Lvova-Belova, the children's ombudsman, who managed the organization and program of such a vacation. The role of senior Russian officials at the regional level is essential, including governors and children's rights commissioners, occupation authorities, administrations of institutions that accepted children, and local collaborators who sought consent from parents for rest and accompanied children in the process of relocation.

According to the Yale School of Public Health's Humanitarian Research Lab, at least 12 people involved in implementing policies that contain elements of genocide are not currently on the US sanctions list. These are mainly regional children's rights commissioners¹⁶.

Conclusion: legal qualification

The “rest” of the Ukrainian children in camps in the territories under the effective control of the Russian Federation and in Belarus, as well as the displacement processes accompanying it, violate international humanitarian law and international human rights law and bear the hallmarks of international crimes.

In the context of international humanitarian law, the violations consist in the exclusion from the decision-making processes regarding the removal, education, and medical intervention in the health of the minor of the state of his citizenship - Ukraine. In addition, by its actions aimed at eradicating the Ukrainian identity of children, Russia violates the fundamental principle of IHL - the preservation of the status quo ante bellum principle and, by militarizing children, the Russian Federation demonstrates to the international community that it is ready to cross another red line - the recruitment of child soldiers, forced conscription of those who have come of age.

As for international human rights law, the Russian Federation violates the Universal Declaration of Human Rights and the Convention on the Rights of the Child, and existing international standards developed by UNICEF, the ICRC, the UN General Assembly, and PACE. These violations include war propaganda, indoctrination, separation from parents, restriction of the right to education following the minor's cultural and national affiliation, restriction of the right to information, restriction of freedom of movement, placement in conditions harmful to physical and mental health, etc.

At the very least, recorded cases of removal of children without parental consent bear the hallmarks of forced transfer and deportation, which can be simultaneously qualified as war crimes and crimes against humanity. The policy itself, aimed at eradicating Ukrainian identity and turning minors into enemies of their nation, regardless of how long the children have been in the Russian national group, contains elements of genocide against the Ukrainian nation.

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¹⁵ <https://archive.ph/P4T2o>, <http://kremlin.ru/events/president/news/70315/videos>

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<https://hub.conflictobservatory.org/portal/sharing/rest/content/items/97f919ccfe524d31a241b53ca44076b8/data>