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FORCED TRANSFER OF CHILDREN IN INTERNATIONAL LAW: CORE INTERNATIONAL CRIMES, THE RIGHT TO IDENTITY AND CONTEMPORARY CHALLENGES (UKRAINIAN CASE)**

Abstract: *The relevance of this article is demonstrated by the atrocities of the Russia – Ukraine war related to children. According to the initiative Bring Kids Back, approximately 20,000 Ukrainian children were deported and/or forcibly transferred by Russia since 2014. In this article we try to explore the correlation between core international crimes, the right to identity and the deportation/forcible transfer of children. The structure of this article is determined by its task. In the first part we examine features of genocide, crimes against humanity and war crimes. The second part of the article is devoted to the right to identity, the history of its development in international law and its implementation in Ukrainian legislation. The following part provides examples of real cases of Ukrainian children who were deported/forcibly transferred by Russia. The final part investigates*

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the psychological consequences for children who are victims of deportation/forcible transfer. The article concludes by arguing that widespread violations of Ukrainian children's right to identity, together with the deportation/forcible transfer of children, should be treated as central evidence in assessing Russia's responsibility for genocide in Ukraine.

Keywords: forcible transfer, deportation, international crime, right to identity, psychological consequences

INTRODUCTION

The protection of children's rights in every civilised state plays a special role, since children are the future for every family and the state as a whole. Preparation for adult life, attitude towards parents and upbringing in the spirit of democracy, protection of rights and freedoms makes the fragile future optimistic. Aggression and war increase the level of aggression and cruelty in the society of both the aggressor and the defending state. Children, who especially perceive war and any related crimes, become a special victim of such a war. The consequence of such international crimes is psychological trauma that affects a person throughout their life.

A particularly dangerous and difficult aspect for children, their families and the state subjected to aggression is the forced transfer of such children from their motherland to the occupying state, separation from their parents, placement in other families, "re-education" through the influence of hostile propaganda, stays in military camps, militarisation and conscription into the enemy's army. The mechanism of committing the core international crimes includes violating many rights of children. However, a special place is occupied by the right to identity through citizenship, name and family relations. This right also affects the connection with language, traditions, motherland, culture, religion and history. In the complex, replacing a child's individuality substitutes the person, creates a parallel reality and, if there is a mass impact on children, destroys the Ukrainian people. If military training is added, such children are capable of forming an enemy army against Ukraine and the civilised world in future, even without knowing about the genetic connection with their motherland.

It is obvious that children separated from their families at any age experience such separation with great difficulty, receiving psychological trauma for life. The fate of such children may be different, but psychological trauma, stress, and nervous breakdowns can accompany such individuals throughout their lives. That is why the return of Ukrainian children to their families and motherland as soon as

possible is necessary to stop the violation of their rights and the commission of international crimes.

1. FORCED TRANSFER OF CHILDREN UNDER CONTEMPORARY NATIONAL AND INTERNATIONAL CRIMINAL LAW

On 17 March 2023 Pre-Trial Chamber II of the International Criminal Court (ICC) issued warrants of arrest for Vladimir Putin and Maria Lvova-Belova in the context of the situation in Ukraine. They are allegedly responsible for the war crime of unlawful deportation of population (children) and that of unlawful transfer of population (children) from occupied territory of Ukraine to the Russian Federation (under Arts 8(2)(a)(vii) and 8(2)(b)(viii) of the Rome Statute[1]).[2] This ICC decision is logical due to the established scale of the illegal deportation of children to the territory of the Russian Federation.

According to the Ombudsman of Ukraine, this process was launched at the beginning of the full-scale invasion of Ukraine in 2022, when children from the age of 16 began to be mobilised in the temporarily occupied territory in the Donetsk and Luhansk regions. The training of such children through military exercises began in 2017. Such recruited and mobilised children are considered victims of violations of international law.[3] In 2025, Russia allocated the largest amount of funds specifically to summer camps for children in occupied Crimea, including children from the temporarily occupied Zaporizhzhia and Kherson regions, in order to replenish military resources and carry out intensive propaganda.[4] According to the Ombudsman of Ukraine, Dmytro Lubinets, about 600,000 schoolchildren live in the occupied territories of Ukraine, of which 43,000 between the ages of 8 and 17 were

[1] Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002), 2187 UNTS 3.

[2] ICC, *Press release: Situation in Ukraine: ICC judges issue arrest warrants against Vladimir Vladimirovich Putin and Maria Alekseyevna Lvova-Belova*, 17 March 2023, available at: https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and (accessed 31 March 2026).

[3] Ombudsman of Ukraine, *Уповноважений: окупаційна влада ЛДНР мобілізує дітей з так званих «патріотичних клубів» до лав незаконних збройних формувань* [The occupying power of the People's Liberation Army mobilizes children from so-called "patriotic clubs" to join the ranks of illegal armed groups], 16 April 2022, available at: https://tinyurl.com/kythunpj (accessed 31 March 2026).

[4] К. Глянько, *У 2025-му РФ рекордно профінансувала "літній відпочинок" у Криму, перетворюючи табори на центри військової підготовки* [In 2025, the Russian Federation financed a record amount of "summer vacation" in Crimea, turning camps into military training centers], Suspilne Media, undated, available at: https://tinyurl.com/yckepk72 (accessed 31 March 2026).

recruited into the all-Russian military/patriotic movement "Yunarmiya",[5] which includes the use of military uniforms, weapons training, hand-to-hand combat and military tactics and hierarchy. All these actions of the Russian Federation, committed during the Russian aggression, constitute the most serious international crimes, which require special attention due to the serious violations of children's rights. Depriving children of their right to identity plays a key role in the mechanism of unlawful deportation and Russification of Ukrainian children.

Article 49 of the fourth Geneva Convention, from 1949,[6] prohibits the forcible transfer and deportation of protected persons (except in certain cases, where evacuation is permitted). Similarly, an occupying power must not transfer or deport parts of its civilian population to territory it occupies. This provision correlates with the Rome Statute in regards to genocide (Art. 6(e)), crimes against humanity (Art. 7(1)(d)) and war crimes (Art. 8(2)(a)(vii) and Art. 8(2)(b)(viii)).

Geneva Convention IV and the Rome Statute are linked to customary international humanitarian law (rules 129–30). The 26th International Conference of the Red Cross and Red Crescent adopted two resolutions stressing the prohibition of forcibly transferring civilian population. State practice establishes an exception to this prohibition, in cases where the security of the civilians is involved or imperative military reasons (such as clearing a combat zone) require evacuation, for as long as the conditions warranting it exist.[7] However, the transferring of Ukrainian children to the territory of Russia cannot be recognised as an evacuation because it is a mass phenomenon, not an exceptional and temporary measure, and does not ensure the safety of children outside the zone of active hostilities.

2. THE EVOLUTION OF CHILDREN'S RIGHT TO IDENTITY IN NATIONAL AND INTERNATIONAL LAW

The Constitution of Ukraine proclaims the basic principle of the legal status of a child in the modern world: a child, regardless of their origin, has equal rights with other children (part 1 of Art. 51). This principle corresponds to the provisions of the UN's Convention on the Rights of the Child from 1989 (CRC)[8] and the Eu-

[5] Ж. Безп›ятчук, *Юнармія. Як Росія робить собі солдатів з українських дітей* [Yunarmiya. How Russia makes soldiers out from Ukrainian Children], BBC News Ukraine, 3 November 2025, available at: https://www.bbc.com/ukrainian/articles/c4g7ey6gdp8o.amp (accessed 31 March 2026).

[6] Geneva Convention relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949, entered into force 21 October 1950), 75 UNTS 287.

[7] J.-M. Henckaerts, L. Doswald-Beck, *Customary International Humanitarian Law*, Cambridge University Press, Cambridge: 2005, p. 460.

[8] UN Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990), 1577 UNTS 3.

ropean Convention on the Legal Status of Children Born Out of Wedlock.[9] The CRC provides that the parents of a child born out of wedlock have the same obligations to support the child as if they had been born in wedlock.

According to Art. 1 CRC, "child" refers to every human being under the age of 18 years unless majority is attained earlier under the applicable law. It should be noted that both the Family Code of Ukraine and the provisions of the Draft Law of Ukraine "On Amendments to the Civil Code of Ukraine in Connection with the Update (Recodification) of the Provisions of Family Law" have retained this approach.

All children are equal in their rights from birth. A non-exhaustive list of the rights of children includes the right to life, to a name, to acquire a nationality, to parental care and to preserve their identity (individuality); the right to be heard in any proceedings concerning them; the right to freedom of conscience and religion; the right to private and family life; inviolability of the home; privacy of correspondence; the right to the highest attainable standard of health care; social security benefits; a standard of living adequate for the child's development; education; leisure; and special protection from abduction and sale, physical forms of exploitation, physical and mental violence and participation in hostilities; as well as the state's obligation to take all necessary measures to promote the physical and mental recovery and social integration of a child who has become a victim of abuse or crime.

In cases of unlawfully depriving a child of some or all of the elements of their identity, the state of which the child is a national is obliged to provide the child with appropriate assistance and protection, with a view to promptly restoring their identity (Art. 8(2)). This obliges parties to the CRC to respect children's right to preserve their identity – including nationality, name and family ties – without unlawful interference. Where a child is unlawfully deprived of any of the elements of their identity, parties must provide the necessary assistance and protection for the prompt restoration of the child's identity.

The full-scale invasion of the Russian Federation into the territory of Ukraine led to the temporary occupation of the territory of a sovereign state and the forced transfer of people from these territories, including children. Thus, the rights and freedoms of citizens were violated, and it became impossible for them to realise their human rights on the basis of proportionality, respect for human dignity and the rule of law. Therefore, the problem of ensuring the rights and freedoms of citizens of Ukraine who found themselves in such a situation, including children, is urgent. This involves returning forcibly transferred children to territory controlled

[9] European Convention on the Legal Status of Children Born Out of Wedlock (adopted 15 October 1975, entered into force 11 August 1978), ETS No. 085.

by Ukraine, and, if possible, reuniting them with family members. Of course, this entails the need to establish the facts of international crimes against children – which may include signs of genocide and crimes against humanity – as well as searching for children and releasing them from places of illegal detention or captivity. In these cases, the process of identification, i.e. establishing the identity of the child,[10] will help ensure the rights of a particular child.

In accordance with Ukrainian law, correlated with the CRC, the care of children who have suffered as a result of various forms of violence is entrusted to the state, which obliges it to ensure children's survival, protection and development. This concept is enshrined in the Constitution of Ukraine, the Family Code of Ukraine and other regulatory laws. Thus, by the Resolution of the Cabinet of Ministers of Ukraine dated 5 April 2017, the procedure for granting the status of a child who has suffered as a result of hostilities and armed conflicts was approved, which is in force under martial law in an updated version from 1 September 2025.[11]

3. IS THE FORCED TRANSFER OF UKRAINIAN CHILDREN GENOCIDE?

Bohdan Yermokhin, a 16-year-old from Mariupol, was one of 31 children unlawfully removed from the Donetsk Children's Home to the Moscow region in May 2022. He had already lost both parents when the city fell. Russian forces first transferred him to occupied Donetsk and then deeper into the Russian Federation under the guise of "temporary evacuation". Within months, he had been issued a new passport, placed in a Russian school and integrated into a new family, despite having a sister in Ukraine seeking his return. Even when Bohdan tried to make his own way back, travelling more than 1,000 kilometres towards the border, the Russian authorities intercepted him and sent him back to his new "family".[12] What had begun as an evacuation in name quickly became something else in substance: the gradual replacement of a child's identity.

Bohdan's story is emblematic of a much broader pattern. According to Ukraine's official initiative Bring Kids Back, at least 20,570 Ukrainian children have been forcibly transferred or deported to the Russian Federation or territories under its

[10] V. Shapar, *Сучасний тлумачний психологічний словник* [Modern Explanatory Dictionary of Psychology], Prapor, Kharkiv: 2007, p. 640.

[11] See https://zakon.rada.gov.ua/laws/show/268-2017-п#Text (accessed 31 March 2026).

[12] V. Andrieva, *Ukrainian orphan teenager's story from Mariupol heard at US Congress*, Ukrainska Pravda, 20 April 2023, available at: https://www.pravda.com.ua/eng/news/2023/04/20/7398748/ (accessed 31 March 2026).

control since 2014, most of them after February 2022.[13] In this section, we argue that these practices should be understood not only as prohibited population transfers and serious violations of children's rights, but also as acts falling under Art. 2(e) of the Genocide Convention.[14]

Since the invasion, the UN has become increasingly concerned with Russia's actions. Shortly before the writing of this paper, on 9 March 2026, the UN Human Rights Council's Independent International Commission of Inquiry characterised the deportation and forcible transfer of Ukrainian children as war crimes, crimes against humanity and serious human rights violations.[15] The Commission emphasised several features of Russia's conduct. Firstly, the relocations have not been temporary evacuations, as permitted under international humanitarian law, but have instead taken on a permanent character through the placement of children into foster or adoptive families or into long-term institutional care. Secondly, Russian authorities have failed to inform parents, legal guardians, relatives or the Ukrainian authorities of the children's deportation or transfer and have not sought their consent. Thirdly, no effective system has been established for the identification, tracing and repatriation of transferred children. Finally, the Commission found that the deportations and forcible transfers from Russian-occupied areas of Ukraine have been widespread and systematic, implemented as part of a state policy at the highest levels of the Russian Federation.

Despite these positive developments, we argue that the UN should go even further in its condemnation and should situate Russia's conduct within the broader framework of international law. As we have pointed out, Art. 8 CRC defines the child's identity and requires parties to the convention to provide appropriate assistance and protection with a particular emphasis on speedily re-establishing a child's identity where it has been unlawfully interfered with.

Moreover, Art. 49 of Geneva Convention IV prohibits individual or mass forcible transfers, including deportations, regardless of their motive. Article 50 states that an occupying power should facilitate the proper working of all institutions devoted to the care and education of children, take all the necessary steps to facilitate identifying children who are orphaned or separated from their parents as a result

[13] The official website of Bring Kids Back is available at: https://www.bringkidsback.org.ua/ (accessed 31 March 2026).

[14] Convention on the Prevention and Punishment of the Crime of Genocide (adopted 9 December 1948, entered into force 12 January 1951), 78 UNTS 277.

[15] Independent International Commission of Inquiry on Ukraine, Conference Room Paper: Situation of human rights in Ukraine stemming from the Russian aggression (UN Human Rights Council, 61st session, UN Doc A/HRC/61/CRP.8, 2026) available at: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session61/a-hrc-61-crp-8.pdf (accessed 31 March 2026).

of war, registering their parentage and making arrangements for their maintenance and education, if possible by persons of their own nationality, language and religion.

Finally, Art. 78 of Additional Protocol I of the Geneva Convention[16] specifies practical measures during armed conflict. It provides that each evacuated child should be issued an identity card recording, inter alia, the child's name, sex, date and place of birth, nationality, parents' names, next of kin, language, religion and home and present address, and that a copy of this card must be transmitted to the Central Tracing Agency of the International Committee of the Red Cross. Importantly, Russia has failed to implement any of these safeguards,[17] as children were transferred without proper consent, separated from their families and placed in environments where the conditions for temporary evacuation, family reunification and preservation of identity were not ensured.[18]

This consistent flouting of international law, we argue, invites serious consideration of the Genocide Convention, whose Art. 2(e) defines genocide as including the act of "forcibly transferring children of the group to another group", when committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group. While the provision does not explicitly articulate a child's right to identity, it implicitly recognises the gravity of forcibly altering that identity.[19] Reports on Ukrainian children deported to the Russian Federation describe re-education in the Russian language, culture and history, prohibitions on speaking Ukrainian and systematic efforts to sever links with their Ukrainian families and communities. As the Parliamentary Assembly of the Council of Europe has concluded, these transfers appear to be "planned and organised in a systematic way" as state policy, with the aim of annihilating "every link to and feature of [the children's] Ukrainian identity."[20]

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[16] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) (adopted 8 June 1977, entered into force 7 December 1978), 1125 UNTS 3.

[17] Committee on the Rights of the Child, *Concluding observations on the combined sixth and seventh periodic reports of the Russian Federation*, 1 March 2024, UN Doc CRC/C/RUS/CO/6-7, available at: https://www.ecoi.net/en/file/local/2104741/G2402626.pdf (accessed 31 March 2026).

[18] C. Breen & A. Gillespie, *Russia's alleged deportation of Ukrainian children has caused a UN standoff – what international law says and why it* matters, The Conversation, 6 April 2023, available at: https://theconversation.com/russias-alleged-deportation-of-ukrainian-children-has-caused-a-un-standoff-what-international-law-says-and-why-it-matters-202430 (accessed 31 March 2026).

[19] J. Tobin & J. Todres, *The Right to Preservation of a Child's Identity*, in: J. Tobin (ed.), *The UN Convention on the Rights of the Child: A Commentary*, Oxford Law Pro: 2019 (online ed.), available at: https://doi.org/10.1093/law/9780198262657.003.0009, p. 284.

[20] Parliamentary Assembly of the Council of Europe (PACE), *The forcible transfer and 'russification' of Ukrainian children shows evidence of genocide, says PACE*, 27 April 2023, available at: https://pace.coe.int/news/9075/the-forcible-transfer-and-russification-of-ukrainian-children-shows-evidence-of-genocide-says-pace (accessed 31 March 2026).

However, the main difficulty in defining an act as genocide is finding an explicit manifestation of intent. As established in the jurisprudence of the International Criminal Tribunals for Rwanda (ICTR)[21] and for the former Yugoslavia (ICTY),[22] as well as that of the International Court of Justice (ICJ),[23] genocidal intent may be inferred from the general context, the scale of atrocities, the systematic targeting of a group and the existence of a state or organisational policy; however, such intent must be the only reasonable inference that can be drawn from the evidence.

Clearly, Russia's intent in deporting Ukrainian children can be inferred from the broader context and the systematic nature of the conduct. Those children are forcibly transferred from occupied territories to Russia through a coordinated, state-organised process involving filtration, relocation across vast distances and subsequent integration into Russian families and educational systems aimed at assimilating and re-educating them. The longer children remain within this system, the greater the risk that their linguistic, cultural and national identity will be irreversibly altered.[24]

In this light, the role of education in shaping, preserving or altering a child's identity becomes especially significant. Article 29(1)(c) CRC states that one aim of education is to develop respect for the child's own cultural identity, language and values and the national values of the country in which the child is living. The Committee on the Rights of the Child has clarified that "education" in this sense extends far beyond formal schooling. It encompasses the broad range of life experiences and learning processes through which children develop their personalities, talents and abilities and learn to participate fully in society.[25]

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[21] ICTR, *The Prosecutor v. Jean-Paul Akayesu* (Trial Judgement), ICTR-96-4-T, 2 September 1998, paras. 521–524, and 523, available at: https://www.refworld.org/jurisprudence/caselaw/ictr/1998/19275?utm; *The Prosecutor v. Clément Kayishema and Obed Ruzindana* (Trial Judgement), ICTR-95-1-T, 21 May 1999, paras. 93 and 527, available at: https://www.refworld.org/jurisprudence/caselaw/ictr/1999/62079 (both accessed 31 March 2026).

[22] ICTY, *Prosecutor v. Radislav Krstic* (Trial Judgement), IT-98-33-T, 2 August 2001, paras. 580–581, 594–595, 597–598, available at: https://www.refworld.org/jurisprudence/caselaw/icty/2001/40159?utm (accessed 31 March 2026).

[23] ICJ, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment, 26 February 2007, ICJ Rep 43, paras. 370–373, 376; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v Serbia)*, Judgment, 3 February 2015, ICJ Rep 3, paras. 145–148, 417, 426–427.

[24] V. Pylypenko, *Transferring of the Ukrainian Children to Russia as Genocidal Act*, Cambridge Core Blog, 24 January 2023, available at: https://www.cambridge.org/core/blog/2023/01/24/transferring-of-the-ukrainian-children-to-russia-as-genocidal-act/; A. Umland, *Russia's Forcible Transfers of Unaccompanied Ukrainian Children: Responses from Ukraine, the EU and Beyond*, SCEEUS Report No. 1, 2024, available at: https://sceeus.se/publikationer/russias-forcible-transfers-of-unaccompanied-ukrainian-children-responses-from-ukraine-the-eu-and-beyond/ (both accessed 31 March 2026).

[25] Committee on the Rights of the Child, *General Comment No. 1 (2001): Article 29(1) – The Aims of Education*, 17 April 2001), CRC/GC/2001/1, available at: https://tinyurl.com/352kj53s (accessed 31 March 2026).

Presumably due to the international pressure brought about by Bohdan Yermokhin's highly visible case, Russia did eventually decide to repatriate this young man on 19 November 2023. It seems the combined efforts of Bring Kids Back, Qatar and UNICEF were successful.[26] Whilst his story ended well, there are many other stories of deported or forcibly transferred children still ongoing. It seems that Bohdan's case is an exception rather than the rule. Out of 20,570 children deported and/or forcibly transferred to date, only 2,063 have been returned as of March 2026.[27] Thus, as we write, Russia remains committed to deporting Ukrainian children and removing their identity in a genocidal act.

4. PSYCHOLOGICAL CONSEQUENCES FOR CHILDREN WHO ARE VICTIMS OF FORCED TRANSFER

Approximately 1.6 million children are living under occupation and being taught that they are Russians; their identity is being erased. And it is clear why the emphasis is on children: the psyche of children is more malleable and easier to break than that of an adult with a fully formed worldview.[28] The imposed Russian citizenship results in a number of obligations in children: to serve in the armed forces of the Russian Federation after reaching adulthood, to study in schools according to Russian educational standards and to show loyalty to the aggressor state.[29] Methods of persuasion, suggestive influence and psychological violence are used on children.

In 2022, during Russia's full-scale invasion of Ukraine, 11-year-old Sashko Radchuk lived with his mother in Mariupol. Once the Russians occupied the city, he

[26] T. Peter, Y. Kovalenko, *Ukrainian teen who was taken to Russia from occupied Mariupol returns to Ukraine*, Reuters, 19 November 2023, available at: https://www.reuters.com/world/europe/ukrainian-teen-who-was-taken-russia-occupied-mariupol-returns-ukraine-2023-11-19/ (accessed 31 March 2026).

[27] "Children of War" State Portal for Missing and Displaced Children, available at: https://childrenofwar.gov.ua/en/ (accessed 31 March 2026).

[28] О. Хут, Викрадені українські діти: що відомо про масштаби, механізми і наслідки. Інтерв'ю з правозахисницею Олександрою Матвійчук [Kidnapped Ukrainian children: what is known about the scale, mechanisms and consequences. Interview with human rights activist Oleksandra Matviychuk], Farvater Skhid, 30 December 2025, available at: https://farvatermedia.com/interviews/vykradeni-ukrainski-dity-shcho-vidomo-pro-masshtaby-mekhanizmy-i-naslidky-interviu-z-pravozakhysnytseiu-oleksandroiu-matviichuk/ (accessed 31 March 2026).

[29] *(Не)повернення дітей: Україна перед найбільшим викликом з часів незалежності. Ukrainian Child Rights Network* [(Non)return of children: Ukraine faces its biggest challenge since independence. Ukrainian Child Rights Network], 2024, p. 72, available at: https://childrights.org.ua/wp-content/uploads/2024/10/nepovernennia-ditey.-ukraina-pered-naybilshym-vyklykom-z-chasiv-nezalezhnosti-2.pdf (accessed 31 March 2026).

was separated from his family, filtered through and taken to Donetsk. It was planned to give him up for adoption to a Russian family.[30]

The return of deported children is a long, complex process. Deported children and their parents are victims of the Russian regime. On 3 December 2025, during the 11th extraordinary special session of the UN General Assembly, the resolution "Return of Ukrainian Children" was adopted. This decision is a signal that the world sees the crime against Ukrainian children, understands its scale and demands an immediate response.[31]

In Ukraine, special centres for working with children ("Barnahus")[32] are of great importance in the structure of child-friendly justice, where affected children can be provided with appropriate assistance (medical, therapeutic, psychological, etc.).[33] In one of the rooms of a Barnahus (there are four rooms in total), the children can be interviewed. The unconditional principle of the Barnahus model is goodwill and a friendly attitude towards children affected by violence and abuse.[34]

The Child Protection Centre (based on the Barnahus model) aims to create conditions that minimise the consequences of traumatisation and provide comprehensive social, psychological, legal, medical and other types of assistance and services to children who are victims or witnesses of criminal offences.

In certain cases, there is a need to collect information from children who have suffered violence. In this case, it is advisable to use a so-called "green room", a specially equipped, child-friendly space. It consists of two adjacent rooms: one where a psychologist works with the child and a separate room where an employee of the pre-trial investigation bodies and other persons are located, observing through special glass and a video surveillance system. Green rooms use a whole system of measures to create appropriate conditions in accordance with international standards.

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[30] О. Консевич, Окупація дитинства: як Україна бореться за повернення додому депортованих дітей [Occupation of childhood: how Ukraine fights for the return home of deported children], EU Neighbours East, 23 February 2026, available at: https://euneighbourseast.eu/uk/news/stories/okupacziya-dytynstva-yak-ukrayina-boretsya-za-povernennya-dodomu-deportovanyh-ditej/ (accessed 31 March 2026).

[31] United Nations, *Press release: General Assembly demands return of Ukrainian children by Russia*, 3 December 2025, available at: https://tinyurl.com/ysnnbe3e (accessed 31 March 2026).

[32] Procedure for implementing a pilot project on the introduction of child protection centers (according to the Barnahus model). Approved by Order of the Ministry of Justice of Ukraine, the Prosecutor General's Office, the Ministry of Internal Affairs of Ukraine, the Ministry of Social Policy of Ukraine, the Ministry of Health of Ukraine of 26 July 2024 No. 2218/5/180/523/352-N/1306, available at: https://zakon.rada.gov.ua/laws/show/z1151-24#Text (accessed 31 March 2026).

[33] The Barnahus Model. General characteristics and implementation in Ukraine: a collection of materials on the implementation of the Barnahus Model in Ukraine. Reference edition, p. 52.

[34] V. Shepitko, *Юридична психологія : словник-довідник* [Legal Psychology: dictionary and handbook], Pravo, Kharkiv: 2025, p. 17.

They help establish proper emotional (psychological) contact with children during interviews.[35]

During the administration of justice, psychological knowledge can be applied in various forms: consultations with psychologists regarding the child, involving psychologists in investigative and judicial actions and psychological examinations.

The study of the psyche of war-affected children is possible within the framework of forensic psychological examination. In the Scientific and Methodological Recommendations on the Preparation and Appointment of Forensic Examinations and Expert Studies (paragraph 6.4), it is indicated that the main task of psychological examination is to determine the individual's character traits and personality; the motivational factors behind their mental life and behaviour; their emotional reactions and states; patterns of their mental processes; and their developmental level and its qualities. Forensic psychological examinations can be conducted on both infants and juveniles, according to paragraph 6.1 of these Scientific and Methodological Recommendations.

Psychologists can conduct a psychodiagnostic examination of a child, which includes an assessment of their mental state and ability to testify and to experience stressful situations.[36] The current state of psychology allows us to speak about quite broad possibilities of forensic psychological examination, but there are specific features of expert examination of the psyche of minors. Therefore, if it is necessary to examine the psyche of minors, it is advisable to invite specialists in the field of child and adolescent psychology.

CONCLUSIONS

The violation of children's right to identity during the Russian aggression and the ongoing Russian – Ukrainian war has become one of the ways to commit the core international crimes. In a situation where thousands of Ukrainian children were forcibly transferred to the territory of the occupying state, the destruction of their connection with their parents, families, motherland, culture, religion and history became important in order to destroy the Ukrainian population in the occupied territory, to replace it with a Russian one and to replenish the gene pool of the Russian

[35] *Ibidem*, pp. 81 and 82.

[36] V. Onatska, T. Savkina, *Інтердисциплінарний підхід у судово-психологічній експертизі у справах про насильство над дітьми. Правосуддя, дружнє до дитини, постраждалої від насильства: актуальні питання судової психологічної експертизи* [Interdisciplinary approach in forensic psychological examination in cases of violence against children. Justice for a child victim of violence: current issues of forensic psychological examination], 2025, pp. 111–113.

people through "education" with propaganda and total information influence on the new "Russified" generation.

The authors concluded that the mass scale and false goals of the transfer of Ukrainian children to the occupying state prove that it cannot be assessed as an "evacuation". The violation of children's rights during such a transfer, combined with their military training in order to replenish the Russian army, indicate the real goals of the Russian authorities in the occupied territories. This leads to the commission of core international crimes against children and the civilian population as a whole. In our opinion, the most dangerous type of such crimes is genocide, since it involves the destruction of the Ukrainian people by destroying their traces in the occupied territories, including the violation of the right of children to identity and connection with their parents, families and motherland. According to statistical data and the examples given, it was possible to establish that only in some cases were such children able to return to their families and motherland. The presence of children in an unfamiliar and hostile environment, in "new" families with a significant influence from propaganda and information violence, will lead to a situation of parallel realities and the continued psychological traumatisation of children. When such children return to Ukraine, they need additional attention and special psychological assistance.