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Fictional justice under occupation: a pseudo-legal system as an instrument of repression

Motion for a resolution

tabled by Ms Tamila TASHEVA and other members of the Assembly

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

Since the beginning of the Russian Federation's aggression against Ukraine, the Russian authorities have constructed, in the temporarily occupied territories of Ukraine, a pseudo-legal architecture designed not to administer justice but to serve as an instrument of repression against the civilian population.

Ukrainian civilians, including Crimean Tatars, are subjected to fabricated criminal proceedings on charges of treason, extremism, terrorism, and espionage before courts that lack independence and impartiality. These proceedings are conducted under the law of the occupying power, in violation of international humanitarian law, and are marked by systematic denial of fair trial guarantees.

Russian legislation is instrumentalised to legitimise violations of the rights of Ukrainians, who are treated as an enemy of the population. Individuals are deported through administrative expulsion under the pretext of their 'foreign' status, subjected to a constant risk of conscription into the Russian armed forces, deprived of property rights on the basis of lacking Russian citizenship, and imprisoned for expressing support for Ukraine's sovereignty or for their association with the Crimean Tatar opposition.

This has led to an increasing number of political prisoners under Russian control and produces a significant chilling effect on the expression of Ukrainian and Crimean Tatar identities.

The Russian Federation has obligations under the judgments of the European Court of Human Rights in the case of *Ukraine v. Russia* (re Crimea) to immediately release and ensure the safe return of all Ukrainian political prisoners, as well as all illegally detained Ukrainian soldiers, ethnic Ukrainians, Crimean Tatars, and journalists.

The Parliamentary Assembly should seek to highlight the erosion of the human rights system in the occupied territories as a result of the application of hostile Russian legislation to the Ukrainian population, with the arbitrary aim of deepening the integration of the occupied territories into the Russian Federation and suppressing dissent.

Signed (see overleaf)



Signed¹:

TASHEVA Tamila, Ukraine, ALDE
BASTOS Regina, Portugal, EPP/CD
BILOZIR Larysa, Ukraine, ALDE
BODNAR Adam, Poland, EPP/CD
BOROWSKI Marek, Poland, EPP/CD
BRICO Christophe, Monaco, EPP/CD
CARVALHO Ricardo, Portugal, EPP/CD
DAVIDOVICI Natalia, Republic of Moldova, EPP/CD
GERMAN Michael, United Kingdom, ALDE
GONCHARENKO Oleksii, Ukraine, ECPA
GÖTHBERG Gustaf, Sweden, EPP/CD
KALCHENKO Serhii, Ukraine, ECPA
KAMELCHUK Yuriy, Ukraine, EPP/CD
KERN Claude, France, ALDE
KONSTANKEVYCH Iryna, Ukraine, ECPA
KRAVCHUK Yevheniia, Ukraine, ALDE
LEYTE Carmen, Spain, EPP/CD
MacCLEARY James, United Kingdom, ALDE
MEREZHKO Oleksandr, Ukraine, ALDE
MEZENTSEVA-FEDORENKO Mariia, Ukraine, EPP/CD
MOSHNETS Olena, Ukraine, ALDE
PASQUIER-CIULLA Christine, Monaco, EPP/CD
PLAVÁKOVÁ Lucia, Slovak Republic, ALDE
ROBLES Gonzalo, Spain, EPP/CD
SOBOLIEV Serhii, Ukraine, EPP/CD
STAMATIS Georgios, Greece, EPP/CD
VOKSHI Albana, Albania, EPP/CD
WIECHEL Markus, Sweden, ECPA

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