Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 2294 (2025)[1]

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

Parliamentary Assembly

1. The Parliamentary Assembly draws the Committee of Ministers' attention to its Resolution 2598 (2025) "Russian war of aggression against Ukraine: the need to ensure accountability and avoid impunity", which reiterates the need to ensure a comprehensive system of accountability for all violations of international law and international crimes committed as a result of the aggression of the Russian Federation against Ukraine, while stressing that any peace negotiations must not lead to impunity.

2. The Assembly refers to its Recommendation 2279 (2024) "Legal and human rights aspects of the Russian Federation's aggression against Ukraine".

3. The Assembly warmly welcomes the Committee of Ministers' decision of 24 February 2025, in which the Committee of Ministers expressed its determination to continue its efforts to ensure that the Russian Federation and those responsible for crimes and violations of international human rights law and international humanitarian law in the context of the aggression against Ukraine are held accountable.

4. The Assembly calls on the Committee of Ministers to work towards the establishment of a special tribunal for the crime of aggression against Ukraine as soon as a political agreement is reached among the States and partners participating in the Core Group on the Establishment of a Special Tribunal for the Crime of Aggression against Ukraine, by:

4.1. authorising the Secretary General to conclude the agreement for the establishment of the special tribunal with the Government of Ukraine;

4.2. establishing an enlarged partial agreement for the management of the special tribunal for the crime of aggression against Ukraine and inviting all member and observer States of the Council of Europe, as well as other States and international organisations, to become members.

5. The Assembly calls on the Committee of Ministers to work without delay towards the establishment of a claims commission for Ukraine, notably by setting up an ad hoc committee for the drafting of an open Council of Europe convention.

6. The Assembly further welcomes the Committee of Ministers' decision of 6 March 2025 in the supervision of the execution of the judgment of the European Court of Human Rights in the interstate case *Ukraine v. Russia (re Crimea),* in which the Committee of Ministers urged the Russian Federation to restore the application of Ukrainian law in Crimea and to investigate the grave and serious violations of the European Convention on Human Rights (ETS No. 5) committed in Crimea since 2014, in order to identify all those responsible for the purposes of bringing them to justice, in particular perpetrators of enforced disappearances and arbitrary or *incommunicado* detentions, as well as their chain of command and those complicit, and to fully engage and co-operate with any pending international investigations, with national investigations brought under the principles of universal jurisdiction or those pending in Ukraine, and with international inquiries 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).

investigative missions. In this regard, the Assembly invites the Committee of Ministers to engage with and further explore synergies with some of these international investigations or inquiries with a view to ensuring accountability for the serious violations committed by the Russian Federation in Crimea.

7. The Assembly refers to Recommendation 2265 (2024) “Situation of the children of Ukraine” and reiterates its recommendation to the Committee of Ministers to create and ensure the functioning of a joint registry of individuals who have been included in the sanctions lists of Council of Europe member States, as well as in the European Union’s sanctions lists, in connection with the involvement in the deportation, forcible transfer or unjustifiable delay in repatriation of Ukrainian children, and in the unlawful adoption or establishment of guardianship over Ukrainian children. The aims of such a registry would be to harmonise the sanctions policy and to monitor and enhance the effectiveness of the imposed restrictive measures.