

**Conference of Participants of the Register of Damage caused by the
Aggression of the Russian Federation against Ukraine**

1st meeting, 27/06/2023, 10:00

Dear Madam Secretary General,

Dear Ambassador Karklins,

Distinguished national delegations and participants,

Ladies and gentlemen,

I am proud to address you today at the first meeting of the Conference of Participants of the Register of Damage and I do this with optimism for both Ukraine and the Council of Europe. I am optimistic for Ukraine because it is a first practical step towards obtaining reparation for the damage caused to the Ukrainian people by the Russian war of aggression since 24 February 2022 and I am optimistic for our organisation as it demonstrates its effectiveness, strong political will and ability to act decisively and swiftly at the right moment. The establishment of the Registry of Damage reaffirms in a very practical way the condemnation of the Russian war of aggression against Ukraine and all the violations of international law committed by Russia in the territory of Ukraine. I wish to use this opportunity to thank the Secretary General and the Committee of Ministers for their hard and relentless work that has led to this meeting and for their close co-operation with the Parliamentary Assembly on this topic as well as on wider issue of ensuring accountability of the Russian Federation for the wrongful acts it has done in and against Ukraine.

As you are aware, from the expulsion of the Russian Federation from our organisation in March 2022 and through many reports, resolutions and

recommendations, our Assembly has affirmed time and again that illegal acts have consequences. We are of the view that perpetrators of the war crimes (including the crime of aggression) must be held accountable, and that justice should be brought to victims, survivors, to the families of those who did not survive, and to the state of Ukraine. Our Assembly stressed that justice and comprehensive accountability for the aggression and its consequences cannot be achieved without full reparation for the damage caused to Ukraine and its citizens.

I am also proud to be representing the Parliamentary Assembly of the Council of Europe here today, as we were the first Council of Europe body that proposed the creation of an international register of damage as part of a comprehensive system of accountability for violations of international law resulting from the aggression. It did so following proposals submitted by the Ukrainian authorities to the Council of Europe, which were first discussed in detail in our Committee on Legal Affairs and Human Rights.

Our Assembly specifically called on member States to establish a register for damages in cooperation with Ukrainian authorities in October 2022 (Resolution 2463(2022)). Few months later, we have outlined the role of the register in detail, notably in Resolution 2482 (2023) “Legal and human rights aspects of the Russian Federation’s aggression against Ukraine”. There, we proposed that such a Register would be established via a multilateral treaty or agreement open to all like-minded States, in Europe and beyond, and supported by international organisations, including the EU. We underlined that it would only be a “first step”, but an absolutely essential one, in the process of accountability for violations of international law arising from the Russian aggression. The register should create a record of evidence and claims for damage, loss or injury caused

to all natural and legal persons in Ukraine, as well as the state of Ukraine. We envisaged that, at a later stage, an international compensation commission would be mandated to review and adjudicate the claims submitted and documented by the register, and that compensation awards would then be paid to successful claimants from a future compensation fund. Our Assembly considered that the Council of Europe as a whole should play a leading role in setting up and managing this compensation mechanism, taking into account its comparative advantage and experience in delivering justice and compensation for human rights violations under the Convention system.

Ahead of the Reykjavik summit, we reiterated the need for Heads of State and Government to support the setting-up of a comprehensive international compensation mechanism, including a register of the damage (Rec. 2245 (2023), O’Laughlin report).

I am very happy that our calls were not ignored but were very seriously and quickly considered and put into practice by the Secretary General and the Committee of Minister, for which I again wish to thank them. Just last Thursday our Assembly welcomed the establishment of the Register itself as well as the fact that 45 States and the EU have already joined or indicated their intention to join the Enlarged Partial Agreement on the Register. We continue to invite the largest possible number of countries to join the agreement. We also call on the countries represented in today’s Conference of Participants to clarify in the Register’s Rules on admissibility that the Register applies also to acts committed by private military groups, paramilitary groups and other military groups fighting for the Russian Federation, including the Wagner Group and Kadyrov’s forces. I do hope that you will consider this request, as it is important to state that these

acts are attributable to the Russian Federation and that the Russian Federation bears international responsibility for their consequences.

I am happy to report that we are achieving today what our April 2022 Recommendation on the “Consequences of the Russian Federation’s continued aggression against Ukraine: role and response of the Council of Europe” set out. With the establishment of this Register within the institutional framework of our organisation, the Council of Europe is indeed not just a “part of the international community’s effort to ... [hold the Russian Federation] accountable for the crimes and damage it has inflicted throughout this continued aggression”, but one of the leaders in this process. I am happy that we reached this point, but I wish to assure you that that our Assembly will not rest, but and will keep following this matter including the progress of the Register. You can count on our support!

I am certain that if we stand united with Ukraine, we will deliver the promises made in Reykjavik, not least through this crucial Register. We will help deliver justice to Ukrainians and accountability for the Russian Federation’s multiple violations of international law, including of human rights law and international humanitarian law. The Assembly has and will always speak in support of the effective implementation and functioning of this Register as a first step to achieve that objective.

Thank you and I wish you a fruitful meeting.