Part I. Right to live and survive, right to health and development, right to be protected from abuse and exploitation, right to family in the context of abductions and deportations.
The full-scale war (primarily started in 2014) escalated in Ukraine on the 24th of February 2022, and it changed the lives of over 42 million Ukrainians, including 7.5 million children.

This brochure discloses the impact of war on children’s rights, and is based on the gathering of statistics and cases from open sources, official data, and private stories. The publication is not aimed to include every case that has happened in 100 days of international armed conflict and doesn’t reflect all the horrors that have been happening in Ukraine because of the war.

The purpose is to communicate the situation of children’s rights during the international armed conflict in Ukraine with a hope to strengthen the call to action, to ensure children’s rights and well-being are prioritised and to review some approaches to child protection.

As stated in the UNCRC (1989):

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavor to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.”

(Article 38, UNCRC)

This brochure is the first one in a series of combined notes about childhood during the war with a key focus on the reporting on violations of children’s rights: right to live and survive, right to health and development, right to be protected from abuse and exploitation, right to family in the context of abductions and deportations.

Content warning: some hyperlinks contain sensitive materials which might be distressing. Do not follow the links if you are not sure you want to see and hear more about the cases.

Brochure preparation

The brochure is initiated and developed by Polina Klykova within childrenrights.info initiative. Kyiv, Ukraine. August 2022.

Acknowledgements

I would like to express my deepest appreciation and gratitude to Ally Dunhill & Zuzana Konradova from Eurochild for their support.

And to thank everyone who was brave enough to document and share stories that became a part of this publication.

Designed by Vladimir Mordakov
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Acronyms and abbreviations

UNCRC  United Nations Convention on the Rights of the Child
Geneva IV  Geneva Convention (IV) relative to the Protection of Civilian Persons in Times of War
Geneva AP I  Additional Protocol (I) to the Geneva Conventions
UN  United Nations
1.1. LIFE, HEALTH, AND SURVIVING

1. "States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child."

(Article 6, UNCRC)

The war violated children’s rights to survive, to live, to be healthy, to have access to food and water. Despite Article 51(4)(a) and 51(5)(b) of Additional Protocol I to Geneva IV, the Russian army attacked civilians directly and attacked towns in a way that damaged civilian infrastructure and caused death and injuries for non-combatants, particularly children.

Because of Russian's air strikes, air raid sirens have been heard around Ukraine since 24th of February 2022, and this has made people hide and sometimes live for many days and nights in the underground bombs shelters. In addition to air attacks, children have been killed and injured by shelling, shooting, and mines around the country.

On the 3rd of June, on the 100th day of war, the Prosecutor General’s office of Ukraine reported that:

261 CHILDREN HAD BEEN KILLED
463 INJURED

* however the numbers were estimated to be higher.

Staying in safer regions of Ukraine does not guarantee surviving the air attacks, and attempts to evacuate have often led to death and injuries of children and their parents.

A few such stories are described below.

“Unknown #1”.  
7 years old.

That is the “name” given to a boy taken to the Okhmatdyt Hospital with deadly injuries on the 25th of February 2022. The car that his family was travelling in was fired upon by Russian troops. His parents were killed immediately, and when found, the boy had lost a lot of blood and was unconscious.

The quote of the Okhmatdyt Hospital:

“Due to Russia’s attack on Ukraine, Okhmatdyt, the largest children’s hospital in Ukraine, is forced to resort to the principles of military sorting. The wounded boy is currently documented as ‘Unknown #1’.”

On the 1st of March, despite the huge efforts of doctors, the boy died. Later, it became known his name was Semen.

Daryna.
13 years old.

The story of Daryna who was shot by Russian troops is presented by Andriy Nebytov, Head of the Police Department in Kyiv region (video)

Daryna’s story:

28.02.2022. Her father and mother-in-law were killed in front of her. Daryna was shot too (in the hand and hip) but survived as she pretended she was dead. Nowadays, she lives with her mother and her younger sister.

On the video she shows the place of a war crime. Daryna tells her story:

«I heard them screaming: “She is at left side!”, and then they opened a fire on me (3:29) ...
I understood at the same moment, that I’m shot, but I didn’t feel anything (3:44) ...
I was here... They pulled my leg to check if I’m alive (4:17) ...
There, under the fence, I realized if I can’t, nobody can help me. So I put myself on legs and hands, and I was crawling behind the fences (4:48)".

1. Primary source: video https://www.youtube.com/watch?v=Cgpou5mgb4U&ab_channel=NEBYTOV
2. Source of picture: 2:40 at video https://www.youtube.com/watch?v=Cgpou5mgb4U&ab_channel=NEBYTOV
Mariia.
17 years old.

Mariia survived Mariupol and a filtration camp. She gave a few interviews, particularly for ICTV channel, when she recalled a period of staying underground in Mariupol:

“We had one dry piece of bread for all of us... We split it. But I could not eat it, I was afraid to eat it. I wanted to drink, but I didn’t drink. We had a glass-can with water, just one. When it was raining – we gathered a rain to drink; when it was snowing – we gathered snow to drink (1:20-1:31)”.

There are many stories of people who hunted for snow as this was the only source of water in Summy, Chernihiv, Donetsk, and other regions. These stories were commonly shared on social media in March 2022 but rarely documented in any other way. In some places, the water was very limited, but there were other sources to access water (wells, etc).

Danylo.
6 years old.

He studied in the 1st grade and used to go to school. The war destroyed not only his school, but caused injuries to a boy and his parents. Because of the war, the apartment-house where the family lived lost heating, electricity, and water. On the 17th of March, when the family were on their way to get water, they headed to the bomb shelter, as shelling started.

The parents covered their son with their bodies, but Danylo still got many injuries. The family members were taken to different hospitals and did not see each other for 16 days.

1. Source, ICTV channel: https://www.youtube.com/watch?v=9-HwDf-AdAM&abchannel=%D0%A4%D0%B8ICTV
2. Source: Okhmatdyt Facebook page https://cutt.ly/YCcDGVy
3. Photo made and posted by National Children Specialized Hospital: https://photos.app.goo.gl/XPASm3wXPzVFb8v8
The war pursues people in every region

On the 18th of April, 4 missiles fall on Lviv.

The pieces of that missile injured a child shelter where internally displaced people were living; luckily, no one was hurt.

Unfortunately, that day 1 child was reported as injured by this attack. At the same time, 3 year old boy and his mother were staying at a hotel in Lviv. Previously, they had evacuated from Kharkiv where shelling, exploitations, and air attacks happened daily. The boy was injured in Lviv, in a place where he was supposed to be safe.
Evacuation

Evacuation from occupied territories is dangerous for every civilian.

"The Parties to the conflict shall endeavour to conclude local agreements for the removal from besieged or encircled areas, of wounded, sick, infirm, and aged persons, children and maternity cases, and for the passage of ministers of all religions, medical personnel and medical equipment on their way to such areas."

(Article 17, Geneva IV)

There are numerous cases of injuries to children, is when they were shot in their family cars during evacuation. This was reported by Sviatoslav Vakarchuk from the hospital in Zaporizhzhia on the 17th of March: video.

On the 21st of March, Oleksandr Starukh, Head of Zaporizhzhia region, reported that buses and cars with children inside were shelled during the attempt of evacuation from Mariupol to Zaporizhzhia

Such stories happened before and after these cases in Zaporizhzhia and other occupied regions in Ukraine.

“For children”

On the morning of the 8th of April, many people were staying at the railway-station in Kramatorsk, Donetsk region, as they were waiting for the evacuation train. The railway station was attacked by a Russian missile strikes. It caused serious injuries and death for over 160 people, including the deaths of 5 children.

On photo: The missile had a label “За детей” which means “For children”.

2. Source: Mr. Starukh Telegram channel https://t.me/starukhofficial/2937
5. An additional video-source: https://www.youtube.com/watch?v=NV3M3EQaOmU&ab_channel=SkyNews
1.2. CHILD TRAFFICKING, DEPORTATION, AND ABDUCTION

Deportation

“No Party to the conflict shall arrange for the evacuation of children, other than its own nationals…”

(Geneva AP I. Article 78(1))

In case of health and medical treatment reasons, there is also a list of facilitating the child return activities are required to ensure child can come back home as soon as possible.

(paragraphs 1-3 of article 78 of AP I to Geneva Conventions)

“Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.”

(Article 49 paragraph 1 of Geneva IV)

The Occupying Power shall take all necessary steps to facilitate the identification of children and the registration of their parentage. It may not, in any case, change their personal status, nor enlist them in formations or organizations subordinate to it.

(Article 50 paragraph 2 of Geneva IV)

“States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.”

(Article 8(1) UNCRC)

“States Parties shall take measures to combat the illicit transfer and non-return of children abroad.”

(Article 11(1) UNCRC)

Despite these agreements, since the middle of March, cases of Ukrainian children deported to the Russian Federation have been reported.

On the 30th of May, the President of Russian Federation signed an Act to change the citizenship of Ukrainian orphans*.

On the 7th of July Russian leaders reported 375 620** Ukrainian children were deported to their territory. Such data in Russian resources kept increasing and by August this reached almost half a million children. This data has not been validated as yet.

Based on RF news, on the 1st of June their Ombudsman reported 120 Russian families were ready to welcome children from Ukraine***.

On the 24th of August the Ukrainian government reported over 7000**** cases of children deported by Russia. Data keeps being updated on the portal: https://childrenofwar.gov.ua/

2. ** Russian media agency “Interfax” https://www.interfax.ru/world/851073
4. **** Press-conference by Kateryna Pavlichenko, Deputy Minister of Internal Affairs of Ukraine https://www.youtube.com/watch?v=laq5ds4brb4&ab_channel=UkrinformTV
Kira.
12 years old.

Her mother died when Kira was a toddler, so she lived in Mariupol with her father till March 2022.

On the 17th of March, she hid underground with other children while the city was attacked, and her father stayed on the ground. When Kira came back home, she found her father was shot in the head.

Kira tried to evacuate herself in a group with other people, and was taken by Russian soldiers to Donetsk. She managed to contact grandparents via cellphones, and they reported this to prosecutors.

In April she was re-united with her grandparents in Western Ukraine.

Based on Ukrainian National Bureau data, on 1st of August 46 children were returned back home from Russia. Thousands are still in Russia.

Alisa.
4 years old.

Alisa and her mother Victoria stayed in a shelter within Azovstal. Evacuation of civilians from Azovstal was finally agreed on the 8th of May.

The same day, on International Mother Day, during the evacuation Alisa and Victoria were separated by Russian soldiers. Despite international monitors who were there to ensure civilians can leave the occupied area, Victoria (who also was a medic) was taken to filtration camp. Alisa arrived in Zaporizhzhia without her mother.

The girl stays with kinship caregivers.

2. S 1+1 TV channel https://www.youtube.com/watch?v=epYw_RQlznw&ab_channel=%D0%A2%D0%A1%D0%9D
Child Trafficking & Parental Abduction Cases.

There is a lack of data related to child trafficking. The first well-known case was reported on the 14th of March. The State Border Guard Service of Ukraine reported that two foreign citizens were fleeing Ukraine with two children without any documents that proved their relationship to the children. Also, they arrived in Ukraine in late 2021 with no children. (source: The State Border Guard Service of Ukraine https://www.facebook.com/100066866381279/posts/295683132670564/?d=n)

According to Ukrainian Rules on Crossing Borders (document 57-95-n), every parent or other person who fled Ukraine (in a war time) with a child younger than 16 years old has to register the child in the Consulate of the country they are staying.

Daily communication with parents clearly showed that there is little awareness of this rule so in fact some of parents do not register their children in Ukrainian Consulate.

To save the lives of children, some rules of border-crossing were put on hold. For example, the second parent doesn’t have to provide notarized permission for a child to go abroad. This supported over 2 million children (according to UN data) to evacuate and find a safe place far from air attacks and other horrors of war.

At the same time, parental abduction cases have increased.

Two of numerous cases are identified below, when fathers searched for help in looking for their children who had been taken abroad (source: law consultations practice):

- 2022-05-26 16:05
  “Good afternoon! On the 24th of February, I sent my wife and daughter to relatives in Poland. Two weeks ago she messaged me that she found another man and she doesn’t see my communication with a child to be reasonable, after that message, she stopped any communication with me. Is it possible to take child back to Ukraine?”

- 2022-06-03 08:02
  “Greetings. My wife with my son (2 y.o.) and my mother went to Poland. In Poland she found a new man; she knows him only for 2 weeks but moved to him with my son. She doesn’t tell me the address of staying. Can I or my mother get permission on full-time caring for a child?”
In such cases, The Hague Convention on the Civil Aspects of International Child Abduction and relevant Ukrainian national law guide the father to report such situations to the Ministry of Justice of Ukraine who are responsible to lead further actions.

The objects of the present Convention are

a) to secure the prompt return of children wrongfully removed to or retained in any Contracting State; and

b) to ensure that rights of custody and of access under the law of one Contracting State are effectively respected in the other Contracting States.

(Article 1, Hague Convention on Abduction)

But there are also cases when a country is not a State-party of such an agreement. For example:

- The legal help was needed by a woman with Ukrainian citizenship whose husband is an Azerbaijani citizen. Her husband announced his intention to leave her in Ukraine and to take the children to Azerbaijan. Current rules on border-crossing allowed him to do this. (case-related note: the mother followed prevention measures and didn’t report escalation of a case; still, the risks of such abductions exist).

Each case shows the vulnerability of the current child protection system in the context of border-crossings.
Unaccompanied children.

Because of war, some children had to travel alone within Ukraine and cross the borders without their parents or legal guardians.

"States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties."

(Article 22(1) UNCRC)

One of the first cases of an unaccompanied child that was reported by the Ministry of the Interior of the Slovak Republic on the 5th of March. This story was reported internationally.

11 years old. Hassan from Zaporizhzhia (city in Ukraine; 1794 kms from Bratislava, 1250 kms from the Slovakian border) crossed the Ukrainian-Slovakian border alone.

His mother had no opportunity to leave Zaporizhzhia so she wrote down on his hand the telephone numbers of people who are waiting for her son in the Slovak Republic.

This case is an example of when appropriate care provided by authorities and child registration ensured an opportunity for Hassan to be reunited with his family.

To date in open sources there is no validated data on how many children left Ukraine alone, and if they have someone to care for them in the EU (like Hassan has) and other countries.

1.3 CHILD EXPLOITATION AND INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

In this paragraph, I provide a brief overview of cases and international norms in child protection. However, some of the cases included might be confusing and not currently “norms”, especially in cases of digital crimes.


Recognized international Acts on child protection emphasize the importance of keeping children safe from exploitation and from being involved in armed conflict.

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“Children and young persons should be protected from economic and social exploitation.”

(Article 10(3) of International Covenant on Economic, Social and Cultural Rights)

“States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child’s welfare”.

(Article 36, UNCRC)

“States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development”.

(Article 32(1), UNCRC)

“Armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years”.

(Article 4(1) of Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict)

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Regardless of the international legal frameworks aimed to protect children, numerous cases of attempts and actual involvement of children in armed conflict have been reported.

On the 26-27 of February, media shared the news on monetary rewards which were offered to Ukrainian children for placing marks in particular locations and sending photos of specific objects and locations. The news focused on a call for caregivers to ensure children’s digital safety. Numerous cases were mentioned by civilians, but never documented (in the chaos of first days of war, many older children received such proposals via Telegram and other messengers, and just deleted the offers).

But a few children did get involved.
On the 21st of April, the General Prosecutor of Ukraine reported 8 documented cases of Ukrainian children being involved in armed conflict by Russian soldiers. It was a particular concern in the Chernihiv region:

- when a 16 year old boy received a proposal from the Russian army to conduct reconnaissance on the positions of the Armed Forces. Another case in the Kharkiv region, where a 12 year old boy was offered a monetary reward to digitally send the locations of the Ukrainian army. There have been reported 6 more cases of such activities.

We are documenting the involvement of children in armed conflict. It is important to distinguish cases of direct and indirect involvement. We had no cases of direct involvement when children hold weapons in their arms. At the same time, indirect involvement is documented. It’s been happening through recruitment with promises of monetary rewards for collecting and transferring certain information to the Russian military”.

c, Julia Usenko, Head of Department of Children Rights Protection and Combating Violence at General Prosecutor Office of Ukraine.
2. CHILDREN’S WORRIES AND HOPES.

Masha.
5 years old.

On photo: “Bakhmut is my home! I want to come back home!!!”

This picture is from the #dream_of_children_ campaign from the Donetsk_region, launched by Donetsk region Department of State Services of Education Quality of Ukraine.

Note: Before 24.02.2022, 73 000 people used to live in Donetsk, and because of this area being the front line, they were asked to evacuate. In May, the administration reported 20 000 were remaining in the town.

Anna.
14 years old.

Who was evacuated from the Donetsk region to Western Ukraine

“I can’t stop searching for news... I need to know how my native town is... if my school still exists, if my friend still alive.”

1. Source: Donetsk region Department of State Services of Education Quality of Ukraine https://www.facebook.com/photo/?fbid=322515403397373&set=a.230181672630747
Philip.
7 years old.

In March 2022, his mother (an author of children’s books) and her 2 children arrived in Romania. They stayed in a place with window in the roof. She shared that her son said, while watching the ceiling:

“Mom, here is a lot of glass. When the siren is screaming, we have to hide from it”

Mum replied, “Here will be no sirens” – and she comforted him.

Amelia.
7 years old.

3:10-3:30.

“I worry a lot about my family... Many children have already died. And I do want to live very much. Very much. And all other children want too.”

In the interview to VoA, international radio broadcaster

Earlier, Amelia became famous due to a video that shows her singing in the underground shelter while Kyiv was under air attack.
3. Epilogue

Statistics on children's suffering are still unclear in many aspects, particularly on the children in occupied territories. At the same time, the numbers of victims keep growing.

<table>
<thead>
<tr>
<th></th>
<th>During the 100 days of war (24th February 2022 – to – 3rd June 2022)</th>
<th>During the 6 months of war (24th February 2022–to – 24th August 2022)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children wounded</td>
<td>463</td>
<td>733</td>
</tr>
<tr>
<td>Children killed</td>
<td>261</td>
<td>377</td>
</tr>
<tr>
<td>Children internally displaced</td>
<td>unknown</td>
<td>unknown. Over 6 million people have the status of internally displaced. However, there is still, no open data of the numbers of children with such status</td>
</tr>
<tr>
<td>Children fled abroad</td>
<td>over 900 000 based on Ministry of Internal Affairs of Ukraine, over 2 million based on UN data</td>
<td>no updated relevant data. The Ombudsman on Education of Ukraine reported that between 700 000 – 1,5 million school age children are currently living abroad, which supports the previous data reported by the UN and Ministry of Internal Affairs of Ukraine</td>
</tr>
<tr>
<td>Children staying in occupied territory</td>
<td>unknown</td>
<td>unknown</td>
</tr>
<tr>
<td>Children taken to the Russian Federation</td>
<td>over 200 000 based on data of the Russian Federation</td>
<td>7013 based on Ukrainian data, 512 538 based on Russian Federation data</td>
</tr>
<tr>
<td>Children abducted and trafficked</td>
<td>unknown, but 139 are reported missing</td>
<td>unknown, but 222 are reported missing</td>
</tr>
<tr>
<td>Children involved in armed conflict</td>
<td>unknown, but at least 8 based on reports from April 2022</td>
<td>unknown, but at least 8 based on reports from April 2022</td>
</tr>
</tbody>
</table>

And 7,5 million Ukrainian children live their childhood in the war.

International agreements must be strengthened, and the mechanisms of ensuring children's rights should be reviewed. Special attention should be given to the protection of children who have fled the country, those who are internally displaced, and who remain in the occupied territories.

2. Source #2 https://www.youtube.com/watch?v=Y3uQ7fQ5Bus