Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 2606 (2025)[1]

Support for political negotiations to enforce exchange and release of prisoners of war

Parliamentary Assembly

1. The illegal, unprovoked and unjustified full-scale war of aggression by the Russian Federation against Ukraine is still raging, after more than three years. The Russian Federation is responsible for severe violations of international law, in particular international human rights law and humanitarian law, including its obligations under the Geneva Conventions and their Additional Protocols. In this context, the situation of Ukrainian prisoners of war is particularly dire: they are subjected to summary executions, widespread and systematic torture and inhuman and degrading treatment, which amount to war crimes and crimes against humanity. This state of affairs calls for urgent intervention by the international community, first and foremost to secure the proper treatment, mutual release and repatriation of all prisoners of war. Given the ongoing severe violations of international human rights law and humanitarian law against Ukrainian prisoners of war, their continued captivity raises serious concerns, which highlights that their prompt and safe release is the most viable means of preventing further abuse. To this end, political negotiations are of paramount importance.

2. According to the Ukrainian authorities, thousands of Ukrainian servicepersons are currently in Russian captivity in over 300 detention facilities, both in the temporarily occupied territories of Ukraine and in the Russian Federation as well as in the Republic of Belarus. As at 6 May 2025, a total of 4 757 Ukrainians (both prisoners of war and civilians) have been released from Russian captivity since the start of the full-scale war, and 64 exchanges of prisoners of war have taken place.

3. The information received from those who have returned from captivity indicates that the Russian Federation is systematically violating the Geneva Convention Relative to the Treatment of Prisoners of War of 12 August 1949 (Geneva Convention III) with regard to the right to humane treatment (Article 13); the right to decent conditions of detention (Articles 22, 25 and 29); the right to adequate food (Article 26); the right to an initial medical examination and to adequate medical attention (Articles 15, 20, 30, 31 and 46); the right to have family members informed about the condition and capture of prisoners of war, as well as to receive information (Articles 48, 69 and 70); the right to decent conditions during evacuation and transfer (Articles 20 and 46 to 48); the prohibition of forcing a prisoner of war to serve in the armed forces of an enemy State (Article 130); and others.

4. Despite claims to the contrary by the Deputy Minister of Defence of the Russian Federation in August 2022, the Russian Federation failed to fulfil its obligation to establish an official information bureau for prisoners of war who are in its power (Article 122 of Geneva Convention III) and to appoint a mixed medical commission to examine sick and wounded prisoners of war (Article 112). At the same time, the Russian authorities have effectively barred relatives of Ukrainian prisoners of war from requesting information from the ministry of defence by requiring the use of the Russian State portal, which is in fact only accessible to Russian citizens because of authentication requirements tied to State-issued Russian credentials. In addition, the Russian Federation has so far rejected initiatives by other States to assume the role of protecting powers, although it is a duty provided for in Article 5 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), and it is impeding access to most of its detention facilities by the personnel of the International Committee of the Red

1. *Assembly debate* on 24 June 2025 (21st and 22nd sittings) (see Doc. 16197, report of the Committee on Political Affairs and Democracy, rapporteur: Ms Yelyzaveta Yasko; and Doc. 16206, opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Ms Rian Vogels). *Text adopted by the Assembly* on 24 June 2025 (22nd sitting).

Cross (ICRC), the United Nations Human Rights Monitoring Mission in Ukraine (HRMMU), the United Nations Independent International Commission of Inquiry on Ukraine, the Ukraine Monitoring Initiative of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) and other international monitoring mechanisms. However, the Russian Federation is already under an international legal obligation to fully co-operate with all international monitoring bodies and to remove any obstacles to their monitoring activities, notably in areas covered by the judgment of the European Court of Human Rights of 25 June 2024 in the case of *Ukraine v. Russia (re Crimea)*, pursuant to the decision of the Committee of Ministers of the Council of Europe CM/Del/Dec(2025)1521/H46-29 of 6 March 2025.

5. The Russian Federation's highest political and military leadership is aware of the vicious mistreatment of Ukrainian prisoners of war, including threats, verbal and physical abuse, sexual violence, torture and summary executions. As of February 2025, the HRMMU had verified the execution of 71 Ukrainian prisoners of war and recorded the death of at least 21 prisoners of war in custody. While the real figures are currently unknown, they are certainly much higher. Of the 454 released Ukrainian prisoners of war interviewed by the HRMMU, 95% provided accounts of torture or inhuman and degrading treatment throughout all stages of captivity. In general, the evidence gathered by international mechanisms, independent media and civil society investigations suggests that the inhuman and degrading treatment of Ukrainian prisoners of war is not confined to specific detention facilities but is widespread and systematic. This indicates that not only are the Russian authorities failing to take any effective preventative measures, but that they are mandating a policy of inhuman and degrading treatment of prisoners of war. Moreover, the Russian Federation has recently introduced a legal framework granting exemption from criminal liability for crimes under international law to individuals enlisting in the Russian armed forces. This legal framework is recognised by the Office of the United Nations High Commissioner for Human Rights (OHCHR) as a violation of the Russian Federation's obligations to investigate war crimes and serious violations of international human rights law, and to prosecute alleged perpetrators.

6. Ukrainian prisoners of war are at risk of inhuman and degrading treatment, torture and even execution from the moment they are captured on the battlefield, and subsequently during their transport, transit and imprisonment in detention facilities, both in the temporarily occupied territories of Ukraine and in the Russian Federation. They are also at risk of being convicted on trumped-up charges or simply for having taken part in hostilities and for exercising Ukraine's right to self-defence under the Charter of the United Nations, in proceedings that violate fair trial guarantees.

7. In stark contrast, the situation of Russian prisoners of war is generally well documented, as the ICRC and other international monitoring bodies have unfettered access to the facilities where they are held. Overall, Ukraine is complying with its obligations under international human rights law and humanitarian law. Reports of summary executions, torture or ill-treatment of Russian prisoners of war must nevertheless be properly investigated and the perpetrators must be held accountable.

8. In Resolution 2562 (2024) "An urgent call to Europe and its partners: envisioning immediate and long-term policy solutions in support of the displaced people of Ukraine", the Parliamentary Assembly stated the need to urgently address the issue of Ukrainian prisoners of war and, in Resolution 2573 (2024) "Missing persons, prisoners of war and civilians in captivity as a result of the war of aggression of the Russian Federation against Ukraine", it resolved to remain seized of this issue. The Assembly welcomes the exchanges of prisoners of war, which can be crucial in the context of a possible peace process. It also reaffirms the need for all possible future peace negotiations to address unconditionally the issue of the mutual release and repatriation of all prisoners of war, in accordance with the formula "all for all", as already expressed in its Resolution 2598 (2025) "Russian war of aggression against Ukraine: the need to ensure accountability and avoid impunity". Nevertheless, the Assembly also considers that the situation of prisoners of war is of such urgency that it must be addressed immediately by all parties concerned, irrespective of developments related to a ceasefire and peace negotiations. Any unlawful, unfair or politically motivated convictions of Ukrainian prisoners of war must not be used as grounds to delay or refuse their release, particularly following the cessation of active hostilities. Any such unjustifiable delay or refusal would constitute an additional war crime under Article 85.4.*b* of Protocol I to the Geneva Conventions, entailing individual criminal responsibility.

9. The Assembly calls on European non-governmental organisations and civil society to raise awareness of the plight of Ukrainian prisoners of war in order to increase political and diplomatic pressure on the Russian Federation.

10. The Assembly calls on the international community to unequivocally contribute to and intensify the efforts aimed at achieving the mutual release and repatriation of all prisoners of war, so that the rights and dignity of all prisoners of war, their families and loved ones are fully respected and upheld, while having

regard to Geneva Convention III. The Assembly encourages the ICRC to offer its good offices to the parties to the conflict and apply a more proactive and innovative approach in general to ensuring compliance with international humanitarian law in the current environment.

11. The Assembly also welcomes and concurs with the recommendations already made by the OHCHR in various reports, and with the recommendations made by the OSCE/ODIHR in its interim reports on reported violations of international humanitarian law and international human rights law in Ukraine.

12. Against this background, and building on the recommendations of the OHCHR and the OSCE/ODIHR, the Assembly calls on the Russian Federation to:

12.1. respect and ensure full compliance with international human rights law and humanitarian law, notably with regard to the treatment of prisoners of war;

12.2. immediately cease the summary execution, torture, ill-treatment, verbal and psychological abuse of and sexual violence against prisoners of war;

12.3. cease the prosecution of captured Ukrainian servicepersons for the mere fact of having directly participated in hostilities and for having exercised Ukraine's right to self-defence under the Charter of the United Nations, and refrain from violating their right to a fair and regular trial;

12.4. conduct impartial and thorough investigations into all cases of death in custody, summary execution, torture, inhuman and degrading treatment, sexual violence and verbal and psychological abuse of prisoners of war, and ensure that the perpetrators are held accountable, including those within the chain of command;

12.5. ensure that the ICRC and other relevant international monitoring mechanisms have unimpeded access to all the places of detention where prisoners of war are being held and are allowed confidential interviews with them;

12.6. ensure that all the conditions of detention relating to the prisoners of war as set out in Geneva Convention III are fully respected, by establishing dedicated places of internment, including prisoner-of-war camps and temporary and permanent transit camps, providing adequate food, water, medical care and legal assistance, and allowing prisoners of war to exercise their right to communicate with their families and loved ones;

12.7. appoint a mixed medical commission to examine wounded and sick prisoners of war and make decisions on their repatriation, in line with Geneva Convention III;

12.8. ensure that an efficient, functional and transparent official information bureau is established, with a mandate to cater for both prisoners of war and civilian detainees who are in its power;

12.9. engage constructively and without delay in negotiations to approve candidates for neutral members of the Ukrainian Mixed Medical Commission pursuant to Annex II to Geneva Convention III;

12.10. repeal any legislative provisions that grant impunity to members of the armed forces of the Russian Federation for committing crimes under international law;

12.11. provide regularly to the ICRC and the competent Ukrainian authorities all relevant information that would otherwise be transmitted to the appointed protecting power, in accordance with international humanitarian law.

13. The Assembly also calls on Ukraine to ensure that it continues to act in full compliance with the Geneva Conventions and that any violations of international human rights law and humanitarian law committed by its armed forces or civilian authorities are promptly and properly investigated.

14. The Assembly acknowledges the crucial role of those countries involved in facilitating the ongoing exchanges of prisoners of war between Ukraine and the Russian Federation, such as Türkiye and the United Arab Emirates, and expresses its deep gratitude to their governments for these efforts.

15. Based on the example of the countries involved in the exchange of prisoners of war between Ukraine and the Russian Federation, the Assembly calls on all States to:

15.1. support political negotiations to facilitate and encourage an acceleration of the mutual release and repatriation of prisoners of war;

15.2. provide additional resources to the Central Tracing Agency Bureau of the ICRC and the United Nations Working Group on Enforced or Involuntary Disappearances to enhance their capacity to locate and verify the status of missing Ukrainian prisoners of war;

15.3. improve information sharing and co-ordination among relevant stakeholders with a view to identifying mediating States that could assume the role of protecting power, as per the Geneva Conventions, and facilitate the establishment of channels for dialogue and political negotiation;

15.4. promote the establishment of a structured, permanent mechanism, negotiated and agreed upon by all interested parties, and possibly co-ordinated by the ICRC, to enable the prompt, secure and regular identification, tracing, mutual release and repatriation of all prisoners of war, paying special attention to the seriously wounded and sick;

15.5. provide political, financial, material and technical support for the establishment of such a mechanism;

15.6. consider the identification of a neutral country where prisoners of war could be safely and temporarily placed before their repatriation.

16. The Assembly stands in solidarity with the families of the Ukrainian prisoners of war, who are enduring immense psychological suffering: in most cases, they are not allowed to communicate with their loved ones and they are often not even aware of their fate and whereabouts. The Assembly also recognises the need to provide medical, psychological and administrative assistance and vocational training to returned Ukrainian prisoners of war, to ensure their rehabilitation and full reintegration into Ukrainian society. The Assembly therefore calls on all States to provide financial aid and technical expertise to the ongoing initiatives supporting the families of Ukrainian prisoners of war and the returned Ukrainian prisoners of war, including through the establishment of rehabilitation centres.

17. The Assembly underlines the importance of ensuring accountability and providing reparations to victims in order to achieve a just and lasting peace for Ukraine. The Assembly therefore:

17.1. calls on all States that are Parties to the Rome Statute of the International Criminal Court (ICC) to fully support the work of the ICC in bringing the perpetrators, the military and political authorities of the Russian Federation to justice for war crimes and crimes against humanity, in particular taking into account the publicly announced priorities of the Office of the Prosecutor of the ICC about Ukraine regarding the killing and torture of Ukrainian prisoners of war in the Volnovakha Penal Colony No. 120 near Olenivka and in other places under Russian control, and urges all States that have not yet done so to ratify or accede to the Rome Statute of the ICC without delay;

17.2. calls on all States whose legislation provides for universal jurisdiction to prosecute officials of the Russian Federation involved in war crimes and other crimes, and encourages those States that do not have this possibility to introduce universal jurisdiction into their legislation.

17.3. calls on all Council of Europe member States to engage in negotiations on expanding the mandate of the international compensation mechanism under its auspices, in order to ensure reparations for damage, loss or injury caused by wrongful acts under international law in or against Ukraine before 24 February 2022, in particular to Ukrainian prisoners of war who have suffered as a result.

18. The Assembly deeply regrets that a member State of the United Nations Security Council, which is also responsible for war crimes, retains its veto power, and reiterates its call for reconsideration of the use and scope of the veto power by permanent members of the United Nations Security Council to avoid any abuse, as stated in its Resolution 2581 (2025) “The need for a renewed rules-based international order”.