



**Doc. 13700**

29 January 2015

## Legal remedies to human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities

### Motion for a resolution

tabled by Ms Marieluise BECK 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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In September-December 2014, the Council of Europe Commissioner for Human Rights made two fact-finding visits to Ukraine. The Commissioner confirmed the reports of human rights defenders about repeated grave human rights violations on the territories of Ukraine currently not controlled by the Ukrainian authorities.

The Parliamentary Assembly has on numerous occasions insisted on the need to ensure accountability for human rights violations everywhere in Europe. Today we are confronted with a situation where parts of the territory of Ukraine are outside the effective control of the Ukrainian authorities. In the east, the situation of legal vacuum creates conditions for the gravest human rights abuses, including extrajudicial executions, enforced disappearances and torture. Human rights organisations cannot operate safely on these territories. Impunity for serious human rights violations prevails.

Last month's death toll was particularly dramatic in eastern Ukraine. Deadly fighting over Donetsk airport, the shelling of buses in Volnovaha and in Donetsk, and the rocket attack on Mariupol added dozens of new deaths to the 5 000 that have reportedly died since the start of the armed conflict, including numerous civilians.

Reports of violations of international humanitarian law in the conflict zone in the eastern part of Ukraine include the use of "human shields" by members of armed forces, the indiscriminate or disproportionate use of heavy weapons leading to unacceptable civilian casualties and the deliberate killing of members of armed forces trying to surrender.

The Assembly should carefully consider the human rights situation in all territories of Ukraine outside the authorities' control. The Assembly should reflect on legal remedies to these human rights violations, for eradicating impunity and ensuring accountability for all grave crimes, whoever their perpetrators are.

*Signed (see overleaf)*



*Signed*<sup>1</sup>:

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