Parliamentary Assembly
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COUNCIL OF EUROPE
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Resolution 2598 (2025)[1]

Russian war of aggression against Ukraine: the need to ensure accountability and avoid impunity

Parliamentary Assembly

1. More than eleven years after its start, the illegal, unprovoked and unjustified war of aggression of the Russian Federation against Ukraine continues to rage, causing endless damage and suffering to Ukraine and its people. Many wrongful acts committed by the Russian Federation, including the act of aggression itself, the attempted annexation of Ukrainian territories and the attempt to commit genocide against the Ukrainian nation – as evidenced, *inter alia*, by the deportation of Ukrainian children, the systematic destruction of cultural identity and the targeted mass killings of civilians – violate *erga omnes* obligations and peremptory norms of general international law. Thus, these acts affect not only Ukraine but the entire international community and entail a duty for all States to co-operate in order to bring such serious breaches of international law to an end and to avoid impunity. Failure to ensure accountability for these acts would undermine the multilateral order based on international law, creating the preconditions for their repetition in the future, and would cause a serious threat to the maintenance of international peace and security.

2. Recalling its previous Resolutions 2436 (2022), 2482 (2023) and 2556 (2024), the Parliamentary Assembly expresses its full support for all the existing accountability mechanisms that address the consequences of the aggression: the Ukrainian prosecuting and judicial authorities; the prosecuting and judicial authorities of other States on the basis of universal jurisdiction; the International Criminal Court (ICC); the European Court of Human Rights; and other bodies such as the United Nations Independent International Commission of Inquiry on Ukraine and the International Centre for the Prosecution of the Crime of Aggression against Ukraine.

3. The Council of Europe, with the Assembly as its driving force, has worked tirelessly for the establishment of a more comprehensive system of accountability and justice for Ukraine, including through the creation of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (the Register) at the Reykjavik Summit in 2023, the proposal for the establishment of a special tribunal for the crime of aggression against Ukraine and the participation in the consultations of the Core Group on the Establishment of a Special Tribunal for the Crime of Aggression against Ukraine, actions aimed at securing the return of Ukrainian children, including the appointment of a Special Envoy of the Secretary General and, most recently, participation in the negotiations on the setting-up of an international claims commission.

4. During talks with the administration of the United States of America in March 2025, Ukraine expressed readiness to accept the US proposal to enact an immediate, interim thirty-day full ceasefire, which can be extended by mutual agreement of the parties, and which is subject to acceptance and concurrent implementation by the Russian Federation. Ukraine accepted the US proposal without additional conditions, and the Russian Federation should accept it without additional conditions. In addition to addressing issues such as a partial ceasefire on energy and critical infrastructure facilities and safe navigation in the Black Sea, the agreement reached between the United States and Ukraine from 23 to 25 March 2025 in Riyadh reaffirmed the commitment to concrete humanitarian security measures aimed at reducing harm to civilians and facilitating dialogue. While Ukraine has demonstrated its good faith and readiness to uphold these commitments, the Russian Federation has repeatedly violated the agreed terms of partial ceasefire and

1. *Assembly debate* on 9 April 2025 (15th sitting) (see Doc. 16152, report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Iulian Bulai). *Text adopted by the Assembly* on 9 April 2025 (15th sitting).
See also Recommendation 2294 (2025).

continued its military attacks against Ukraine, including missile strikes on civilian infrastructure, which have resulted in civilian casualties, particularly in Kyiv, Kharkiv and Kryvyi Rih, as well as other cities and regions, further demonstrating its lack of willingness to engage in genuine peace efforts. The Assembly welcomes the US commitment and considers that any peace negotiations must unconditionally address the human dimension of the war, including the release of unlawfully detained civilians by the Russian Federation and mutual release and repatriation of all prisoners of war, according to the formula "all for all", as well as the safe return and reintegration of children unlawfully deported to the Russian Federation and Belarus or forcibly transferred to the Ukrainian territories temporarily occupied by the Russian Federation.

5. The Assembly takes note of the ongoing negotiations between Ukraine and the United States regarding a possible agreement on mineral resources. It underlines the importance of ensuring that any such agreement is consistent with Ukraine's commitments to European Union integration, particularly concerning economic sovereignty and adherence to European Union competition and single market rules.

6. The Assembly underscores that the cessation of temporary protection status for Ukrainians should be contingent upon the establishment of a lasting, just and comprehensive peace in Ukraine. Premature termination of this status based solely on a ceasefire or temporary truce may expose Ukrainians to continued risks and instability. Therefore, the Assembly urges member States to ensure that any modifications to protection status are based on verifiable and lasting peace agreements, thereby safeguarding the well-being and security of displaced Ukrainians.

7. The Assembly considers that the continuation or revival of the Nord Stream 1 and 2 pipelines project is unacceptable. Such actions would increase Europe's dependence on Russian energy resources, undermining the European Union's energy security and contradicting its strategic objective of diversifying energy supply sources. The Assembly calls on all member States to oppose any efforts to resume the project, emphasising the importance of unity and resilience against energy-related geopolitical pressures.

8. The Assembly stresses that any possible future peace negotiations must not compromise the commitment to hold the Russian Federation and those responsible for its crimes and violations of international law fully accountable. In line with Resolution 2588 (2025) "European commitment to a just and lasting peace in Ukraine", the Assembly considers that, in order to be lasting and comprehensive, peace must be just and based on the principles of international law, including respect for territorial integrity and sovereignty, and human rights. Any final settlement must not result in impunity.

9. In this context, the Assembly welcomes the successful outcome of the core group's meeting in Strasbourg from 19 to 21 March 2025 and the finalisation of the necessary legal documents for the establishment of the special tribunal for the crime of aggression against Ukraine within the framework of the Council of Europe, after almost two years of consultations. The agreed texts include a draft bilateral agreement between Ukraine and the Council of Europe, the special tribunal's draft statute and a draft enlarged partial agreement on the management of the special tribunal. The three documents have now been submitted for political consideration in Ukraine and in the States participating in the core group. Participation in the enlarged partial agreement will be open to non-member States, therefore ensuring cross-regional support and international legitimacy. The Assembly considers that the model of the special tribunal envisaged by the core group, with the participation of international judges and the application of international law, contains features that make it sufficiently international. By establishing such a tribunal, the Council of Europe will not only support its member State, Ukraine, in its efforts to ensure accountability, but will also uphold the international legal order, on the premise that "the pursuit of peace based upon justice and international co-operation is vital for the preservation of human society and civilisation", as recalled in the preamble to its Statute (ETS No. 1).

10. The Assembly expresses its hope that the final texts on the special tribunal will address some of its demands stated in previous resolutions, including with regard to functional immunities, the definition of the crime of aggression, trials *in absentia*, the right to a fair trial and co-operation with the ICC. With regard to the temporal scope of its jurisdiction, the Assembly refers to its Resolutions 2482 (2023) and 2556 (2024) and reiterates that the full-scale invasion launched on 24 February 2022 constitutes a continuation of the war of aggression by the Russian Federation against Ukraine that began on 20 February 2014. Any compromise reached on other issues should be understood as not undermining the ability of the special tribunal to effectively investigate and punish the crime of aggression and should be without prejudice to the current state and future development of international law. The Assembly stresses that the special tribunal's jurisdiction should extend to the alleged crimes of aggression committed by the so-called Belarusian leadership, as well as the military and political leadership of North Korea.

11. The Assembly warmly welcomes the launch in The Hague, from 24 to 26 March 2025, of formal negotiations on an international treaty to establish a claims commission for Ukraine within an intergovernmental negotiation committee, with the participation of more than 50 States from different continents and the European Union. This is an important step towards the establishment of the second component of a comprehensive compensation mechanism, as repeatedly called for by the Assembly in its previous resolutions and as foreseen in the Statute of the Register of Damage. The Assembly considers that the best model for establishing such a commission would be an open Council of Europe convention, which could ensure the necessary cross-regional support while benefitting from the leadership and expertise of the Organisation in this area.

12. With regard to the enforcement of the compensation for the damage caused by the aggression, the Assembly notes that as a result of the Russian Federation's full-scale invasion of Ukraine, the total cost of reconstruction and recovery in Ukraine over the next ten years, as of 31 December 2024, has been estimated to be €506 billion. It further recalls that several Council of Europe member and non-member States decided to immobilise approximately US$300 billion in Russian State assets, as part of the sanctions adopted in response to the full-scale invasion. However, it notes with concern that the decision to freeze an important part of these assets will expire unless renewed every six months by the Council of the European Union, thus allowing the Russian Federation to use the return of these assets to financially sustain its war against Ukraine, as well as its attack on European security and the international legal order.

13. In the light of these considerations, as regards the special tribunal for the crime of aggression against Ukraine, the Assembly:

13.1. calls on all States and international partners that have participated in the core group to reach a final political agreement on the draft texts (the draft bilateral agreement between Ukraine and the Council of Europe, the special tribunal's draft statute and the draft enlarged partial agreement) without delay and pursue the establishment of the special tribunal irrespective of the evolution of any peace negotiations;

13.2. calls on the Secretary General of the Council of Europe and the Government of Ukraine to conclude the bilateral agreement for the establishment of the special tribunal once the necessary internal proceedings have been completed, including the necessary and swift authorisation by the Committee of Ministers;

13.3. calls on all States and international partners that have participated in the core group to join the enlarged partial agreement once it is established and to provide the special tribunal with the necessary tools and resources, including sufficient financial contributions, highly qualified judges and staff, and co-operation agreements, in particular on witness protection programmes, enforcement of sentences and release of persons acquitted or convicted;

13.4. calls on other member States, observer States and other States to consider becoming members of the future enlarged partial agreement.

14. With regard to other international crimes, such as genocide, crimes against humanity and war crimes, including enforced disappearance, the Assembly:

14.1. welcomes Ukraine's recent ratification of the Rome Statute of the ICC;

14.2. expresses its full support to the ongoing investigations into the situation in Ukraine by the Office of the Prosecutor of the ICC and calls on all member States and other States to co-operate with the ICC and enforce the arrest warrants issued against Russian suspects, including Vladimir Putin, should any of these suspects come within their jurisdiction;

14.3. condemns any attempts by States not party to the Rome Statute to sanction the ICC and its staff, which may result in the obstruction of its work and lack of co-operation by some States parties;

14.4. invites all member States and other like-minded States to increase their assistance to the Office of the Prosecutor General of Ukraine and existing international accountability mechanisms, as well as accountability projects of non-governmental organisations (NGOs) in Ukraine, by pooling resources and filling the gap left by the new US administration's decision to withdraw from certain accountability projects and suspend international aid;

14.5. commends the work of the prosecuting authorities and courts of member States in investigating crimes committed in Ukraine on the basis of the principle of universal jurisdiction, such as the recent conviction of a Russian citizen for war crimes in Ukraine by a court in Finland, and invites all member

States whose legislation provides for universal jurisdiction to do the same, in close co-operation with the Ukrainian authorities and the ICC or, where appropriate, in the framework of the European Union Agency for Criminal Justice Cooperation (Eurojust);

14.6. calls on all States to ensure that the Russian Federation and Belarus are held accountable for their systemic use of torture and other forms of ill-treatment to which Ukrainian prisoners of war, Ukrainian civilians and political prisoners in the Russian Federation and temporarily occupied Ukrainian territories, as well as political prisoners in Belarus, have been and are being subjected, by having recourse to the dispute settlement mechanism stipulated in Article 30, paragraph 1, of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

15. With regard to the international compensation mechanism for the damage caused by the aggression, the Assembly:

15.1. welcomes the opening by the Register of seven new categories of claims, including with respect to missing immediate family members, sexual violence, torture or inhumane or degrading treatment and serious personal injury;

15.2. welcomes the engagement of the Register with NGOs present in Ukraine and other countries, as well as national authorities and international partners, including through the Register's Civil Society Coordination Platform, and encourages the Register to continue to intensify its outreach campaign to potential claimants;

15.3. condemns the designation by the Russian Federation of the Register as an "undesirable organisation";

15.4. welcomes the launch of formal negotiations on a treaty to establish a claims commission for Ukraine and calls on all member States participating in these negotiations to work swiftly towards the establishment of an international claims commission and to support the option of an open Council of Europe convention that would ensure cross-regional participation and make full use of the Organisation's expertise;

15.5. calls on the participants and associate members of the Register to extend the eligibility of claims to include those dating back to 2014, rather than limiting it to claims from 24 February 2022. This broader scope would ensure that all victims of the Russian aggression, including those affected by the annexation of Crimea, the war in the east of Ukraine and other acts of aggression, can seek justice and compensation. It is essential for the Register to accurately reflect the full extent of the Russian Federation's actions over the past decade.

16. Finally, as regards frozen Russian assets, the Assembly, reaffirming its Resolutions 2434 (2022), 2482 (2023), 2539 (2024), 2556 (2024) and 2588 (2025):

16.1. welcomes the decision of the European Union institutions to direct extraordinary revenues stemming from immobilised Russian State assets for Ukraine as well as the G7's decision to offer Ukraine a US$50 billion loan secured through revenues stemming from the immobilised Russian State assets;

16.2. welcomes the adoption of resolutions by the French National Assembly and the European Parliament calling for the repurposing of frozen Russian State assets, and calls on the parliaments of all member States to adopt similar resolutions and to urge their governments to take resolute action;

16.3. calls on Council of Europe member and non-member States currently holding immobilised Russian State assets, pending the creation of an international compensation fund, to immediately take any such measures that might be necessary to:

16.3.1. transfer these assets to an international trust fund, as an extraordinary, lawful and proportionate response to the Russian Federation's ongoing violation of obligations arising under peremptory norms of general international law and its outright refusal to make reparation for the damage caused to Ukraine and its people;

16.3.2. ensure that any State or non-State entity suffering possible negative consequences of the transfer of these assets is properly protected and, if necessary, compensated for any directly associated losses;

16.3.3. ensure that the transferred assets are invested and managed for the ultimate benefit of the victims of the aggression, first and foremost the State of Ukraine and its citizens, pending final distribution;

16.4. calls on the European Union, its member States and other States to maintain and strengthen the current sanctions against the Russian Federation, its allies, entities and individuals supporting or benefitting from the aggression, until the Russian Federation ceases its aggression against Ukraine and complies with its international obligations;

16.5. calls on the European Union, its member States and other States to introduce and strengthen secondary sanctions against individuals, entities and jurisdictions facilitating the circumvention of sanctions imposed in response to the Russian Federation's aggression;

16.6. calls on the member States and European Union institutions to impose sanctions on the NLMK Group (PAO Novolipetsk Steel, LLC VIZ-Stal, JSC Stoylensky Mining and Beneficiation Complex) and others, due to their ongoing co-operation with Russia's defence industry.