Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Ensuring equal access to compensation for victims of the Russian Federation's aggression against Ukraine

Motion for a resolution
tabled by Ms Tamila TASHEVA and other members of the Assembly

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This motion has not been discussed in the Assembly and commits only those who have signed it

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The progress towards the establishment of the International Claims Commission is welcome. While the convention establishing this Commission does not absolve the Russian Federation of its responsibility for internationally wrongful acts committed in or against Ukraine on or after 20 February 2014, the Commission's current jurisdiction is limited to damage, loss and injury caused on or after 24 February 2022.

As a result, millions of Ukrainian citizens, thousands of businesses, and a very large number of communities and public authorities who suffered damage as a consequence of the Russian Federation's aggression between 2014 and 2022 risk remaining outside the compensation framework despite being victims of the same continuing act of aggression. Equal treatment of victims, the coherence of the international compensation mechanism, and the continuity of the Russian Federation's aggression require that all victims suffering damage resulting from internationally wrongful acts committed since 20 February 2014 be entitled to consideration by the International Claims Commission.

For this purpose, the Parliamentary Assembly should call on the Committee of Ministers and States Parties to the Convention establishing an International Claims Commission for Ukraine to:

- support the expansion of the Commission's temporal jurisdiction to include claims from damage, loss and injury caused by internationally wrongful acts by the Russian Federation in or against Ukraine on or after 20 February 2014;

- initiate the procedures necessary under Article 33 of the Convention to amend its temporal scope, upon the entry into force of the Convention and the operationalisation of the Commission;

- ensure that appropriate mechanisms are established to receive and determine claims relating to the period from 20 February 2014 to 23 February 2022.

Such an amendment would ensure equal access for all victims of the Russian Federation's aggression against Ukraine and strengthen the legitimacy, coherence and credibility of the compensation mechanism.

Signed (see overleaf)

Signed[1]*:*

TASHEVA Tamila, Ukraine, ALDE
ABRAHAM Knut, Germany, EPP/CD
AKALIN Mehmet, Türkiye, ALDE
BILOZIR Larysa, Ukraine, ALDE
BLENCATHRA David, United Kingdom, ECPA
BOUYX Bertrand, France, ALDE
BULAI Iulian, Romania, ALDE
FASSINO Piero, Italy, SOC
FRESKO-ROLFO Béatrice, Monaco, ALDE
GÖKÇEN Gökçe, Türkiye, SOC
GONCHARENKO Oleksii, Ukraine, ECPA
GUTIÉRREZ LIMONES Antonio, Spain, SOC
HISPÁN Pablo, Spain, EPP/CD
KALCHENKO Serhii, Ukraine, ECPA
KAMELCHUK Yuriy, Ukraine, EPP/CD
KHOMENKO Olena, Ukraine, ECPA
KJOKU Bekim, North Macedonia, SOC
KONSTANKEVYCH Iryna, Ukraine, ECPA
KRAVCHUK Yevheniia, Ukraine, ALDE
KROSS Eerik-Niiles, Estonia, ALDE
LUARASI Iris, Albania, SOC
MEZENTSEVA-FEDORENKO Mariia, Ukraine, EPP/CD
MOSHENETS Olena, Ukraine, ALDE
O'REILLY Joseph, Ireland, EPP/CD
OVCHYNNYKOVA Yuliia, Ukraine, ALDE
PANMAN Tekke, Netherlands, EPP/CD
PERTEGHELLA Manuela, United Kingdom, ALDE
PULJAK Marijana, Croatia, ALDE
SCHWABE Frank, Germany, SOC
SOBOLIEV Serhii, Ukraine, EPP/CD
STAMATIS Georgios, Greece, EPP/CD
TIBLOM Victoria, Sweden, ECPA
VLASENKO Sergiy, Ukraine, EPP/CD
WIECHEL Markus, Sweden, ECPA
ZABURANNA Lesia, Ukraine, ALDE
ZINGERIS Emanuelis, Lithuania, EPP/CD

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