



TEXTS ADOPTED

P9_TA(2022)0320

Human rights violations in the context of forced deportation of Ukrainian civilians to and forced adoption of Ukrainian children in Russia

European Parliament resolution of 15 September 2022 on human rights violations in the context of the forced deportation of Ukrainian civilians to and the forced adoption of Ukrainian children in Russia (2022/2825(RSP))

The European Parliament,

- having regard to its previous resolutions on Ukraine and Russia, in particular its resolutions of 7 April¹, 5 May² and 19 May³ 2022,
- having regard to the UN Charter,
- having regard to the European Convention on Human Rights,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to the Hague Conventions,
- having regard to the Geneva Conventions and their additional protocols,
- having regard to the Rome Statute of the International Criminal Court (ICC),
- having regard to the International Convention for the Protection of All Persons from Enforced Disappearance,
- having regard to the UN Convention on the Rights of the Child of 20 November 1989 and the additional protocols thereto,
- having regard to the Convention on the Prevention and Punishment of the Crime of Genocide,

¹ European Parliament resolution of 7 April 2022 on the EU's protection of children and young people fleeing the war in Ukraine (Texts adopted, P9_TA(2022)0120).

² European Parliament resolution of 5 May 2022 on the impact of the war against Ukraine on women (Texts adopted, P9_TA(2022)0206).

³ European Parliament resolution of 19 May 2022 on the fight against impunity for war crimes in Ukraine (Texts adopted, P9_TA(2022)0218).

- having regard to the European Council conclusions on Ukraine of 30 May 2022,
 - having regard to the Organization for Security and Co-operation in Europe (OSCE) reports on violations of international humanitarian and human rights law, war crimes and crimes against humanity committed in Ukraine of 13 April 2022 and of 14 July 2022,
 - having regard to the reports by the Ukrainian Parliament Commissioner for Human Rights,
 - having regard to the discussion in the UN Security Council on 7 September 2022 on the forced displacement and deportation of Ukrainian citizens, as well as forced adoptions of Ukrainian children in Russia,
 - having regard to Human Rights Watch’s report “‘We Had No Choice’: ‘Filtration’ and the Crime of Forcibly Transferring Ukrainian Civilians to Russia’ of 1 September 2022,
 - having regard to Rules 144(5) and 132(4) of its Rules of Procedure,
- A. whereas the Russian Federation relaunched an unprovoked, unjustified and illegal war of aggression against Ukraine on 24 February 2022; whereas Russia has committed massive and grave violations of human rights and war crimes from the beginning of its full-scale invasion of Ukraine, including mass killings of civilians and prisoners of war, torture, sexual violence, forced disappearances, forced deportation, pillage and the hindering of evacuation and humanitarian convoys, all of which are prohibited under international law and must be prosecuted;
 - B. whereas the Ukrainian Parliament Commissioner for Human Rights (Ombudsman) estimates that since 24 February 2022 more than 1 million Ukrainians have been forcibly deported to the Russian Federation, often as far as to the far east of Russia; whereas different sources indicate that these numbers are an underestimate, with the highest estimates putting the numbers at 2,5 million, and that the numbers are constantly increasing; whereas forced deportations from Ukraine, facilitated by the so-called ‘filtration camps’, show strong historical parallels to forced mass Soviet deportations and Gulag concentration camps; whereas a forcible transfer is a war crime and a potential crime against humanity;
 - C. whereas the large-scale forced deportation of Ukrainian civilians to the Russian Federation has been identified by international organisations such as the OSCE and the UN as one of the most serious violations of international humanitarian law committed by the Russian Federation in its war of aggression against Ukraine;
 - D. whereas the Office of the High Commissioner for Human Rights of the United Nations (OHCHR) verified the existence of so-called ‘filtration’, involving large-scale, compulsory, punitive, and abusive security screening that has resulted in numerous human rights violations against Ukrainian citizens; whereas Ukrainian civilians were effectively interned as they waited to undergo this process, which varied in duration from a few hours to almost a month; whereas during ‘filtration’, Ukrainian citizens are subjected to detailed interrogation, body searches, sometimes involving forced nudity, and torture; whereas in such circumstances, Ukrainian women and girls are at risk of sexual exploitation;
 - E. whereas the ‘filtration’ process is systematic and represents a mass illegal data collection exercise, providing the Russian authorities with vast amounts of personal data about

Ukrainian civilians, including their biometric data; whereas this is a clear violation of the right to privacy and could put those subjected to it at risk of being targeted in the future;

- F. whereas during this process, the Russian authorities often confiscate Ukrainian passports and coerce Ukrainians into signing agreements to stay in Russia, hindering their ability to return home, in an apparent effort to change the demographic make-up of Ukraine; whereas, in addition to forced deportations and adoptions, Russia in its geopolitical concept of ‘Russkij mir’ (‘Russian world’) in the occupied territories of Ukraine is conducting accelerated Russification;
- G. whereas Ukrainian citizens who ‘fail’ the ‘filtration’ process are detained and transferred to Russian detention centres and penal colonies, and are at risk of grave harm, including torture and ill treatment, or are forcibly disappeared; whereas the OHCHR has documented credible reports of children being separated from their families when the accompanying adult did not pass the ‘filtration’ process;
- H. whereas children fleeing the war, especially when unaccompanied, are at increased risk of violence, abuse and exploitation, as well as of going missing and falling victim to trafficking, especially when moving across borders, and girls in particular are at risk of gender-based violence;
- I. whereas the Ukrainian Ombudsman, on 3 September 2022, claimed that more than 200 000 children had already been forcibly taken to the Russian Federation with the intention of making them available for adoption by Russian families and could verify the circumstances of the forced deportation of 7 000 Ukrainian children; whereas the Russian authorities are deliberately separating Ukrainian children from their parents and abducting others from orphanages, other children’s institutions and hospitals before putting them up for adoption inside Russia; whereas this action by the Russian Federation is systematic and large-scale in nature, and includes the eradication of the deportees’ personal records, among other offences;
- J. whereas Ukraine has created the ‘Children of War’ portal to allow the parents of lost, displaced and deported children to share all available data;
- K. whereas once children are in the Russian-occupied territories or in Russia itself, the process of leaving or reuniting with their guardians is incredibly complex; whereas without formal procedures in place to return Ukrainian children to Ukraine or to reunite them with their guardians and caregivers, the process largely falls on individuals with support from local volunteers, NGOs and back-channel negotiations;
- L. whereas on 25 and 30 May 2022, President Vladimir Putin signed decrees simplifying the procedure for granting Russian citizenship to Ukrainian citizens, including children without parental care, and for Ukrainian children’s adoption by Russian families, thereby further complicating their return to Ukraine and facilitating the process of enforced assimilation of Ukrainian children; whereas hundreds of Ukrainian children have since received Russian citizenship and have been sent to new parents across the different regions of Russia;
- M. whereas international law unequivocally prohibits deportation within an occupied territory or from an occupied territory to the territory of the occupying power, which constitutes a grave breach of the Geneva Conventions and a war crime under the Rome Statute of the

ICC; whereas international law and practice prohibit adoption during or immediately after emergencies; whereas Ukraine adopted a moratorium on inter-country adoptions early in the war; whereas the UN Convention on the Rights of the Child and the Fourth Geneva Convention prohibit occupying powers from changing children's personal status, including their nationality;

- N. whereas according to Article II of the UN Convention on the Prevention and Punishment of the Crime of Genocide, the forcible transfer of children of the group to another group, with the intention to destroy, in whole or in part, a national, ethnical, racial or religious group, constitutes genocide;
 - O. whereas elderly people, persons with disabilities and other vulnerable groups appear to be at particular risk of becoming trapped in the Russian-occupied areas or in Russia, as they are often placed against their will in facilities such as nursing homes located in Russia or the Russian-occupied areas; whereas these facilities are closed institutions, and placing vulnerable people there fundamentally undermines their right to freedom of movement;
 - P. whereas Ukrainian citizens in Russia and the Russian-occupied territories face significant difficulties, such as a lack of the means of subsistence, the inability to exchange Ukrainian hryvnias or withdraw funds using bank cards, a lack of clothing and hygiene items, and the inability to contact relatives; whereas Ukrainian civilians are being forcibly relocated to economically depressed or isolated areas in Russia, often in Siberia, and left with no means of returning; whereas those who try to leave Russia often face difficulties crossing from Russia because they lack proper identification documents, having left them behind in Ukraine when fleeing the war or having had them confiscated by the Russian authorities;
 - Q. whereas a distorted narrative of World War II lies at the root of the Kremlin's propaganda justifying the war of aggression waged by Russia against Ukraine today;
1. Condemns in the strongest possible terms the Russian Federation's war of aggression against Ukraine, as well as the active involvement of Belarus in this war, and demands that Russia immediately terminate all military activities in Ukraine and unconditionally withdraw all forces and military equipment from the entire internationally recognised territory of Ukraine; expresses its undivided solidarity with the people of Ukraine, fully supports Ukraine's independence, sovereignty and territorial integrity within its internationally recognised borders and underlines that this war constitutes a serious violation of international law;
 2. Strongly condemns the reported atrocities committed by the Russian Armed Forces, their proxies and the various occupation authorities, in particular the forcible deportation of Ukrainian civilians, including children, to Russia, as well as Russia's abhorrent practices in the so-called 'filtration camps' where families are separated and those who are deemed 'unreliable' disappear;
 3. Calls on Russia to fully abide by its obligations under international law and immediately cease the forced deportation and forcible transfer of Ukrainian civilians to Russia and the Russian-occupied territories, all forced transfers of children to the Russian-occupied territories and the Russian Federation, as well as any inter-country adoptions of children transferred from Ukraine's entire internationally recognised territory; calls on Russia to repeal all legislation facilitating the adoption of Ukrainian children;

4. Emphasises the need for international and European organisations, including the International Committee of the Red Cross, the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the OHCHR, to have unfettered access to visit the ‘filtration’ camps and other places where Ukrainian citizens are located following their transfer to Russia and the Russian-occupied territories, to monitor those facilities and to assist both those Ukrainian citizens who wish to return to the territory of Ukraine to do so, and those Ukrainian citizens who wish to go to a third country to seek asylum and to apply for refugee status and/or family reunification without passing through Ukraine;
5. Demands that the Russian Federation immediately provide information about the names, whereabouts and well-being of all Ukrainians detained or deported, and allow and enable the safe return of all Ukrainian civilians, including children, in particular those who were forcefully deported to the territory of the Russian Federation or to the Ukrainian territories currently occupied by the Russian Federation, by establishing safe channels of communication and travel;
6. Calls on all states and international organisations to press Russia to respect the prohibition on forcible transfers, including on coercing civilians to evacuate to unwanted destinations, and to facilitate the safe passage for civilians to a destination of their choosing, in particular for vulnerable groups;
7. Demands that Russia fully abide by its obligations and stop systematic ‘filtration’ operations, that it halt all ongoing biometric data collection and retention processes, delete illegally collected data and ensure that civilians can leave in safety and under international supervision to Ukrainian-controlled territory if they so choose; calls on Russia to abandon any attempts at Russification and at depriving Ukrainians of their national identity;
8. Emphasises that children separated from their parents during war or a humanitarian emergency cannot be assumed to be orphans and must be allowed and enabled to return and be reunited with their parents or legal guardians promptly;
9. Urges the authorities of the Russian Federation to immediately grant international organisations such as the OHCHR and UNICEF access to all Ukrainian children who have been forcefully deported to the Russian-occupied territories and Russia; calls on the Russian authorities to ensure the safety and well-being of Ukrainian children while in Russia and in the Russian-occupied territories, and to protect them from the dangers arising from the war and its consequences;
10. Calls for the immediate creation of an EU Child Protection Package to protect and assist children and young people fleeing the war in Ukraine, which would entail safe passage, protection from violence, abuse, exploitation and trafficking, as well as emergency relief, family reunion efforts and long-term rehabilitation support;
11. Calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the Member States to address the plight of vulnerable groups, including children, elderly people and persons with disabilities in EU public statements about forcible transfers, and to support activists and NGOs on the ground who are trying to take care of them and facilitate their safe return;

12. Calls on the Commission and the Member States to work with the Ukrainian authorities, international organisations and civil society in order to set up mechanisms to document the facts of forced transfer (the number and identities of people, including children, the whereabouts of people who failed the 'filtration' process, the conditions of their stay in Russia, etc.), including in order to determine their whereabouts, to repatriate in particular any missing children and to assist in family reunification and tracing; stresses the need to collect information, such as the names of individuals who have disappeared during the 'filtration' process, their forced confinement, or their transfer to Russia;
13. Calls on the Member States to support via their diplomatic missions in Russia the issuance of temporary travel documents enabling Ukrainian citizens who are trapped in Russia without their identity or travel documents to leave the country if they wish to, and provide temporary shelter in the EU if necessary;
14. Strongly condemns the Russian Presidential decrees of 25 May and 30 May 2022;
15. Urges Russia to abandon its passportisation policy and allow Ukrainians to keep their original identification documents;
16. Insists that the perpetrators of war crimes and crimes against humanity, and possible genocide or genocidal intent, as well as the responsible government officials and military leaders, must be held accountable; notes that the forced relocation and deportation of Ukrainian children, including those from institutions, to the Russian Federation and the Russian-occupied territories and their forced adoption by Russian families is in breach of Ukrainian and international law, in particular Article II of the UN Convention on the Prevention and Punishment of the Crime of Genocide; in this regard, calls on the Member States to support the efforts by the Ukrainian and international authorities to collect, document and preserve evidence of the human rights violations committed in the context of the Russian war against Ukraine;
17. Calls on the Government of Ukraine to ratify the Rome Statute of the ICC in order to facilitate the prosecution of war crimes and crimes against humanity, including forced deportations, and on all European countries to sign or ratify the UN International Convention for the Protection of All Persons from Enforced Disappearances;
18. Calls on the Commission and the Member States to support all legitimate international and national processes, including under the principle of universal jurisdiction, and to investigate alleged crimes against humanity and war crimes with a view to holding all perpetrators accountable before a court of law, including cases of forcible transfers, forced adoptions and enforced disappearances; strongly welcomes the ongoing investigations by the ICC in this regard;
19. Calls on the Commission and the Member States to provide political, legal, technical, financial and any other kind of support needed for the establishment of a special tribunal dealing with the crime of aggression by the Russian Federation against Ukraine;
20. Welcomes the swift adoption of sanctions by the Council and calls for continued unity among the EU institutions and the Member States in the face of Russia's aggression against Ukraine, as well as a high level of coordination among the G7; calls on all partners, in particular EU candidate countries and potential candidate countries, to align with the sanctions packages; calls for the list of individuals targeted by the sanctions to be

extended, in particular to include all entities and persons identified as responsible for the preparation and organisation of forced deportations and forced adoptions, or for the operation of the so-called ‘filtration camps’;

21. Notes strong historical parallels between Russia’s crimes in Ukraine and Soviet crimes across the Soviet-occupied territories; recognises the mass Soviet deportations, ordered, planned and executed by the Soviet communist regime and the entire Gulag system as crimes against humanity; emphasises the importance of remembrance, historical research and education about the totalitarian past in order to strengthen civic awareness and build resilience to disinformation; calls for a thorough historical and legal evaluation and a transparent public debate about Soviet crimes, most importantly in Russia itself, in order to render impossible the repetition of similar crimes in the future;
22. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Council of Europe, the Organization for Security and Co-operation in Europe, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration, the International Committee of the Red Cross, the International Criminal Court, the United Nations Children’s Fund, the President, Government and Parliament of Ukraine, the Belarusian authorities, and the President, Government and Parliament of the Russian Federation.