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Situation of the children of Ukraine

Reply to Recommendation¹: Recommendation 2265 (2024)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly [Recommendation 2265 \(2024\)](#) "Situation of the children of Ukraine". It has forwarded it to relevant bodies for information and possible comments.² It is acutely aware of the terrible impact the Russian war of aggression against Ukraine has had on the lives of millions of children. The ongoing war has deprived these children of education, healthcare and basic material needs, but has also had a massive impact on their mental health.
2. On a general note, the Committee of Ministers has regularly discussed the situation of the children of Ukraine, sharing the profound concern of the Assembly. At its 133rd Session on 17 May 2024, the Committee of Ministers, in a series of decisions concerning the Council of Europe response to the full-scale aggression of the Russian Federation against Ukraine, welcomed the efforts of the Consultation Group on the Children of Ukraine (CGU) to co-ordinate policies for Ukrainian children in Council of Europe member States and provide recommendations to the Ukrainian authorities on child protection reforms.
3. It also strongly condemned the deportation and forcible transfer of Ukrainian children and their forced placement and illegal adoption by Russian citizens. Furthermore, it condemned the military re-education and the violation of these children's right to their Ukrainian nationality, identity, name and family relations by Russia and Belarus. It called for international co-operation in their safe return and expressed support for the International Coalition for the Return of Ukrainian Children. It invited its Deputies to ensure that the Council of Europe co-operates with the Coalition, including through any relevant existing or future structures focusing on the situation and return of Ukrainian children deported and forcibly transferred by the Russian Federation.
4. Most recently, during its meeting on 5 and 10 June 2024, when it examined the report by the Secretary General on the human rights situation in the territories of Ukraine temporarily controlled or occupied by the Russian Federation, the Committee of Ministers adopted a further series of decisions. These also specifically mention the situation of the children of Ukraine, particularly with regard to promoting support for the work of the Consultation Group on the Children of Ukraine (CGU), and for the International Coalition for the Return of Ukrainian Children, as well as the need to explore possibilities of exerting further pressure on the Russian Federation to release and ensure the safe return to Ukraine of civilians illegally detained and those forcibly transferred or unlawfully deported, in particular children, to the territories of Ukraine temporarily controlled or occupied by the Russian Federation, and to the Russian Federation and Belarus.
5. Following those decisions, the former Secretary General informed the Ukrainian authorities of the Council of Europe's intention to join the International Coalition for the Return of Ukrainian Children, led by Canada and Ukraine, with which the Organisation is already closely co-operating. The present Secretary General has recently reiterated the request that the Council of Europe adhere to the Coalition as a member.

1. Adopted at the 1510th meeting of the Ministers' Deputies (23 October 2024).

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2. Steering Committee for the Rights of the Child (CDENF), the Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee), Group of Experts on Action against Trafficking in Human Beings (GRETA), Council of Europe Development Bank (CEB), Special Representative of the Secretary General on Migration.



The former Secretary General also nominated a Focal Point on the situation and return of children of Ukraine. The Committee of Ministers counts on the continued support and co-operation of the Parliamentary Assembly in this important area. In this regard, the Committee of Ministers welcomes the launching and first meeting of the Parliamentary Network on the situation of the children of Ukraine, which mission is to enable the Parliamentary Assembly to continue its role as facilitator in supporting the Ukrainian authorities and various international organisations in determining the most rapid means to identify and facilitate an effective search for deported children. The Network, as a platform of exchange, should, in particular, facilitate the rapid and effective implementation of existing mechanisms and contribute to finding new mechanisms, as appropriate, for the identification, tracing and repatriation of deported Ukrainian children.

6. With specific reference to paragraph 1 of the Assembly recommendation, the Committee of Ministers appreciates the Assembly's support for the CGU, which was set up as a follow-up to the Declaration on the situation of children of Ukraine, adopted by the Heads of State and Government of the Council of Europe at their 4th Summit held in Reykjavík in May 2023. The CGU acts as a multilateral co-operation platform between Council of Europe member States, the EU, relevant international organisations and civil society organisations, to discuss legal and policy issues affecting children of Ukraine in Council of Europe member States. The three priority areas identified for the beginning of its mandate are: 1) transnational procedures and co-operation, 2) effective guardianship, and 3) psychological support and trauma-informed care of children of Ukraine. Other revolving thematic topics that are being examined include children of Ukraine's access to education, the risks of human trafficking of children of Ukraine, and the preconditions for their safe return back to Ukraine.

7. The Committee of Ministers has also taken note of the specific suggestion in paragraph 3 of the Assembly's recommendation. Given the complexity of the situation and the many organisations and initiatives already in place within and outside the Council of Europe, it is difficult, at this stage, in the Committee's view, to determine what practical added value the proposed action would bring.

8. The Committee of Ministers agrees with the Assembly's recommendation in paragraph 4 to give "due consideration to the specific educational, medical and social needs of Ukrainian children" and in particular to support the Ukrainian authorities in fulfilling their commitment to move from a system based on institutional care to one which seeks to ensure every child's right to be raised in a family environment. This request is fully in line with the [Council of Europe Strategy for the Rights of the Child \(2022-2027\)](#), which, under its Strategic Objective 2 "Equal opportunities and social inclusion for all children", calls for "protecting children without parental care and/or living in alternative care by continuing promoting de-institutionalisation [...]". In this context, the CGU closely follows the Better Care Initiative implemented by Ukraine, supported by the European Commission and UNICEF, both of which are closely engaged in the work of the CGU.

9. Finally, the Committee of Ministers would also underline the important work carried out by the Group of Experts on Action against Trafficking in Human Beings (GRETA). Already in a statement issued on 17 March 2022, GRETA called on States Parties to the Convention on Action against Trafficking in Human Beings ("the Convention") to act urgently to protect people fleeing Ukraine from human trafficking. Further, on 4 May 2022, GRETA issued a Guidance Note providing practical advice to States Parties to the Convention on how to ensure that public agencies, NGOs, the private sector and the general public minimise the risks of human trafficking created by the war in Ukraine.³ The Guidance Note addresses a broad range of issues such as the registration of refugees from Ukraine, immediate assistance and integration, information and awareness-raising, detection of victims and traffickers, vulnerable groups, as well as co-operation, co-ordination and data collection. It contains specific recommendations on protecting children of Ukraine.

10. Through its monitoring of the implementation of the Convention by other States Parties, GRETA has inquired about the consequences of the war on the fight against human trafficking, systematically and explicitly asking the authorities about steps taken to prevent and limit the risks of trafficking of Ukrainian refugees, as well as any detected cases.

11. GRETA's 13th general report (published in April 2024) contains a thematic chapter about the consequences of the war in Ukraine on the fight against human trafficking.⁴ GRETA will continue to monitor, including in the context of its ongoing third evaluation of Ukraine (which involved an evaluation visit in May 2024), the situation of the children of Ukraine in relation to human trafficking in order to ensure that the standards and measures contained in the Convention are effectively implemented. On 2 July 2024, a special hearing was organised by the CGU, in close collaboration with GRETA, on understanding the special risks of trafficking of children of Ukraine, including for the purposes of sexual and labour exploitation. A joint report is currently being prepared.

3. <https://rm.coe.int/guidance-note-on-addressing-the-risks-of-trafficking-in-human-beings-r/1680a663e2>

4. <https://rm.coe.int/13th-general-report-on-greta-activities-covering-the-period-from-1-jan/1680af7268>