

Resolution 2433 (2022)¹

Consequences of the Russian Federation's continued aggression against Ukraine: role and response of the Council of Europe

Parliamentary Assembly

1. The Parliamentary Assembly confirms its condemnation in the strongest terms of the Russian Federation's aggression against Ukraine and stands in solidarity with Ukraine and the Ukrainian people, reaffirming its unwavering support for the sovereignty, independence and territorial integrity of Ukraine within its internationally recognised borders.
2. Recalling that the Russian Federation's aggression against Ukraine is a serious violation of international law and a serious breach of the Statute of the Council of Europe (ETS No. 1), the Assembly welcomes the decision of the Committee of Ministers to exclude the Russian Federation from membership of the Council of Europe, in line with the unanimous position expressed by the Assembly in its [Opinion 300 \(2022\)](#), which it reaffirms in all its recommendations.
3. Recalling the United Nations General Assembly resolutions of 2 March 2022 on the aggression against Ukraine, and of 24 March 2022 on the humanitarian consequences of the aggression against Ukraine, the Assembly welcomes the United Nations General Assembly Resolution of 7 April 2022 on the suspension of the rights of membership of the Russian Federation in the Human Rights Council.
4. The Russian Federation's aggression against Ukraine is an act of unprecedented gravity, in itself and because of its far-reaching consequences. It is provoking the most serious humanitarian crisis – with the largest number of casualties and the largest internal and external population displacement – experienced in Europe since the Second World War.
5. The Assembly is alarmed at the mounting evidence of atrocities committed by Russian armed forces in the context of the war of aggression, often targeting the most vulnerable, and expresses its full support for all efforts aimed at investigating violations by the Russian Federation of international human rights and international humanitarian law and other international crimes, including war crimes, crimes against humanity and genocide, and ensuring the accountability of the aggressor.
6. The consequences of the Russian Federation's aggression go beyond Ukraine and are being felt worldwide. At the geopolitical level, the unleashing of a war of aggression by a permanent member of the United Nations Security Council poses a challenge to global governance, undermining the multilateral system aimed at maintaining peace and security.
7. The Assembly considers that the international community must take decisive action to defend the democratic world order in response to the attack undertaken against it by the Russian Federation and Belarus, and that the European Union, all countries of the Council of Europe and the United States of America have a particular responsibility for Europe's security, including the future of Ukraine.

1. *Assembly debate* on 27 April 2022 (13th and 14th sitting) (see [Doc. 15506](#), report of the Committee on Political Affairs and Democracy, rapporteur: Mr Frank Schwabe). *Text adopted by the Assembly* on 27 April 2022 (14th sitting). See also [Recommendation 2228 \(2022\)](#).



8. The Russian Federation's war of aggression is aggravating the economic crisis due to the Covid-19 pandemic, leading to a steep rise in energy costs and food insecurity, which could result in further political destabilisation in some regions and affect populations already afflicted by famine.

9. The Russian Federation's war of aggression is also a major security challenge, and the risks of an escalation or widening of the conflict cannot be excluded. A dividing line is back on the map of Europe, drawn by the Russian authorities with their rhetoric and deeds, and European States are increasing their defence capabilities to protect themselves in this new hostile environment.

10. In the face of this unprecedented attack on peace and security, rules-based international order, international law and the most basic values which are the foundation of the Council of Europe, the Assembly urgently appeals for unity in supporting Ukraine and exerting maximum pressure on the Russian Federation to cease its aggression immediately and unconditionally. It is not only the magnitude of the current challenge but also the Council of Europe's and its member States' response to it that will shape the future of European history.

11. In the light of these considerations, the Assembly calls on Council of Europe member States to:

11.1. step up assistance for Ukraine, both directly and by contributing to the humanitarian appeals for funding that have been launched by multilateral organisations;

11.2. consider increasing their assistance to Ukraine in its efforts to strengthen the protection of its territory, including its airspace, in order to reduce the severe human cost, attacks on the civilian population and civilian targets, notably hospitals, maternity wards, medical facilities and civilian infrastructure, and the tragic humanitarian consequences of the Russian Federation's ongoing war of aggression;

11.3. stop supplying weapons, components for Russian military industry and dual-use goods and sanction all third States who try to circumvent the embargo;

11.4. step up solidarity with the Council of Europe member States which have received large numbers of people fleeing Ukraine due to the Russian Federation's continued aggression;

11.5. establish schemes to facilitate access to their territories and grant protection status to people fleeing Ukraine due to the Russian Federation's continued aggression, including by implementing, where applicable, the European Union's temporary protection directive;

11.6. avoid discrimination on any grounds, in particular ethnicity and national origin, against people fleeing Ukraine due to the Russian Federation's continued aggression, while taking into account the needs of vulnerable groups, including children, victims of gender-based violence or trauma, persons with disabilities and the elderly;

11.7. guarantee that displaced persons and victims of war crimes have access to adequate counselling and healthcare, including abortion care for victims of rape;

11.8. raise awareness, among people fleeing Ukraine due to the Russian Federation's continued aggression, of the risks relating to trafficking and exploitation; take firm action, notably through civil society stakeholders, to prevent and punish trafficking and exploitation and protect victims;

11.9. set up assistance and protection programmes to cater for the needs of separated children and unaccompanied minors fleeing Ukraine due to the Russian Federation's continued aggression;

11.10. supply field hospitals and medical equipment to assist all injured Ukrainians and encourage medical staff to volunteer to work in Ukraine;

11.11. support and encourage activities aimed at providing support by professional communities of Europeans to professional communities of Ukrainians, notably judges, prosecutors, lawyers and others;

11.12. support activities aimed at promoting solidarity with Ukrainian municipalities, such as twinning programmes between cities and other initiatives supported by the Congress of Local and Regional Authorities of the Council of Europe;

11.13. where applicable, make full use of the resources made available through the European Union Technical Support Instrument to set up assistance programmes for people fleeing Ukraine due to the Russian Federation's continued aggression, and consider asking for the Council of Europe's support in the creation and implementation of such programmes;

- 11.14. take active measures to help Ukraine transport stored grain and other agricultural products from Ukrainian ports blockaded and destroyed by Russian armed forces by sea to their final destination, in order to ensure food security for all regions of the world and to avoid a global food price crisis;
 - 11.15. continue to exert pressure on the Russian Federation to cease the hostilities, withdraw its troops from the entire territory of sovereign Ukraine and comply with international law as well as with the investigations carried out in order to establish accountability for violations of international human rights law, humanitarian law and other international crimes;
 - 11.16. continue to exert pressure on the Russian Federation until the full withdrawal of its troops from the sovereign territory, not only of Ukraine, but also that of Georgia, the Republic of Moldova and Belarus, and until the holding of transparent and fair elections in the Russian Federation and Belarus, in line with international standards;
 - 11.17. to the extent that their courts have such jurisdiction, make use of their universal jurisdiction to investigate and prosecute alleged violations of international human rights law, humanitarian law and other international crimes committed on the territory of Ukraine by the Russian political and military leadership in the context of the Russian Federation's war in Ukraine;
 - 11.18. support the investigations and proceedings that have been established by the International Criminal Court, the International Court of Justice and the Commission of Inquiry on Ukraine set up by the Human Rights Council as well as the work of the Prosecutor General of Ukraine aimed at ensuring accountability for violations of international human rights law, humanitarian law and other international crimes;
 - 11.19. support the gathering of evidence on the ground to be used in investigations, in particular concerning sexual violence, which requires swift and specific action (photographic evidence, DNA conservation, etc.);
 - 11.20. urgently set up an ad hoc international criminal tribunal to investigate the crime of aggression committed by the political and military leadership of the Russian Federation and prosecute the perpetrators, and to provide the necessary financial support;
 - 11.21. exercise leadership in supporting the organisation of a 4th Summit of Heads of State and Government of the Council of Europe to reaffirm the values of democracy, human rights and the rule of law and elaborate a new vision for the Organisation in the context of the European multilateral architecture;
 - 11.22. show their continued trust in the Council of Europe by ensuring that it has the necessary budgetary and extra-budgetary resources to support Ukraine as a matter of urgency, fully carry out its mandate and strengthen its overall operational capacity.
12. The Assembly supports efforts to establish the Ukraine Solidarity Trust Fund to rebuild Ukraine once the war of aggression has ended, initiate a large-scale investment programme and restore the country's growth potential, and calls on Council of Europe member States to support it.
 13. Furthermore, the Assembly calls on the Russian Federation to:
 - 13.1. cease its aggression against Ukraine immediately and unconditionally, and completely and unconditionally withdraw its occupation forces, including its military and proxies, from the territory of Ukraine within its internationally recognised borders;
 - 13.2. comply strictly with its obligations under international law, international human rights law and international humanitarian law;
 - 13.3. refrain, in all circumstances, from attacks against civilians, including indiscriminate attacks against populated areas, targeted killings and abductions, rape and sexual violence, and investigate all allegations of such crimes;
 - 13.4. immediately release and reinstate all mayors and local representatives who have been kidnapped, and release activists, journalists and other abducted civilians;
 - 13.5. ensure the safety of journalists and full respect for freedom of expression and association, media freedoms and access to the internet, in accordance with international legal obligations;
 - 13.6. ensure the opening of and respect for humanitarian corridors and safe pathways to allow the evacuation of civilians to safe regions within Ukraine or safe countries outside Ukraine and refrain from forcibly displacing civilians to the Russian Federation;

- 13.7. comply with the interim measures indicated by the European Court of Human Rights and the International Court of Justice;
 - 13.8. co-operate with the investigations and proceedings that have been established by the International Criminal Court, the International Court of Justice and the Commission of Inquiry on Ukraine set up by the Human Rights Council;
 - 13.9. fully withdraw from all Ukraine's nuclear facilities, stop and refrain from making them the target of any military activity and co-operate fully with the International Atomic Energy Agency to ensure the safety and security of nuclear facilities.
14. Recalling the importance of the European multilateral architecture in preserving peace and stability in Europe, the Assembly commends the European Union for its leadership role during the current crisis and calls on the European Union to:
- 14.1. continue to exert pressure on the Russian Federation to cease the hostilities, through all the means at its disposal, notably through further strengthening of the economic sanctions already imposed and seeking new sanctions against the Russian Federation and its state-controlled or directly and indirectly managed entities, as well as against individuals, ensuring that assets are frozen and seized;
 - 14.2. support the initiatives aimed at establishing the accountability of the Russian Federation under international law, international human rights law and international criminal law, notably the investigations launched by the Prosecutor of the International Criminal Court and the European Union member States, as well as the establishment of an ad hoc tribunal to investigate the crime of aggression and prosecute the perpetrators;
 - 14.3. seek to sever energy dependency on the Russian Federation while accelerating the energy transition and at the same time exploring alternatives to importing energy from the Russian Federation;
 - 14.4. adapt its cohesion policy rules to facilitate the rapid roll-out of funds to help member States that host Ukrainians seeking temporary protection in the European Union;
 - 14.5. take into account the geopolitical and security perspectives in the context of its enlargement policy and seek to rely more extensively on the Council of Europe to assist candidates and potential candidates in meeting the criteria for membership of the European Union;
 - 14.6. step up its efforts to combat propaganda and disinformation, counteract the destabilisation campaigns within the European Union and prevent their potential negative consequences.
15. Regretting the non-renewal of the Special Monitoring Mission to Ukraine of the Organization for Security and Co-operation in Europe (OSCE), the Assembly reiterates the pivotal role played by the OSCE in the context of security, confidence building and conflict resolution in Europe, and its continued relevance. It calls on both the Russian Federation and Ukraine to take into account the findings of the report by the Moscow Mechanism and act accordingly to avoid impunity for the perpetrators and ensure their accountability for violations of international human rights law, humanitarian law and other international crimes. It notes and welcomes the co-operation of Ukraine in providing the information for the report and regrets the position of the Russian Federation to ignore the calls for co-operation by the experts from the Moscow Mechanism.
16. The Assembly, standing in full solidarity with the Ukrainian Parliament, should, as regards its own work:
- 16.1. continue to follow closely the consequences of the Russian Federation's continued aggression against Ukraine;
 - 16.2. consider organising a conference on Ukraine with the national parliaments of Council of Europe member States, with a view to discussing the needs of the Ukrainian authorities and people, including civil society and non-governmental organisations, promoting awareness and facilitating solutions;
 - 16.3. support the Ukrainian Parliament by:
 - 16.3.1. offering a platform for political consultation, exchange of information and joint actions between the Assembly structures and the Ukrainian delegation;
 - 16.3.2. taking all the necessary measures to ensure that the members of the Ukrainian delegation can take an active part in the work of the Assembly;
 - 16.3.3. contributing to its institutional resilience through the provision of information, expertise and good practice;

16.3.4. promoting dialogue between the Ukrainian Parliament and other national parliaments of Council of Europe member States;

16.4. support and contribute to the work of the Council of Europe in relation to the consequences of the Russian Federation's aggression against Ukraine, at political and operational levels.

17. The Assembly reiterates its condemnation of the measures taken by the Russian authorities to further curtail freedom of expression and freedom of assembly through the closure of almost all remaining independent news organisations, the intensifying crackdown on civil society and non-governmental organisations, the harsh repression of peaceful protests and severe restrictions on access to social media. The Assembly also reiterates its condemnation of Belarus' involvement in the aggression and recognises the full responsibility of the illegitimate Lukashenko and his regime in creating the conditions allowing the use of the Belarusian territory and its infrastructure by the Russian Federation for perpetrating an act of aggression against Ukraine. The Assembly also takes note of the active measures taken by the Belarusian civil society and opposition in exile to impede the aggression and to aid Ukraine.

18. In this context, the Assembly:

18.1. recalls, in the context of Belarus, the United Nations General Assembly Resolution 3314 (XXIX) of 14 December 1974, which defines aggression as follows: "[T]he action of a State in allowing its territory, which it has placed at the disposal of another State, to be used by that other State for perpetrating an act of aggression against a third State";

18.2. resolves to intensify its engagement with Belarusian and Russian civil society, human rights defenders, independent journalists, academia and democratic forces respecting the values and principles of the Organisation, including the territorial integrity of sovereign member States;

18.3. resolves to explore ways to regularly involve representatives of the Belarusian opposition in its activities;

18.4. recommends Council of Europe member States to establish visa facilitation schemes for members of Belarusian and Russian civil society, human rights defenders, independent journalists, academics and representatives of democratic forces who respect the values and principles of the Organisation, including the territorial integrity of sovereign member States.