



Doc. 15690

25 January 2023

The question of the right to just and equal redress and the access to court and a fair trial for all victims of the German aggression during the Second World War

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

Despite the years that have passed since the end of the Second World War, the question of the losses suffered by the nations invaded and occupied by nazi Germany still calls for careful consideration and analysis.

Even today, the destructive impact of the Second World War is felt by a number of States in Europe in various spheres. This immense and often irretrievable damage has curbed the prosperity of these countries and hampered their growth potential for many generations. Many victims were prevented from obtaining adequate redress for the wrongs they had suffered.

The matter of just and equal redress for victims of the Second World War has not yet been studied fully and thoroughly. Therefore, we deem it necessary to analyse the question of respecting the right of all victims to receive such redress, regardless of their nationality, ethnic identity, or country of origin. Special attention should be paid to those who were never given the opportunity to be redressed in an appropriate manner. It is crucial to study the situations where an appropriate legal framework failed to be established. This was due to the lack of peace agreement or adequate bilateral agreements or the inability to apply national court procedures because of the jurisdictional immunity protecting the German State.

In accordance with the European Convention on Human Rights, everyone has the right to life, liberty, security and access to courts (Articles 2, 5, and 6). Protocol No. 1 to the Convention also protects private property. This applies to each human being.

True justice does not see any discrimination or double standards. Therefore, we call upon the Parliamentary Assembly to carefully examine the question of the implementation of the right to just and equal redress for all victims of the German aggression during the Second World War; thus, finally paving the way for an open and sincere debate.

Signed (see overleaf)



*Signed*¹:

MULARCZYK Arkadiusz, Poland, EC/DA
ARENT Iwona, Poland, EC/DA
BERNACKI Włodzimierz, Poland, EC/DA
FILIPOVSKI Dubravka, Serbia, EPP/CD
FRANÇOIS Thibaut, France, EC/DA
GADIRLI Erkin, Azerbaijan, EC/DA
GONCHARENKO Oleksii, Ukraine, EC/DA
GWÓZDŹ Marcin, Poland, EC/DA
ILLÉS Boglárka, Hungary, EC/DA
KAMELCHUK Yuriy, Ukraine, EPP/CD
KONSTANKEVYCH Iryna, Ukraine, EC/DA
KUBIAK Marta, Poland, EC/DA
LATOS Tomasz, Poland, EC/DA
LIDDELL-GRAINGER Ian, United Kingdom, EC/DA
MATUSZNY Kazimierz, Poland, EC/DA
MEREZHKO Oleksandr, Ukraine, EC/DA
MILEWSKI Daniel, Poland, EC/DA
MITREA Dumitrina, Romania, EC/DA
MORTIMER Jill, United Kingdom, EC/DA
MUNCACIU Sorin-Titus, Romania, EC/DA
NATALUKHA Dmytro, Ukraine, EC/DA
OVCHYNNYKOVA Yuliia, Ukraine, ALDE
PANTIĆ PILJA Biljana, Serbia, EPP/CD
PAREREN Bob, van, Netherlands, EC/DA
PROTASIEWICZ Jacek, Poland, EPP/CD
SÓJKA Katarzyna, Poland, EC/DA
SUSHKO Pavlo, Ukraine, EC/DA
SZEJNA Andrzej, Poland, SOC
TAMAŠUNIENĖ Rita, Lithuania, EC/DA
TILKI Attila, Hungary, EC/DA
TIMGREN Beatrice, Sweden, EC/DA
VASYLENKO Lesia, Ukraine, ALDE
WIECHEL Markus, Sweden, EC/DA
YASKO Yelyzaveta, Ukraine, EPP/CD
ZSIGMOND Barna Pál, Hungary, EC/DA

1. ALDE: Alliance of Liberals and Democrats for Europe
EC/DA: European Conservatives Group and Democratic Alliance
EPP/CD: Group of the European People's Party
SOC: Socialists, Democrats and Greens Group