Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 13651
16 December 2014

The humanitarian situation of Ukrainian refugees and displaced persons

Report[1]
Committee on Migration, Refugees and Displaced Persons
Rapporteur: Mr Jim SHERIDAN, United Kingdom, Socialist Group

Summary

The situation of all the people affected by the conflict in the south-eastern regions of Ukraine, including internally displaced persons and refugees and those living in the areas controlled by separatist forces, is particularly worrying. Numerous reports of serious human rights violations allegedly committed during the armed hostilities require objective investigation and the perpetrators must be brought to justice. The human rights situation in Crimea has also deteriorated. As a result, hundreds of thousands of people have been displaced within Ukraine or have fled to the Russian Federation, and thousands more have sought protection in other European countries. More than two million people remain in the areas controlled by separatist forces, exposed to insecurity, serious human rights violations and inadequate living conditions.

The report welcomes certain efforts made by the Ukrainian and Russian authorities to respond to the needs of displaced persons and expresses appreciation for the work of international organisations such as the UNHCR, whilst underlining that only a sustainable political solution based on respect for Ukraine's independence, sovereignty and territorial integrity can lead to the improvement of the humanitarian situation.

The report calls for specific action by all parties to the conflict in relation to the ongoing fighting and its consequences for those affected by it. It also calls on the Ukrainian and Russian authorities to take specific measures for the protection of displaced persons, and on the international community to continue its assistance and support to them. Finally, the report invites the Council of Europe Development Bank to consider taking appropriate action.

1. Reference to committee: Doc. 13550, Reference 4055 of 27 June 2014.

Contents **Page**

A. Draft resolution 3
B. Explanatory memorandum by Mr Sheridan, rapporteur 6
1. Introduction 6
2. Background on the current situation and serious humanitarian concerns 7
3. Displacement of the population inside Ukraine 9
3.1. IDPs from Crimea 10
3.2. IDPs from eastern parts of Ukraine 11
3.3. Ukrainian authorities' response 12
4. Ukrainian refugees outside Ukraine 14
4.1. The Russian Federation 14
4.2. Other European countries 15
5. Population living in the areas under separatists' control 15
6. Major humanitarian concerns and prospects for the future 15

A. Draft resolution[2]

1. The Parliamentary Assembly is deeply concerned about the ongoing instability in the south-eastern regions of Ukraine and the continued violation of the ceasefire signed in Minsk on 5 September 2014. The situation of all the people affected by the conflict, including internally displaced persons (IDPs) and refugees, as well as those living in the areas controlled by separatist forces, is particularly worrying.

2. The numerous reports of serious human rights violations allegedly committed during the armed hostilities and illustrated by the high number of civil casualties, disappearances and mass graves require objective investigation and the perpetrators must be brought to justice. The Assembly stresses the importance of not tolerating impunity, as one of the preconditions for the establishment of security in the region.

3. Furthermore, the Assembly deplores the deterioration of the human rights situation in Crimea, as reported by the Council of Europe Commissioner for Human Rights following his visit in September 2014, in particular the intimidation, harassment and discrimination of the ethnic Ukrainian and Crimean Tatar populations.

4. As a result of the annexation of Crimea by the Russian Federation and the armed conflict in the south-eastern part of Ukraine, over 300 000 people have been displaced within Ukraine and over 150 000 have fled to the Russian Federation. Several thousand people have sought protection in other European countries, mainly Poland and Belarus. More than two million people remain in the areas controlled by separatist forces, exposed to insecurity, serious human rights violations and inadequate living conditions.

5. Following the ceasefire of 5 September 2014 and a relative improvement in security, around 50 000 people have returned to the south-eastern areas controlled by the government. However, the volatile security situation, destroyed or damaged infrastructure and private and public property remain a serious concern in the area.

6. The Assembly commends the Parliament of Ukraine for the adoption, on 20 October 2014, of the law "On the rights and freedoms of Internally Displaced Persons" and the related legislation on taxation and humanitarian aid, drawn up in co-operation with the European Commission for Democracy through Law (Venice Commission).

7. The Assembly notes with satisfaction a number of positive steps taken by the Russian authorities in response to the increased flow of Ukrainian refugees following the outbreak of armed hostilities in the south-eastern part of Ukraine, in particular the resolutions establishing a simplified procedure for granting temporary asylum to Ukrainians and allowing the issue of work permits for Ukrainians arriving in "urgent and mass circumstances".

8. The Assembly expresses its appreciation to the Office of the United Nations High Commissioner for Refugees (UNHCR) for its commendable response and assistance to the immediate needs of the displaced population and invites it to continue its efforts, particularly in the light of increased needs during the winter months.

9. Another major concern is the growing number of people who are reported missing on all sides of the military conflict in Ukraine.

10. The Assembly underlines that only a sustainable political solution based on respect for Ukraine's independence, sovereignty and territorial integrity can lead to the improvement of the humanitarian situation.

11. The Assembly therefore calls on all sides of the conflict to:

11.1. fully respect and implement the provisions of the ceasefire signed in Minsk on 5 September 2014 and refrain from the use of force and violence, particularly against civilians and civilian infrastructure;

11.2. abide unconditionally by international humanitarian and human rights law and, in particular, by the 1907 Hague Conventions on the Laws and Customs of War on Land, the 1949 Geneva Convention and their additional protocols, as well as by the European Convention on Human Rights (ETS No. 5);

11.3. release and exchange all prisoners of war and people detained as a result of the conflict, and exchange all mortal remains;

2. Draft resolution adopted unanimously by the committee on 27 November 2014.

11.4. ensure immediate and unimpeded access at all times to all conflict areas for humanitarian actors and investigators, including the monitoring mission of the Organization for Security and Co-operation in Europe (OSCE);

11.5. provide the relevant Ukrainian authorities and, where appropriate, international investigative bodies, with all available evidence and information enabling the conduct of investigations of alleged atrocities and human rights violations committed on the territory of Ukraine;

11.6. guarantee the voluntary right of return to all people displaced by the current conflict, ensuring that their return takes place in safety and dignity; and enable and facilitate the reconstruction process;

11.7. take, without delay, all necessary measures aimed at helping the families of missing persons to find and, where appropriate, identify the remains of their loved ones, in close co-operation with the International Committee of the Red Cross (ICRC).

11.8. take measures to effectively protect the property left behind by IDPs with a view to securing restitution of such property in the future.

12. Furthermore, the Assembly calls on the relevant Ukrainian authorities to:

12.1. fully comply with international standards as defined in the 1998 Guiding Principles on Internal Displacement;

12.2. implement the law on the rights and freedoms of IDPs;

12.3. ensure that IDPs are systematically informed and consulted about their rights and choices and respect their right to freely choose whether they want to return home, integrate locally or resettle in another part of the country, and take measures to assist them in fulfilling their choice;

12.4. eliminate cases of discrimination of Roma people without identity documents who allegedly encounter difficulties to register as IDPs;

12.5. develop and put in place policies, structures and programmes for those IDPs who will be able to return safely to their homes, or find alternative durable solutions for those who may be prevented from returning;

12.6. ensure the accountability and transparency of aid beneficiaries and distribution of international aid, assistance and funding for IDPs;

12.7. investigate and, where appropriate, prosecute all human rights violations and violations of humanitarian law promptly, independently and impartially, and fully co-operate with international investigations where appropriate.

13. The Assembly calls on the Russian authorities to:

13.1. refrain from destabilising Ukraine and militarily supporting armed separatists, and use their influence on them to make them fully respect and implement the provisions of the Minsk ceasefire;

13.2. ensure the security and respect for human rights of all those who live under the control of the Russian Federation in Crimea;

13.3. continue to offer protection to Ukrainian refugees who request it;

13.4. simplify the procedure for the submission of an application for asylum and allow applications to be submitted also in areas of the Russian Federation not adjacent to Ukraine, particularly in Moscow and St Petersburg;

13.5. refrain from imposing quotas with regard to the settlement of immediate asylum seekers;

13.6. ensure that those who are granted asylum are systematically provided with identity documents which allow them to benefit from access to social services.

14. The Assembly calls on the international community to:

14.1. continue providing material and organisational assistance to the Ukrainian IDPs and refugees, in particular in the winter months, and to assist the Ukrainian authorities in putting in place long-term assistance programmes, including material, organisational and medical help, for those IDPs who will be able to return to their homes safely, as well as for those who may be prevented from returning;

14.2. provide immediate and long-term support for essential reconstruction efforts, projects to restore water and other essential services;

14.3. ensure the accountability and transparency of aid beneficiaries whether these be the government, local authorities, international organisations, non-governmental organisations or others.

15. The Assembly invites the Council of Europe Development Bank to consider action with a view to assisting the displaced Ukrainian population and the reconstruction process in the devastated areas.

B. Explanatory memorandum by Mr Sheridan, rapporteur

1. Introduction

1. The Parliamentary Assembly has closely followed the situation in Ukraine since the outbreak of the political crisis in November 2013. It held two urgent debates on the functioning of democratic institutions in Ukraine during its first and second part-sessions, in January and April 2014 respectively. The co-rapporteurs of the Monitoring Committee have carried out several visits to Kiev, and the Presidential Committee, accompanied by the co-rapporteurs on Ukraine, went to Kiev, Lviv and Donetsk at the end of March 2014. Furthermore, during its third and fourth part-sessions, in June and October 2014 respectively, the Assembly held two current affairs debates on the crisis in Ukraine.

2. In reaction to the events in Ukraine, the Assembly held a debate on the reconsideration on substantive grounds of the previously ratified credentials of the Russian delegation during the second part-session in April 2014. Resolution 1990 (2014) adopted on that occasion strongly condemned the violation of Ukrainian sovereignty and territorial integrity by the Russian Federation and considered the annexation of Crimea as a breach of international law. At the same time, the Assembly expressed its utmost concern at the situation of minorities in Crimea, in particular of Crimean Tatars and ethnic Ukrainians, and urged Russia, which is in control of this territory, to ensure that their rights are not violated.

3. An Assembly delegation observed an early presidential election held in Ukraine on 25 May 2014 as a part of the International Election Observation Mission. In their conclusions, the observers stated that the election had been largely in line with democratic standards despite the hostile security environment in two eastern regions of the country.

4. The Assembly's delegation also observed the early parliamentary elections held on 26 October 2014. According to the preliminary conclusions, the elections "marked an important step in consolidating democratic elections in line with international commitments and were characterised by many positive aspects including an impartial and efficient Central Election Commission, competitive contests that offered voters real choice, and general respect for fundamental freedoms".[3]

5. The Committee on Migration, Refugees and Displaced Persons has, for its part, followed the impact of the ongoing conflict regarding the humanitarian situation of the population of Ukraine. On 10 April 2014, it organised a hearing on the situation of refugees and internally displaced persons (IDPs) from Crimea, with the participation of Mr Mustafa Dzhemiliev (Ukraine, EPP/CD), leader of the Crimean Tatar community, and Mr Mykola Tochytskyi, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Ukraine to the Council of Europe.

6. In light of the ongoing instability in the south-eastern regions of Ukraine and its growing impact on the population in the affected areas, as well as the humanitarian situation in Ukraine as a whole, the committee organised two hearings on the subject with the participation of the Office of the United Nations High Commissioner for Refugees (UNHCR) and representatives of Ukrainian and Russian civil society dealing with displaced persons and refugees during the June and September/October part-sessions. The conclusions of these hearings have contributed to the present report.

7. As rapporteur on the humanitarian situation in Ukraine and a former rapporteur on Europe's missing persons, I made a statement, following the hearing held by the committee on 30 September 2014, in which I expressed my concern over the growing number of persons who are reported as being missing on all sides of the military conflict in Ukraine, and I called on the authorities of Ukraine and the Russian Federation to undertake all necessary measures aimed at helping the families of missing persons to find and, where appropriate, to identify the remains of their loved ones without delay.

8. Other institutions and bodies of the Council of Europe have also paid close attention to the situation in Ukraine. In April 2014, the International Advisory Panel was constituted by the Secretary General of the Council of Europe to oversee the investigations into the violent incidents which took place in Kiev during the Maidan demonstrations. Its mandate has subsequently been extended to looking into the tragic events which took place in Odessa on 2 May 2014. Furthermore, the Secretary General has appointed a Special Advisor for Ukraine, mandated with assisting the Ukrainian authorities in the internal reform process, including the legislation concerning internally displaced persons.

---

3. See the statement of the international observers: www.assembly.coe.int/nw/xml/News/News-View-EN.asp?newsid=5267&lang=2&cat=31.

9. The Council of Europe Commissioner for Human Rights, Mr Nils Muižnieks, carried out a mission to Kiev, Moscow and Simferopol from 7 to 12 September 2014. In his conclusions, he referred to cases of serious human rights violations, including killings, enforced disappearances, severe physical ill-treatment and arbitrary detention in Crimea since March 2014.[4]

10. The present report, which stems from a motion for a resolution tabled on behalf of the Committee on Migration, Refugees and Displaced Persons in June 2014,[5] focuses on the humanitarian situation of the Ukrainian refugees and displaced persons. It reflects upon the major concerns resulting from the displacement of vast numbers of the Ukrainian population, both from Crimea and from the south-eastern regions of the country within and outside Ukraine. It analyses the short- and long-term responses to the humanitarian crisis provided by the authorities concerned. It also deals with the plight of the population who are living in an insecure and unsafe environment in areas under the control of armed militants. Finally, the report draws attention to potential humanitarian risks for the Ukrainian population as a whole, if short- and long-term solutions are not introduced as a matter of urgency.

11. In order to better reflect on the specific focus of this report, which concentrates on the plight of the population irrespective of the place of displacement, I proposed to change its title to read as follows: “The humanitarian situation of Ukrainian refugees and displaced persons”. In my view, it corresponds better to the content which is not limited to the situation in Ukraine itself.

12. As is often the case with humanitarian concerns which are not related to natural disasters, I could not remove myself entirely from the inherent political aspects of the situation. However, I have strictly limited my exposure to these issues, trying not to interfere in any way with the work of my colleagues from the Monitoring Committee.

13. In the preparation of the present report, I based its content on information provided by UNHCR and by the national and international non-governmental organisations operating in Ukraine and in the Russian Federation. Furthermore, I took into account the findings of the reports on the human rights situation in Ukraine released by the Office of the United Nations High Commissioner for Human Rights, published periodically, and in particular of the most recent one released in October 2014. I also used the conclusions of the United Nations Special Rapporteur on the human rights of internally displaced persons following his visit to Ukraine in late September 2014.[6] Further important sources of information were regular updates of the Special Monitoring Mission to Ukraine of the Organization for Security and Co-operation in Europe (OSCE) and its special thematic report on internal displacement in Ukraine.[7] Needless to say, I carefully followed all official statements of the authorities in Ukraine and the Russian Federation.

14. In order to get better acquainted with the living conditions and everyday concerns of the affected population, I carried out two information visits: to Ukraine on 16-19 November 2014, and to the Russian Federation on 7-10 December 2014 with a view to meeting the authorities responsible for IDPs and refugees and the displaced persons themselves, and to get first-hand information on their situation. For objective reasons (dates of the visits, deadlines for processing and distributing documents), it is impossible to include the findings of these visits in the present report. Therefore, during the submission of this report to the committee, I reported orally on the mission to Ukraine, and I will include my conclusions with regard to both visits in a separate addendum to this report which will be submitted to the committee during the January 2015 part-session. Should it prove expedient, I would submit to the committee proposed amendments to the draft resolution.

2. Background on the current situation and serious humanitarian concerns

15. When the newly elected President of Ukraine, Petro Poroshenko, took office on 7 June 2014, the country was facing the biggest challenges in its 23-year post-Soviet independence history. The Crimean Peninsula remained under Russian occupation, following the illegal so called “referendum” held on 16 March 2014, and its subsequent annexation by the Russian Federation, and the situation in the two south-eastern regions of Donetsk and Luhansk was very unstable.

---

4. See: Press release CommDH 032 available on http://bit.ly/1pcPZsi. The full report on the mission is due to be released in the end of 2014.
5. Motion for a resolution on the humanitarian situation in Ukraine, Doc. 13550.
6. Full report on his visit will only be presented to the UN Human Rights Council in June 2015.
7. See Sec.Fr/473/14 of 14 August 2014.

16. Armed militants of the self-proclaimed, so-called "Donetsk People's Republic" and "Luhansk People's Republic", physically occupied most of the key public and administrative buildings in many cities and towns, and the Ukrainian military forces were unable to regain control of both regions despite an operation launched in mid-April. There has been regular and intense fighting between armed pro-Russian separatist groups and the regular Ukrainian army.

17. The numbers of armed people and weapons in both regions have been steadily growing and in a very worrying development, separatists have gained access to advanced weaponry including anti-aircraft artillery, tanks and armoured troop carriers. In a clear illustration of these allegations, the separatists shot down a number of Ukrainian military planes and helicopters. The lamentable downing of the Malaysian Airlines passenger plane by an anti-aircraft missile on 17 July 2014 which, by all accounts, was fired from separatist-held territory, is another example of the changing nature of the conflict.

18. It has been publicly confirmed by representatives of the so-called "Donetsk People's Republic" and "Luhansk People's Republic" and widely recognised by the international community on the basis of reliable evidence that large numbers of armed militants as well as weaponry – including heavy weaponry – come from Russia and have been actively engaged in fighting on Ukrainian territory.

19. In its statement on 17 September 2014, the Committee of Ministers of the Council of Europe urged the Russian Federation "to withdraw all its troops from Ukraine and refrain from any further military interference in Ukraine, including the supply of military assets to other parties, and to secure the border to avoid the illegal transfer of such assets, in full respect of the United Nations' charter and its commitments within the Council of Europe, regarding in particular the principles of the peaceful settlement of the disputes and the full respect of the territorial integrity, sovereignty and independence of States, rejecting any forms of threats of force". Similarly, the Congress of Local and Regional Authorities of the Council of Europe adopted, on 16 October 2014, a declaration condemning Russian military aggression against Ukraine and "all forms of pressure by Russia on its neighbours". For their part, the Russian authorities have repeatedly denied any involvement of Russian troops in the conflict.

20. The dramatic change in the nature of the conflict and the heavy fighting which broke out in mid-June, resulted in massive casualties among the civilian population caught up in the crossfire between armed separatists and Ukrainian military forces, both sides simultaneously accusing the other of war crimes and indiscriminate shelling. Numerous reports on atrocities allegedly committed by both sides and proven by high numbers of casualties, disappearances and mass graves still require objective investigations and punishment of perpetrators. The growing climate of insecurity in the Luhansk and Donetsk regions caused a dramatic increase in the population displacement from 2 600 persons on 6 June 2014 to 86 600 persons on 15 July 2014. Those who did not leave their homes have remained not only in an unsafe and insecure environment, but find themselves in a dire humanitarian situation brought about by damaged infrastructure, shortages of water and food, and no access to basic social services such as hospitals and health care.

21. According to an Amnesty International report released on 1 October 2014, both parties to the conflict have been responsible for a pattern of indiscriminate attacks on populated areas, killing and injuring civilians and destroying their homes. Furthermore, both parties have employed Grad rockets – known for their lack of accuracy – in civilian areas.

22. For a long time, international efforts of mediation have not brought about tangible results. There has not been much progress in the implementation of the Geneva road map setting up steps to de-escalate tensions and restore security in the region, drawn up on 17 April 2014 by representatives of the European Union, the United States, Ukraine and the Russian Federation. Political dialogue which failed in bringing about expected positive results was partly replaced by the successive introduction of economic and political sanctions on both sides. The level of mistrust may be well illustrated by the incident of 22 August 2014, involving a convoy of more than 100 Russian lorries which entered Ukraine without authorisation, carrying, according to the Russian authorities, humanitarian aid for the besieged city of Luhansk.

23. In a positive development, the efforts of the Trilateral Contact Group of senior representatives of Ukraine, the Russian Federation and the OSCE Chairperson-in-Office resulted in the meeting between President Poroshenko and President Putin which took place in Minsk on 26 August 2014. This was followed by meetings involving representatives of pro-Russian separatists, which resulted in an exchange of prisoners. Finally, on 5 September 2014 a ceasefire was signed in Minsk between Ukrainian officials and representatives of the two self-proclaimed regions in the presence of representatives of Russia and the OSCE. The truce was supposed to put an end to the five-month-long bloodshed.

24. At the time of drafting the present report (first half of November 2014), the situation remains extremely fragile and unstable and it is difficult to predict future developments. While there has been an absence of large- scale offensive actions since the ceasefire was announced, in some areas artillery, tanks and small arms exchanges have continued almost on a daily basis. According to the above mentioned Amnesty International report, indiscriminate attacks in residential areas have continued to be conducted by both sides of the conflict.

25. On 1 October 2014, at least nine civilians were killed in strikes on a school and a bus in Donetsk. On 30 September 2014, six civilians were killed in the Kievsky district, more were killed and wounded in the Debaltseve area and Adiivka, north of the Donetsk airport, and in the town of Shchastya in the Luhansk region. People continue to be killed or wounded albeit on a much smaller scale than before the truce. According to the United Nations Human Rights Office,[8] between 6 September and 6 October, at least 331 fatalities were recorded, although some individuals may have been killed prior to the ceasefire, with the data only recorded later.

26. In the statement released on 8 October 2014, the United Nations High Commissioner for Human Rights, Mr Zeid Ra'ad Al Hussein, denounced the fact that the conflict continues to kill and wound civilians, and to deprive the residents in the areas directly affected by the violence of their basic human rights.

27. There is increasing evidence, confirmed by OSCE monitors, of large convoys of heavy weapons and troops flowing into areas under separatists control from the Russian Federation. The Assistant Secretary General ad interim for Political Affairs, Jens Anders Toyberg-Frandzen, stressed at the meeting of the United Nations Security Council of 12 November 2014, that failure to secure the Russian-Ukrainian border continued to impede the path to peace.[9]

28. Local elections held by separatists in the areas under their control were condemned as unconstitutional and contrary to the Minsk ceasefire agreement by Ukraine have been deplored by many in the international community, including the United Nations Secretary General. The vote on 2 November 2014 echoed the so-called "referendum". Regrettably, it triggered a new wave of armed hostilities.

29. On the other hand, the recent parliamentary elections held throughout the country, except in Crimea and areas under separatists' control, along with the prospect of a reform-oriented ruling coalition, could contribute to the peace and stability of the country.

30. While the ceasefire is a very welcome step towards the ending of the armed conflict in eastern Ukraine, all parties must genuinely respect and uphold it, and stop all attacks on civilians and civilian infrastructure. Political dialogue should continue, and the meeting between President Poroshenko and President Putin in Milan on 17 October 2014 might allow for cautious optimism in this respect.

3. Displacement of the population inside Ukraine

31. According to the census of 2001, the total population of Ukraine amounted to 47.2 million. Approximately 1.9 million of them lived in Crimea and over 5 million lived in the Donetsk and Luhansk regions – the eastern parts of the country which are affected by the armed conflict.

32. The numbers of displaced persons, both inside and outside Ukraine, were changing on a daily basis throughout the armed conflict and they continue to change following the ceasefire of 5 September 2014. Therefore, any figures should be seen in the context of developments on the ground which I described in the previous chapter. It is important, however, to give careful thought to the pattern of displacement and changing figures, in order to better understand the scale of the humanitarian tragedy within the whole nation.

33. According to UNHCR statistics as at 18 September 2014, the overall number of IDPs in Ukraine amounted to 295 000 people. Almost 94% (277 695 people) come from the eastern regions of Ukraine, and 6% (over 18 000) from Crimea. At least 163 000 people became displaced in the last half of August and in the beginning of September. Most of the IDPs remain in the Donetsk region (55 000) and in Kiev (43 000).

8. See footnote 3.
9. Security Council, 7311th meeting, SC/11645.

34. Data released by the Ukrainian State Emergency Service on 2 October reports 375 792 IDPs. Important differences in the figures are due to a number of reasons including: continued displacement albeit on a smaller scale between 18 September and 2 October despite the ceasefire (at the same time, returns to some areas could be observed); late registration of people displaced earlier; and last but not least, problems with regard to registration procedures. I will deal with the latter below.

35. However, both the UNHCR and the Ukrainian authorities admit that the real figures are much higher, even as many as two or three times, as numerous internally displaced persons do not seek any kind of recognition of their status or request official assistance. They often rely on their relatives or friends.

3.1. IDPs from Crimea

36. Since the annexation of Crimea by the Russian Federation in March 2014, thousands of people, mainly Crimean Tatars who, in 2012, constituted up to 12.1% of the peninsula's population, have fled to mainland Ukraine.

37. Resolution 1988 (2014) "Recent developments in Ukraine: threats to the functioning of democratic institutions", adopted in April 2014, expressed the Assembly's concern about the increasing number of credible reports of violations of human rights of the ethnic Ukrainian and Crimean Tatar minorities in Crimea following it's annexation by Russia.

38. Unfortunately, reports of intimidation and harassment as well as discrimination particularly with regard to employment and education of the "pro-Ukrainian" population continue to come up. In his statement on 12 September 2014, following his visit to Crimea, Mr Nils Muižnieks, the Commissioner for Human Rights, referred to "cases of serious human rights violations, including killings, enforced disappearances, severe physical ill-treatment and arbitrary detention in Crimea since March 2014". According to the Commissioner, not only Crimean Tatars but also ethnic Ukrainians and those who have expressed critical views of recent political developments are targeted.

39. The Commissioner's observations have been confirmed by the OSCE High Commissioner on National Minorities, Ms Astrid Thors, who, at the end of her visit to Ukraine from 15 to 17 September 2014, expressed her increasing concern about the situation in Crimea. In her statement on 19 September 2014, she said: "I am alarmed by reports of increased intimidation of ethnic Ukrainians, as well as intrusive searches in the homes, businesses, and public and religious organisations of Crimean Tatars, including in the premises of the Meijlis. I urge the authorities in *de facto* control of Crimea to respect international law and OSCE commitments, and to guarantee human rights, including minority rights, on the territory of their effective control."

40. Similarly, in his most recent report,[10] the United Nations High Commissioner for Human Rights notes that the human rights situation in Crimea continues to be marked by multiple and ongoing violations, including the curtailment of the freedoms of expression, peaceful assembly, association and of religion or belief, and increasing intimidation of Crimean Tatars under the pretext of combating terrorism.

41. These allegations have been fully confirmed by the Krym SOS aid initiative's leader, Mr Alim Aliyev, quoting direct accounts from witnesses who have fled Crimea. They recounted fear for their security, personal threats received over the phone or via social media, and threatening messages found on their property as reasons for flight.

42. According to UNHCR statistics, as at 24 September 2014, as many as 17 928 people including 5 068 children, and 1 269 disabled and elderly people have fled Crimea. This figure consists mainly of Tatars; but there are also certain professionals such as journalists, human rights activists and intellectuals who flee fearing persecution because of their ethnicity, religious beliefs or human rights activities. It is important to note that the number of those displaced from Crimea is still growing and people continue to leave the peninsula albeit on a limited scale.

43. Almost 50% of all IDPs from Crimea have headed to central Ukraine, and around a quarter have fled to the country's western regions. People have been accommodated in shelters provided by local authorities, or have been accepted into privately owned spaces such as sanatoriums or hotels. Others are being hosted in private homes.

10. See footnote 3.

44. Our committee has followed the situation of the Crimean Tatars in the past: in 2000 it prepared a report on the repatriation and integration of Crimean Tatars. It is worth recalling here that more than 200 000 Tatars had been deported in May 1944 on Stalin's orders. About 40% died in the first two years of their exile. Some 260 000 have returned to Crimea since the 1980s, and they made up 10% of the population of Crimea before its annexation by Russia in March 2014.

3.2. IDPs from eastern parts of Ukraine

45. Displacement from the Donetsk and Luhansk regions started in the days leading up to the so-called "referendum" held in both regions on 11 May 2014. At that time, journalists, elected representatives, local politicians, civil servants and civil society activists became privileged targets of serious human rights abuses, including abductions, detentions, acts of ill-treatment, torture and killings. People were also leaving the areas affected by street violence, in particular Slovyansk and Kramatorsk.

46. The majority of them, however, remained in the eastern rural areas as they were afraid to leave because of harassment at checkpoints by armed groups. Such IDPs were not registered and did not receive any assistance. The majority of international humanitarian actors, for security reasons, were unable to access persons displaced within the Donetsk and Luhansk regions. It was therefore impossible to obtain exact figures. Those who had the courage to leave the region usually tried to disguise the purpose of their travel by, for example, taking very few belongings with them. As a consequence, they were in need of immediate assistance upon arrival in other parts of the country. The extraordinary mobilisation and solidarity of the host population at that time largely contributed to addressing their immediate concerns.

47. After the so-called "referendum", there was a significant increase in criminal activity of armed separatist groups and intensification of violence which was no longer limited to targeted categories and affected the wider population. IDPs from the eastern regions interviewed by the UNHCR reported increasingly frequent abductions, extortion and harassment. Serious social and economic impact of the conflict has also become tangible. The flows of those trying to leave the region have been systematically growing.

48. As mentioned in the previous chapter, since June 2014, the area has been affected by regular and intense fighting as the Ukrainian army tried to restore control over the Donetsk and Luhansk regions. The local population has been becoming increasingly caught up in the crossfire between the military forces and armed separatists. Given that by that time both sides had heavy equipment in their possession, the fighting was seriously threatening the security of civilians and the number of killed and wounded civilians has been growing rapidly. A total of at least 3 660 people have been killed since the beginning of the armed conflict up until 6 October 2014 in the Donetsk and Luhansk regions according to the UNHCR.[11]

49. Increasingly damaged infrastructure posed a real threat to sanitation standards. This was compounded by water and food shortages and no access to basic social services, including hospitals and medicine.

50. The flows of fleeing civilians multiplied. However, fleeing at that time implied taking serious risks to physical security because of intensive shelling and fighting. On 10 June 2014, President Poroshenko announced the creation of a humanitarian corridor (safe passage) for civilians, which was helpful when huge numbers of IDPs started to flee the region. However, this did not prevent the tragedy which took place on 18 August, when a convoy of refugees from the Luhansk region was hit by rockets leaving many women and children dead.

51. Official statistics note that at that time around 300 000 people, including over 85 000 children and almost 40 000 disabled people, left the region. However, the real figures are more likely to be two or three times higher.

52. IDPs have settled across the country, but the eastern regions of Kharkiv (107 700), Donetsk (55 800), Zaporozhia (32 400), Dnipropetrovsk (30 000) and Luhansk (28 000) accommodated around two thirds of all the IDPs from the south-eastern regions. Some IDPs may have been counted more than once as they move from one region to another.

53. According to UNHCR estimations, 80% of IDPs from eastern Ukraine live with relatives, friends, other host families or in rented apartments. The remaining 20% live in a variety of collective centres, including summer camps and reconstructed industrial hangars. These premises usually do not have heating or hot

11. see www.ohchr.org/Documents/Countries/UA/OHCHR sixth report on Ukraine.pdf.

water. They are partly controlled by local authorities. However, civil society, churches and volunteers supported by United Nations agencies and international non-governmental organisation (NGOs) largely contribute to the collective effort of assisting them.

54. The ceasefire on 5 September 2014, and a relative improvement in security, resulted in cautious returns. In the second half of September, IDPs started returning home in government-controlled areas in the Donetsk and Luhansk regions. According to the authorities, almost 50 000 persons had returned as at 24 September 2014. On the other hand, the UNHCR has observed an increase of 15 000 in the number of IDPs. However, this is believed to be due to late registrations of formerly displaced persons.

55. Those who are returning home face serious difficulties. The volatile security situation is obviously the main concern, but is far from being the only one. Destroyed or damaged infrastructure and public and private property make living conditions extremely difficult. In particular, 11 325 premises have been damaged, of which 4 501 are residential blocks or flats and houses. Some 2 733 premises related to energy, water and heat supply have been damaged. Mines and plants have stopped working. 217 educational establishments have been destroyed, so more than 260 000 children were unable to start school on 1 September. Forty-five hospitals have been demolished; there are water shortages and limited access to health care. Expected gas shortages are particularly worrying in light of the approaching winter and the many IDPs who are living in temporary and ill-equipped shelters. Some 40 000 small and medium-sized businesses in the Donetsk and Luhansk regions have ceased their activity due to the fighting, leaving great numbers of people without income.

3.3. Ukrainian authorities' response

56. From the very beginning of the process of mass displacement, the Ukrainian authorities were confronted with major challenges for which they were not properly prepared. For example, in the first months of the crisis, the central authorities didn't issue formal instructions regarding the registration of and assistance to persons displaced, which resulted in different practices across the country. This is one of the reasons why it was difficult to obtain reliable statistics on internal displacement in Ukraine. Moreover, there were no instructions on funding allocations for IDPs. There were no refugee camps and people were accepted in temporary accommodation, which is insufficient in many regions.

57. In the first months of 2014, most people fleeing Crimea were helped and assisted by relatives or they fended for themselves. As I have already mentioned, there was also an impressive mobilisation of the Ukrainian population who showed outstanding solidarity by hosting IDPs in private homes and providing them with food, transport and even money. Volunteers organised themselves on social networks, including Facebook.

58. However, with the growing numbers of IDPs from the eastern parts of Ukraine, this spontaneous assistance reached its limits, and the government had to face up to its obligations to entirely comply with international standards as recognised in the 1998 Guiding Principles on Internal Displacement, to which Ukraine is a signatory.

59. Among numerous concerns during that period, the system of registration with its limited coverage had a serious impact on the assistance process as a whole in the short and long term. In each region, officials responsible for social policy created lists of displaced persons who had applied for assistance (accommodation, pensions, employment, etc.). These lists were transmitted regularly to the Ministry of Social Policy. However, no information was gathered on people who stayed with their relatives or had settled down using their own resources. As a result, the official figures did not reflect reality.

60. Some people were reluctant to register, fearing that a leak of information could put in danger their relatives who remained at home. Furthermore, due to the lack of sufficient information, some IDPs may not have realised that they could register, or been aware of the benefits that such registration could bring to them.

61. Another major problem is that data collected by local authorities is neither unified nor disaggregated by age/gender/specific needs. This largely limits its usefulness in determining assistance needs. A full registration and profile of IDPs, including needs assessment, is essential for any assistance to be effective.

62. According to the UNHCR, it has been reported that some Roma people, namely those without identity documents, have had difficulties in registering as displaced persons.

63. Only on 1 October 2014 did the Cabinet of Ministers adopt a resolution on the registration of IDPs. In accordance with its provisions, the Ministry of Social Policy took the lead in organising registration, maintaining a unified database of registered IDPs, and issuing them with a standard certificate. The ministry is

working in co-operation with the UNHCR on developing tools for registration and data collection, as well as on the system for processing social benefits. It is expected that the whole system will become operational very shortly.

64. However, there is still room for further improvements to make the registration system run smoothly, such as introducing online application forms and mobilising volunteers to assist in the process.

65. Also on 1 October, the Cabinet of Ministers adopted a resolution on financial assistance for temporary housing. As a result, all adults registered as IDPs receive a monthly subsidy of 442 UAH (approximately US $34) if they are actively seeking employment or have found employment in their place of displacement, while individuals who are not able to work (children, elderly and disabled people) receive 884 UAH (approximately US$68) for six months.

66. While the financial assistance programme will provide important assistance to individuals, it is still important to adopt a resolution on paying the bills accumulated by collective centres over the last few months. There was a Cabinet resolution on paying these costs for IDPs from Crimea, but centres hosting IDPs from eastern Ukraine have not been reimbursed.

67. However, paying the bills of collective centres will not solve the most pressing problems of accommodation. Collective centres are mostly summer camps and industrial hangars, unsuitable for cold weather as they have no heating or hot water. Besides proper housing, the IDPs need basic equipment, including mattresses, pillows, blankets, bed linen, mobile electric generators (2-15 kW and 30-150 kW) with a set of cable equipment, electric heater boilers and water treatment plants.

68. In co-operation with UNHCR, the regional authorities in the Kharkiv, Dnitropetrovsk and Zaporizhzhia regions, Mariupol and the accessible parts of the Donetsk and Luhansk regions have refurbished a number of facilities suitable for winter conditions. Furthermore, the UNHCR has signed agreements with local authorities to begin the adaptation of collective centres for IDPs for the winter.

69. With regard to non-food items, the UNHCR has dispatched more than 10 000 wool blankets, 2 000 bed sheets and linen, 4 200 towels, 1 800 sets of clothing and 2 200 kitchen kits (in addition to 6 700 food packages) in response to the urgent needs of IDPs in the Kharkiv, Dnitropetrovsk and Zaporizhzhia regions. The distribution is ongoing in the major reception areas and includes warm winter clothing.

70. Local authorities are increasingly requesting the assistance of United Nations agencies as reliance on their own means and charity organisations has reached its limits.

71. In a welcome development, on 20 October 2014, the Ukrainian Parliament adopted the law “On the rights and freedoms of Internally Displaced Persons”. The adoption of this law, including the related legislation on taxation and humanitarian aid, constitutes an important step forward in the process of dealing with displacement in Ukraine. The law defines the full set of rights of IDPs, simplifies administrative procedures, increases access to humanitarian support and sets out the framework for the elaboration of long-term solutions. The law will also pave the way for a broader government policy on resettling IDPs or assisting them in returns.

72. In reaction to the increasing number of returns, on 10 October 2014, a government decree was enacted on facilitated issuance to the citizens of Ukraine granted temporary asylum in the Russian Federation, of documents about joining the State programme of return of compatriots from abroad.

73. The massive return depends however on the reconstruction process, which is a huge challenge for Ukraine’s weakened economy and volatile security situation in some areas.

74. Ukraine should draw from the experience of other countries which have been faced with similar problems and put in place vital policies, frameworks, support structures and programmes for those IDPs who will be able to return safely to their homes, or find alternative durable solutions for those who may be prevented from returning. It goes without saying that these long-term programmes, including material, organisational and medical help, will require considerable funding.

4. Ukrainian refugees outside Ukraine

4.1. The Russian Federation

75. A considerable number of Ukrainian citizens from the areas of armed conflict in Donetsk and Luhansk regions have crossed the Russian border and found refuge mainly in the adjacent territory. Again, it is not easy to ascertain the exact figures. Ukrainians do not need a visa to enter Russia and many people choose not to register as refugees, instead considering their displaced status as temporary.

76. On the other hand, the question of refugees has been widely covered by the Russian media often in a misleading manner. In April 2014, the Assembly report on the "Reconsideration on substantive grounds of the previously ratified credentials of the Russian delegation" referred to the report aired by the Russian television channel ORT on 1 March 2014, showing hundreds of thousands of Ukrainian refugees who were reportedly fleeing to Russia. In an interview, a Russian Federal Border Guard Service official said that an estimated 675 000 Ukrainians had already fled Ukraine and that they feared a growing humanitarian crisis. However, the pictures of queues at the border which were used to illustrate these claims turned out to be routine queues at the Ukrainian/Polish border, Shegni-Medyka. The UNHCR has not confirmed any irregular flows of people between Ukraine and Russia and there had been no trace of these alleged refugees until June 2014 when heavy fighting broke out in eastern Ukraine. The ORT television channel never rectified this false information.

77. According to Federal Migration Service (FMS) statistics, as at 10 September 2014, as many as 5 500 people submitted applications for asylum and 115 successfully completed the procedure and were granted asylum status. Furthermore, 150 000 persons applied for temporary asylum and 110 000 individuals were granted this form of protection. Approximately 60 000 refugees were accommodated in camps.

78. These figures correspond to estimates provided by NGOs dealing with refugees, according to which there may be as many as 150 000 to 170 000 Ukrainian refugees in need of protection in Russia.

79. In reaction to the increased flows of refugees, the Russian authorities have undertaken a number of positive measures. On 22 July 2014, Resolution No. 690 established a simplified procedure to grant temporary asylum for Ukrainians, which shortened waiting time from three months to three days.

80. On 2 September 2014, Resolution No. 866 allowed the issue of work permits for Ukrainians arriving in "urgent and mass circumstances" and abandoned the system of quotas which had existed before. It is too early to assess whether the provisions of the resolution will be implemented in an unrestrictive manner, but its adoption is certainly a step to be welcomed.

81. In another positive development, the FMS has allowed increased co-operation with civil society organisations dealing with refugees, associating them with various integration programmes. NGOs are also actively involved in assisting refugees at different stages of the status determination procedure.

82. However, a number of concerns still exist. Firstly, access to the status determination procedure is hindered by the fact that in order to be able to submit an application for asylum, one has to make an appointment in one of the specially created FMS centres. Waiting time may be several months; according to the most recent reports, in September 2014, the centres were booked out until May 2015. As a result, a shortened status determination procedure of three days has to be added to a long period of waiting to be able to submit an application.

83. Furthermore, there is no possibility to apply for asylum status in certain areas including Moscow and St Petersburg.

84. Since August 2014, those successfully completing the status determination procedure and who have been granted asylum have been prevented from settling in areas of Moscow, St Petersburg or the Rostov region, and instead they have been directed to distant regions of Russia. This measure contradicts the Geneva 1951 Convention on Refugees and the Russian Federal Law on Refugees, which allows for the repartition of those in need of assistance between different regions but does not allow for quotas for immediate asylum seekers. As a result, some Ukrainian applicants who have been offered accommodation by relatives or friends, or have had a job offer in Moscow or in St Petersburg, have had to go to remote areas in which some professions do not have much hope of finding jobs.

85. Another matter of concern is a compulsory medical exam which asylum seekers have to undergo and for which they have to pay.

86. Those who are granted asylum are not systematically provided with a valid identity document confirming their status, which may contribute to their increased legal vulnerability. It also creates obstacles to their benefiting from access to some services like schools for children or public health care. According to official statistics, up until September 2014, as many as 110 000 people had been granted temporary asylum, while only 64 000 identity documents had been issued.

87. Since the 5 September ceasefire agreement, increased population movements from the Russian Federation to Ukraine have been observed. However, it would appear that people travel in both directions, with the intention either to return to Ukraine or to move to Russia.

4.2. Other European countries

88. According to statistics provided by the UNHCR since the beginning of 2014, until 25 September 2014, as many as 3 397 Ukrainian citizens have applied for international protection in 38 European countries other than the Russian Federation, including 1 661 in Poland, 484 in Belarus, 80 in the Republic of Moldova and 30 in Hungary. Many others have applied for other forms of legal stay, primarily in Belarus (25 000), in Poland (18 416), in Hungary (5 586) and in the Republic of Moldova (5 344).

5. Population living in the areas under separatists' control

89. Before the outbreak of armed hostilities, about 5 million people lived in territory now controlled by separatists. It is unclear how many remain. Many of those who did not flee belong to the most vulnerable categories of population: the elderly and the handicapped. There is little reliable information on their situation. Only recently have international NGOs started to arrive and obtain the required permits to establish presence and launch activities. However, the extremely volatile security situation may impede the ongoing assistance.

90. A United Nations expert mission visited Donetsk on 10-12 November 2014 in order to identify reliable implementing partners for future aid distribution. The mission established that the humanitarian needs are significant and on the rise and that there is a serious lack of capacity on the ground to implement humanitarian programmes. The findings will be taken into account during the preparation of the 2015 Strategic Response Plan coordinated by the United Nations.[12]

91. Weeks of fighting have devastated the area, demolishing houses and infrastructure. There is no electricity or water; the latter being supplied by trucks irregularly. The population is very much dependent on humanitarian aid. Health remains a primary concern, as there is a lack of essential medicines and many hospitals and clinics are closed because of the damage.

92. According to OSCE reports, a total of five Russian convoys have entered and exited Ukraine. They were only inspected by the Russian border guard and customs services, not by the Ukrainian authorities.

93. On 5 November 2014, Ukraine's Prime Minister announced that the government would freeze payments, mostly for public sector wages and pensions that it had been sending to parts of eastern Ukraine under separatists' control. This move, seen as reaction to illegal elections held by separatists, is likely to worsen the already dire conditions in which the population is living.

6. Major humanitarian concerns and prospects for the future

94. A necessary condition for any durable solution to the present situation of population displacement is stability and safety on the entire Ukrainian territory. As long as violence in some regions continues, any prospects of sustainable returns and reconstruction remain illusory. The Assembly has always privileged political solutions, and therefore it should call on the intensification of the ongoing political dialogue, and full implementation of the ceasefire of 5 September 2014.

95. With regard to Crimea, the Council of Europe has repeatedly confirmed its position on the territorial integrity of Ukraine. As a matter of urgency, the human rights situation on the peninsula must be improved and conditions for return for those who have fled must be created.

12. See Ukraine, situation report No. 19 as at 14 November 2014, Office for the Coordination of Humanitarian Affairs (OCHA).

96. All violations and abuses of international human rights law and fundamental freedoms must be scrupulously investigated and prosecuted, including the indiscriminate shelling of civilians, killings, allegations of sexual violence, the illegal seizure of property and the ill-treatment of detainees.

97. In particular, ongoing investigations into the tragic incidents in Maidan, Odessa, on the mass graves and instances of missing persons must be successfully completed and the perpetrators brought to justice. The International Advisory Panel is actively working to this end.

98. It is clear that Ukraine had not been prepared for the massive displacement of its citizens and is unable to deal with the consequences alone. In the present economic situation, it is unrealistic to expect the country to be able to assure adequate conditions and assistance for IDPs, and implement short- and long-term solutions.

99. In dealing with internal displacement, the central and local authorities in Ukraine are supported by the UNHCR and other United Nations agencies, as well as by a number NGOs and community-based organisations from various regions in Ukraine. The total request for funding so far has amounted to US $11.3 million. Only 69% of this sum has been assured so far, which leaves a 31% funding gap which needs to be filled. The international community should be urged to provide immediate and long-term support for essential reconstruction efforts, projects to restore water, electricity and other essential services. The Assembly should call on Council of Europe member States and other donors to provide funding for this assistance.

100. The economy of the eastern regions has been in steady decline since April 2014. The damage caused to infrastructure, including mines, bridges, roads, railways, railway stations, water towers, pressure piping and burnt out agricultural land, makes any prospects of recovery very complicated and costly. At present, many civilians are left without gas, water supply, electricity, communications, medicine, fuel and food. The destruction of public and private property creates considerable obstacles for sustainable returns and requires considerable investment. The closing of financial institutions, post offices and other public institutions makes it impossible for residents to get their pensions or benefits.

101. In light of the approaching winter, efforts should be focused on providing assistance in key reception areas: Kharkiv, Dnitropetrovsk, Zaporizhzhia and Donetsk regions. According to the UNHCR, to prepare for the winter, 40 collective centres will be repaired and refurbished for the accommodation of IDPs. Winter clothing (10 000) and blankets (100 000) will be distributed. Cash assistance programmes will be expended to six more regions to continue the pilot programmes which benefited some 1 600 of the most vulnerable IDPs.

102. More generally, recent developments in the country have negatively affected the economy and the banking system. In the first quarter of 2014, the national currency depreciated by 27% and food prices have increased by 8.2% above 2013 levels. Ongoing gas disputes with Russia cast further shadows on the Ukrainian economy. Meanwhile, Ukraine signed an Association Agreement with the European Union on 27 June 2014. The international community and the European Union in particular should contribute to the recovery of the Ukrainian economy.

103. The improvement of neighbourhood relations with Russia is a necessary condition for the future of the country. This obviously requires an unambiguous role of the Russian authorities in the settling of the conflict. The two countries are locked in a dispute over gas supplies. Differences in assessment of recent developments in Ukraine are not helped by the lingering investigations into the Maidan events and the tragic incidents that took place in Odessa on 2 May 2014. However, political dialogue is the only way to get out of the crisis.

104. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the number of wounded in the armed conflict as at 26 September 2014 amounted to 8 198 people, including 82 children, many of whom require specialised help which is impossible to get in the current state of affairs in Ukraine.

105. However, irrespective of international financial assistance, a number of concerns require reaction by the national authorities. According to UNHCR reports, IDPs from the east continue to report discrimination in the rental market for houses and employment. The UNHCR and its partners have held a round table with the national press, during which several IDPs spoke about their experience, in order to raise awareness about this problem. Training for IDPs about their rights has also been given.

106. Together with its partner Crimea SOS, the UNHCR looked into the difficulties encountered by IDPs when registering to vote in the recent parliamentary elections. Thanks to their efforts, the Central Electoral Commission has simplified the procedures, so that persons with residence registration in Donetsk and Luhansk could register to vote temporarily at a different location without providing numerous documents. However, they could vote only for the party lists, not for the single-member districts.

107. The situation of people in institutional care is a major concern. Disabled people, orphans, the elderly and people in psychiatric hospitals have all been moved from conflict-affected areas. The UNHCR has identified several institutions caring for these people which are in need of non-food support.

108. Until recently, Ukraine had been a country of transit and destination for refugees and asylum seekers from non-European countries of origin. The recent developments have undoubtedly had a huge impact on their situation. In a positive development, on 13 May 2014, the Parliament of Ukraine adopted amendments to the refugee law extending the definition of complementary protection to include persons fleeing armed conflict and other serious human rights violations. As a result, the parliament brought the definition of complementary protection into line with Council of Europe standards.

109. However, certain legal gaps still remain, affecting particularly asylum procedure and reception conditions for asylum seekers. The quality of the process of decision making on asylum applications also remains a concern. In this context, the readmission procedures should be given additional consideration.

110. An armed separatist movement supported by a neighbouring country has created a humanitarian crisis in Ukraine. In resolving it, the national authorities must be assisted by all Council of Europe member States.