Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 2605 (2025)[1]

Legal and human rights aspects of the Russian Federation's aggression against Ukraine

Parliamentary Assembly

1. The Parliamentary Assembly reaffirms its unwavering support for Ukraine and its people, and its commitment to the independence, sovereignty, unity and territorial integrity of Ukraine within its internationally recognised borders, including Crimea and all the other Ukrainian territories temporarily occupied by the Russian Federation since 2014 and beyond. It reiterates its strongest condemnation of the illegal, unprovoked and unjustified war of aggression of the Russian Federation against Ukraine and the wide array of atrocities and violations of human rights and international humanitarian law committed by the Russian authorities, including the continued indiscriminate attacks on civilians, residential areas and civilian infrastructure; enforced disappearances and deportations; unlawful detentions and the use of torture; extrajudicial executions of prisoners of war; rape and other forms of sexual violence; the deportation and forcible transfer of Ukrainian children; and the destruction of Ukrainian cultural and religious heritage.

2. The Assembly notes that under the administration of President Donald Trump, the United States of America has significantly shifted its foreign policy, particularly in its relations with Ukraine and the Russian Federation, including its position on the legal and political assessment of the Russian war of aggression. The United States, alongside the Russian Federation and its allies, voted against a United Nations General Assembly Resolution of 24 February 2025 condemning the aggression and calling for a comprehensive, just and lasting peace and the need to ensure accountability. The Assembly deeply regrets this position. It is also concerned about the growing disengagement of the new US administration from efforts towards accountability for Ukraine, as evidenced by its withdrawal from the Core Group on the Establishment of a Special Tribunal for the Crime of Aggression against Ukraine (the Core Group) and the International Centre for the Prosecution of the Crime of Aggression against Ukraine based in The Hague. It further notes with concern that the reduction of US foreign aid by the new administration has resulted in the suspension of several critically important justice and accountability projects related to Ukraine, including those concerning co-operation with the Ukrainian prosecuting authorities. The Assembly is also deeply concerned about sanctions imposed by the United States on the International Criminal Court (ICC), as they significantly hinder the prosecution of international crimes, including those committed in Ukraine as a result of the Russian aggression.

3. This shift has happened in the context of the bilateral talks that the United States has held with both the Russian Federation and Ukraine, aimed at achieving a permanent ceasefire in Ukraine and the launch of peace negotiations. While the Assembly welcomes the United States' commitment in this process to help achieve the exchange of prisoners of war, the release of civilian detainees and the return of forcibly transferred Ukrainian children, it notes that Ukraine's proposal for a renewable and unconditional thirty-day ceasefire, supported by the United States, was not accepted by the Russian Federation, which continues to conduct missile, guided bomb and drone attacks against Ukrainian residential areas and civilian infrastructure almost every day. In March 2025 alone, at least 164 Ukrainian civilians were killed and 910 injured by Russian attacks – a 50% rise from the figures in February. From January to May 2025, a total of 664 Ukrainian civilians were killed and 3 425 injured.

1. *Assembly debate* on 24 June 2025 (21st and 22nd sittings) (see Doc. 16193, report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Eerik-Niiles Kross). *Text adopted by the Assembly* on 24 June 2025 (22nd sitting).

4. The Assembly notes with utmost concern that certain US representatives have suggested that the Russian Federation's unlawful seizure of Ukrainian territories through its war of aggression should be accepted and *de jure* recognised as part of a future peace agreement. In this context and in light of the rapidly evolving situation, the Assembly declares that certain fundamental principles of international law must not and cannot be set aside or undermined in any ongoing or future negotiations. It refers to all its previous resolutions addressing the legal and political consequences of the Russian full-scale aggression against Ukraine and underlines that all States are under the obligation to respect international law. The inviolability of borders and the non-recognition of territorial acquisitions resulting from the use of force are core tenets of international law and the foundations of the rules-based international order. These principles are enshrined in the Charter of the United Nations, the Helsinki Final Act of 1975, the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (United Nations General Assembly Resolution 2625, 1970) and numerous other international instruments. The pursuit of peace must be and can only be based on justice and international co-operation, in line with the preamble to the Statute of the Council of Europe (ETS No. 1). The Assembly therefore categorically reaffirms the following undisputable legal and human rights considerations related to the Russian war of aggression and calls on all member and observer States as well as relevant European institutions and international partners to ensure that any peace talks or negotiations respect them:

4.1. the Russian Federation's war against Ukraine constitutes an act of aggression in violation of Article 2.4 of the Charter of the United Nations;

4.2. Belarus has allowed the Russian Federation to use its territory to perpetrate an act of aggression against Ukraine, which amounts in itself to an act of aggression;

4.3. North Korea has deployed troops to fight alongside Russian forces against Ukraine, therefore participating in the act of aggression against Ukraine;

4.4. Ukraine is exercising its inherent right to self-defence in accordance with Article 51 of the Charter of the United Nations;

4.5. the political and military leadership of the Russian Federation, Belarus and North Korea has committed and continues to be complicit in the crime of aggression against Ukraine, which entails individual criminal responsibility for the leaders concerned, irrespective of their official position, including heads of State and government;

4.6. the illegal annexation of Crimea and other Ukrainian territories temporarily occupied by the Russian Federation as a result of the aggression since 2014 is a serious breach of *jus cogens* norms and, as such, cannot be recognised. In fact, such a recognition in itself, and any coercion of Ukraine to recognise these annexations, would be a violation of international law and would lead to a further deterioration in the protection of human rights and fundamental freedoms, especially given that, as underlined in Assembly Opinion 300 (2022) "Consequences of the Russian Federation's aggression against Ukraine", victims of Russian violations of international law still have no access to effective remedies within the national legal framework of the Russian Federation;

4.7. the multiple and continued attacks and atrocities committed by Russian forces and their allies and proxies against Ukraine and its people amount to war crimes, including grave breaches of the Geneva Conventions and international humanitarian law, as well as crimes against humanity when perpetrated as part of a widespread and systematic attack against the civilian population, for which individual perpetrators must be held accountable;

4.8. the Russian Federation is committing some of the acts that constitute an element of genocide under the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide, and its rhetoric justifying the war of aggression reveals a genocidal intent to destroy the Ukrainian nation as such;

4.9. none of these crimes can be subject to any form of amnesty or any statute of limitations under international law;

4.10. the ICC has full jurisdiction to investigate and prosecute war crimes, crimes against humanity and genocide committed on Ukrainian territory by Russian forces and their allies and proxies, and States Parties to the Rome Statute of the ICC have an unconditional obligation to co-operate with the ICC in the context of these proceedings, including by enforcing any arrest warrants issued against Russian or other suspects;

4.11. the Russian Federation has committed multiple and grave violations of the European Convention on Human Rights (ETS No. 5, the Convention) in Ukraine since the occupation and annexation of Crimea in 2014 and in the context of the full-scale aggression. Referring to the Decision of the Committee of Ministers of the Council of Europe (CM/Del/Dec(2025)1521/H46-29), the Assembly stresses that although the Russian Federation ceased to be a High Contracting Party to the European Convention on Human Rights on 16 September 2022, it remains bound by its obligations under the Convention, including the duty to implement judgments of the European Court of Human Rights, particularly the judgment in the case of *Ukraine v. Russia (re Crimea)*. The Assembly urges the Russian authorities to immediately implement all measures specified by the Committee of Ministers that are related to the administrative practice of torture, enforced disappearances, the unlawful transfer of civilians, the large-scale expropriation of property and other numerous violations resulting from the occupation of Crimea by the Russian Federation;

4.12. the Russian Federation has breached many other treaties under international human rights law, including the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child of the United Nations;

4.13. the Russian Federation has also been condemned by the European Court of Human Rights for acts of torture and inhuman treatment committed against its own citizens who challenge the war of aggression of the Russian Federation in Ukraine;

4.14. the Russian Federation must bear the legal consequences of all of its internationally wrongful acts committed in and against Ukraine, including by making reparation for all the damage caused by such acts to Ukraine and its people, as recognised in the United Nations General Assembly Resolution A/RES/ES-11/5 of 14 November 2022 and in accordance with the principles of State responsibility;

4.15. the repurposing of frozen Russian State assets, in Council of Europe member States and non-member States, would constitute lawful countermeasures against the Russian Federation, as they would be intended to induce the aggressor to cease its unlawful behaviour and to fulfil its obligation to make reparations;

4.16. according to international democratic standards, elections cannot be held under martial law and President Zelenskyy is the legitimate President of Ukraine until elections can lawfully be held.

5. The Assembly notes that internationally recognised borders constitute an essential element of the rules-based international order. Since 2014, numerous individuals – both citizens of the Russian Federation and of other States – have unlawfully crossed Ukraine's State borders, including through unauthorised visits to temporarily occupied territories such as Crimea, Mariupol, Donetsk and Luhansk. Among such citizens are pro-Kremlin celebrities such as Russian producer Iosif Prigozhin and singer Valeriya, and American actor Steven Seagal. Such actions in support of the Russian war of aggression represent a violation of Ukraine's sovereignty and territorial integrity and should have legal consequences.

6. The Assembly strongly supports the position of the Council of Europe Commissioner for Human Rights to make human rights the guiding principle for all current and future peace efforts. His human rights road map for a just, lasting and effective peace for Ukraine encompasses accountability, including the establishment of a special tribunal for the crime of aggression against Ukraine, reparation and redress for victims, the release of prisoners of war and civilian detainees, the return of Ukrainian children and the tracing of missing persons, and the protection of people in temporarily occupied territories and reconstruction. The Assembly also underlines the constitutional role of the National Human Rights Institution (NHRI) of Ukraine in monitoring and documenting gross human rights violations, and advocating for redress. Its effective involvement in peace and accountability processes is essential to ensuring a victim-centred and human rights-compliant approach.

7. In this context, the Assembly refers to its Resolution 2598 (2025) "Russian war of aggression against Ukraine: the need to ensure accountability and avoid impunity" (paragraphs 9 and 10) and welcomes the adoption by the Core Group participants of the Lviv Statement of 9 May 2025, expressing political support for the draft legal texts for the establishment of the special tribunal for the crime of aggression against Ukraine within the framework of the Council of Europe. This step will pave the way for the Committee of Ministers of the Council of Europe to adopt, in due course, the necessary decisions for the setting-up of the special tribunal. While noting that a compromise may have had to be reached on certain issues such as personal immunities, which may fall short of the Assembly's own demands and existing rules of international law, the Assembly hopes that the final statute will enable the special tribunal to effectively investigate, prosecute and

punish those who bear the responsibility for the crime of aggression. The special tribunal is an essential part of a comprehensive system of accountability for Ukraine and for the international legal order, which will fill an existing gap and deter future aggressions by the same or other aggressive regimes.

8. The Assembly underlines that any future peace negotiations aimed at ending the Russian Federation's aggression against Ukraine must include a comprehensive and just system of reparations for the damage caused. Redress for victims is essential for lasting peace and reconciliation. In this context, the Assembly highlights the critical role of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (the Register), established under the auspices of the Council of Europe, as the first operational element of an international compensation mechanism. The Register represents a vital step in documenting the damage, loss and injury resulting from the aggression and in laying the groundwork for a future claims process. In line with its previous resolutions, the Assembly considers that the Register and the comprehensive compensation mechanism should cover claims relating to the damage caused since February 2014 and not only from 24 February 2022. Discussions on mechanisms for contributing to a future compensation fund must be intensified, taking into account the potential of repurposing frozen Russian assets.

9. As stated in its previous 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", the Assembly is appalled by the numerous findings of international mechanisms and independent media investigations which continue to provide evidence of the systematic use of torture against Ukrainian prisoners of war and detained civilians held in the Russian Federation or in the temporarily occupied territories of Ukraine. It takes note of the March 2025 report of the United Nations Independent International Commission of Inquiry on Ukraine, which concluded that enforced disappearances and torture have been conducted by the Russian authorities as part of a widespread and systematic attack against the civilian population and pursuant to a co-ordinated State policy, therefore amounting to crimes against humanity. The report found that the most brutal forms of torture were used during interrogations, including severe beatings, electric shocks, burns, strangling, suffocation, hanging, rape and other forms of sexual violence. A recent media investigation by Forbidden Stories has also shed light on the prison system established by the Russian Federation for Ukrainian civilian detainees, revealing that torture and ill-treatment are systematic in at least 26 detention centres.

10. The Assembly expresses solidarity with Russian citizens facing repression for denouncing the war against Ukraine. It demands the immediate release of all political prisoners imprisoned in the Russian Federation because of their opposition to this war, as well as prisoners of war, political prisoners and civilians captured by the Russian Federation in the occupied Ukrainian territories and in the Russian Federation.

11. According to the figures from the Ukrainian authorities, 5 757 individuals have been returned from Russian captivity since 24 February 2022, including 294 Ukrainian civilians, while 186 locations where Ukrainian civilians and prisoners of war are detained, both in the Russian Federation and in the occupied territories, have been identified. The current number of missing persons, including both prisoners of war and civilians, is estimated by the Ukrainian Ministry of Internal Affairs at 74 000. At the same time, the International Committee of the Red Cross (ICRC) has documented around 50 000 cases of missing persons, without distinguishing by nationality. It has visited more than 3 000 prisoners of war in captivity on both sides, but specific figures for visits to civilian detainees are not available. While the exact number of Ukrainian civilians held in captivity by the Russian Federation is difficult to determine, the Assembly considers that the practice of detention of Ukrainian civilians by the Russian Federation without any legal grounds is per se unlawful, arbitrary and in violation of international humanitarian law, and it amounts to war crimes and crimes against humanity. It therefore urges the Russian Federation to immediately and unconditionally release all unlawfully detained Ukrainian civilians. In the meantime, the ICRC should have immediate, safe and unimpeded access to all facilities where Ukrainian civilians are being detained, both in the temporarily occupied territories and in the Russian Federation, in line with Article 143 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (Geneva Convention IV). The Assembly supports the establishment of an international civilian protection mechanism involving the NHRI and other relevant institutions, tasked with monitoring and publicly reporting on the treatment of civilians in occupied territories and places of detention.

12. The Assembly has repeatedly condemned the deportation of Ukrainian children to the Russian Federation and Belarus, and the forcible transfer of Ukrainian children to the Ukrainian territories temporarily occupied by the Russian Federation. These practices violate international humanitarian law (Geneva Convention IV and Additional Protocol I) and the United Nations Convention on the Rights of the Child, and constitute war crimes, crimes against humanity and an element of the crime of genocide. According to information from the Ukrainian Government, as of May 2025, 19 546 children had been deported or forcibly transferred, and only 1 366 had been returned. A recent report by the Yale School of Public Health

Humanitarian Research Lab showed how Russian Federation-flagged military transport planes under the direct control of Vladimir Putin's office transported groups of children from the occupied Donetsk and Luhansk *oblasts,* and how Russian-controlled databases obfuscated these children's identities, including their nationality, in order to facilitate their placement and conceal the government's programme of coerced adoption and fostering. The operation was initiated by Vladimir Putin and his subordinates with the intention of "russifying" children from Ukraine. On 10 June 2025, during a meeting of the Security Council of the Russian Federation, Vladimir Putin announced the implementation of numerous educational programmes based on so-called traditional values, including the fulfilment of military duty – a policy that, among other consequences, contributes to the militarisation of Ukrainian children in the occupied territories. The Assembly further notes that according to credible sources, as at 14 August 2024, at least 3 500 Ukrainian children from Russian-occupied territories of Ukraine had been forcibly transferred through or into Belarus, where these children were subjected to a Russian political, military and religious indoctrination programme. This transfer was carried out under a direct order from Aliaksandr Lukashenka. The Assembly believes that any future peace negotiations should address this situation and calls for the immediate and unconditional return and reintegration of Ukrainian children, in accordance with the principle of the best interests of the child. The Assembly underscores the critical role of the NHRI as the independent children's rights protection institution, in ensuring the identification, safe return, legal protection and reintegration of deported or forcibly transferred Ukrainian children.

13. The Assembly strongly condemns the militarisation and political indoctrination of Ukrainian children in territories temporarily occupied by the Russian Federation, recognising that these acts are severe violations of the rights of the child and a form of attack against education, both in content and in quality, as well as against childhood itself. Such actions include the systematic introduction of military ideology into education, forced participation in military-patriotic organisations, rewriting educational programmes to align with the occupying State's political and military agendas, and discrimination against children and educators based on political beliefs. The Assembly urges the immediate cessation of these practices and calls for their documentation and monitoring by relevant international bodies, including the United Nations Special Rapporteur on the right to education and the Office of the Special Representative of the United Nations Secretary-General for Children and Armed Conflict. The Assembly further encourages the ICC to initiate proceedings under the Rome Statute to prosecute these multiple violations as war crimes and crimes against humanity and calls on the States that are Parties to the Rome Statute to actively support programmes focused on psychosocial rehabilitation and reintegration of the affected children, as well as educational initiatives promoting peace, tolerance and critical thinking to counteract indoctrination efforts.

14. The Assembly is greatly alarmed by the Russian Federation's policy of ethnic cleansing in the temporarily occupied territories of Ukraine, carried out through forced displacement, deportation and violent assimilation. Presidential Decree No. 159 of 20 March 2025 obliges Ukrainian citizens in these areas to accept Russian citizenship by 10 September 2025 or face expulsion, effectively offering no choice but assimilation or deportation. Such measures violate Geneva Convention IV, the Rome Statute of the ICC and the United Nations Convention on the Prevention and Punishment of the Crime of Genocide. Acts such as banning the Ukrainian language in schools, imposing Russian curricula and systematically erasing Ukrainian cultural identity have been extensively documented by the United Nations and amount to crimes under international law. In view of the Russian Federation's consistent disregard for its obligations as an occupying power, the Assembly calls for the immediate establishment of an independent international monitoring mission, preferably under the auspices of the United Nations, to observe and report on the human rights situation in the occupied territories of Ukraine. This mission must be empowered to prevent further violations, document evidence and support efforts to ensure accountability for those responsible.

15. The Assembly expresses its deep concern at the support provided by Iran and China to the Russian Federation. Iran has supplied the Russian Federation with ballistic missiles and drones, many of which have been used in indiscriminate attacks against civilian objects in Ukraine, in what can be described as complicity in the Russian Federation's violations of international law. The Ukrainian authorities have confirmed the detention of Chinese nationals fighting alongside Russian forces, allegedly as irregular combatants. In addition, Chinese companies have reportedly assisted the Russian Federation's military drone production by providing access to restricted components and helping to circumvent international sanctions.

16. In the light of these considerations, the Assembly:

16.1. urges the Core Group participants and all member States to move towards the establishment of the special tribunal for the crime of aggression against Ukraine without delay, by adopting the necessary decisions to finalise the legal instruments for the establishment of the special tribunal, irrespective of the progress of any peace negotiations;

16.2. calls on other States, in particular observer States and States whose parliaments enjoy observer or partner for democracy status with the Assembly, to join the future enlarged partial agreement and support the special tribunal;

16.3. calls on all member States, observer States and other States to support and contribute to the work of the Register of Damage for Ukraine, as well as to the ongoing work to establish a claims commission for Ukraine and a compensation fund for Ukraine, and to ensure that reparations remain a core component of any peace settlement;

16.4. calls on all member States, European institutions and international partners to increase their assistance to the Office of the Prosecutor General of Ukraine and existing international accountability mechanisms, as well as civil society projects working on Ukraine, to compensate for the negative impact of the US aid freeze;

16.5. invites the ICC to consider adding new charges, including crimes against humanity and genocide, in connection with the unlawful detention, enforced disappearance and torture of Ukrainian civilian detainees and with the deportation, forcible transfer and re-education of Ukrainian children, as part of the investigation into the situation in Ukraine; and invites States that are Parties to the Rome Statute of the ICC to strengthen political, legal and material support for the ICC, in particular regarding bolstering the Office of the Prosecutor of the ICC in Kyiv;

16.6. calls on member and observer States to refrain from suspending or impeding processes of international accountability relating to crimes committed in the context of the aggression against Ukraine, including through the United Nations Security Council;

16.7. calls on member and observer States and other States whose legislation provides for universal jurisdiction to investigate and prosecute war crimes, crimes against humanity and genocide committed in the context of the ongoing war of aggression, including crimes related to the enforced disappearance and torture of Ukrainian civilian detainees and the deportation, forcible transfer and re-education of Ukrainian children, and encourages those States that do not provide for universal jurisdiction to introduce such a possibility into their legislation;

16.8. urges the Russian Federation to ensure compliance with its obligations under international law, including international humanitarian law, and immediately cease the practice of enforced disappearances, unlawful detention of Ukrainian civilians, systematic use of torture against civilians and prisoners of war, deportation and forcible transfer of Ukrainian children, to provide complete information concerning prisoners of war, Ukrainian civilians and children under its control, and to ensure immediate, safe and unimpeded access for the ICRC and the NHRI to all places of detention where prisoners of war and Ukrainian civilians are being held;

16.9. calls on member States, observer States, the European Union and international partners to provide all necessary assistance to Ukraine in its efforts to locate and secure the return of prisoners of war, unlawfully detained Ukrainian civilians and Ukrainian children, and to increase pressure on the Russian Federation to comply with its above-mentioned international obligations, including through increased sanctions and in the context of any peace talks or negotiations;

16.10. invites relevant international accountability mechanisms to establish a standing consultation mechanism with the NHRI to ensure continued victim-focused input into all stages of the international accountability and peace processes;

16.11. urges member States and international partners to enhance maritime transparency, tighten flag State controls, increase insurance oversight and implement ship-to-ship transfer tracking mechanisms to ensure that the Russian Federation does not benefit from its shadow fleet;

16.12. calls on member and observer States to impose appropriate sanctions or legal consequences on individuals who have entered the temporarily occupied territories of Ukraine in violation of Ukrainian law to support the Russian war of aggression;

16.13. calls on member and observer States as well as States whose parliaments enjoy observer or partner for democracy status with the Assembly to ensure that sanctions regimes comprehensively target the full chain of responsibility for international crimes committed against Ukrainian children by including all individuals and institutions – recorded by Ukrainian and partner States' law-enforcement agencies – that are directly or indirectly involved in the deportation, forcible transfer, unjustified delay in repatriation, unlawful adoption or guardianship, as well as the re-education, indoctrination and militarisation of these children. Such regimes must be consistently applied, regularly reviewed and co-

ordinated across jurisdictions to prevent enforcement gaps and circumvention. The Assembly encourages member States to harmonise efforts, including through the establishment of an international mechanism for countering crimes against Ukrainian children;

16.14. calls on member States to support all existing and past initiatives aimed at documenting, investigating and legally classifying international crimes committed in Ukraine by representatives of the Russian Federation – including the United Nations Independent International Commission of Inquiry in Ukraine and the Moscow Mechanism of the Organization for Security and Co-operation in Europe (OSCE) – by ensuring regular follow-up, promoting periodic assessments and facilitating the implementation of their recommendations;

16.15. calls on member and observer States to impose appropriate sanctions or other countermeasures on the Russian officials who encourage the colonisation of the occupied territories of Ukraine, and to ensure that those responsible are held criminally accountable as individuals for this war crime;

16.16. calls on member and observer States and States whose parliaments enjoy observer or partner for democracy status with the Assembly, and their diplomatic services, as well as the entire international community acting in good faith, to impose additional sanctions and ensure continued compliance with existing sanctions against the Russian Federation, Belarus, North Korea and other States involved in violations of international law, as well as to include in the sanctions lists individuals involved in the commission of international crimes in Ukraine. The sanctions regimes must remain in place until the Russian Federation fulfils its obligations to cease its internationally wrongful acts and to remedy their consequences, including by executing the judgment of the European Court of Human Rights in the case of *Ukraine v. Russia (re Crimea)*.