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Humanitarian and legal assistance to victims of gross violations of human rights and the right to reparations

Motion for a resolution

tabled by Mr Arkadiusz MULARCZYK and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Victims of human rights violations, especially conflict-related humanitarian crises, require humanitarian assistance to address their daily needs. Over the years, in arenas of conflict, the provision of such assistance has been inadequate.

Victims and their families who have been subjected to gross violations of human rights and serious violations of international humanitarian law have a right to reparation. This right is enshrined in several international documents, including in:

- Article 8 – Universal Declaration of Human Rights,
- Article 2 – International Covenant on Civil and Political Rights,
- Articles 68 and 75 – Rome Statute of the International Criminal Court (ICC).

Further, the Parliamentary Assembly [Resolution 2134 \(2016\)](#) on co-operation with the International Criminal Court: towards a concrete and expanded commitment calls upon member States to co-operate with the ICC and “[make] meaningful financial contributions to the ICC’s Trust Fund for Victims” that implements court-ordered reparations.

Such reparations include: restitution, compensation and rehabilitation. However, as the right to reparations is interrelated with the question of responsibility for such violations, and that currently there is no permanent mechanism to enable the enforcement of such a right, the right is rarely enforced. Further, victims are denied the right to hold a nation state legally accountable for its actions and for victims to receive reparations.

The lack of support for victims of conflict-related human rights violations and the lack of enforcement of the right to reparations should be addressed by the Assembly. The Assembly should call to scrutinize: the failings in the provision of humanitarian assistance, the discrimination against compensating victims based on nationality and religion, the failings of the legal order to support victims of conflict, and propose an international model to enforce the right to reparation.

Signed (see overleaf)



Signed¹:

MULARCZYK Arkadiusz, Poland, EC
ARENT Iwona, Poland, EC
AST Marek, Poland, EC
BERNACKI Włodzimierz, Poland, EC
BÜCHEL Roland Rino, Switzerland, ALDE
CHOPE Christopher, United Kingdom, EC
CHRISTIANSSON Alexander, Sweden, EC
EVANS Nigel, United Kingdom, EC
GALE Roger, United Kingdom, EC
GOGUADZE Nino, Georgia, EC
GONCHARENKO Oleksii, Ukraine, EC
JANIK Grzegorz, Poland, EC
KIRAL Serhii, Ukraine, EC
KROSS Eerik-Niiles, Estonia, ALDE
LIDDELL-GRAINGER Ian, United Kingdom, EC
MASŁOWSKI Maciej, Poland, EC
NĚMCOVÁ Miroslava, Czech Republic, EC
PRUIDZE Irina, Georgia, EC
REIJONEN Minna, Finland, EC
TAMAŠUNIENĖ Rita, Lithuania, EC
TAMM Raivo, Estonia, EPP/CD
VARDANYAN Vladimir, Armenia, NR
WIECHEL Markus, Sweden, EC
ZINGERIS Emanuelis, Lithuania, EPP/CD

1. ALDE: Alliance of Liberals and Democrats for Europe
EC: European Conservatives Group
EPP/CD: Group of the European People's Party
NR: Representatives not belonging to a Political Group