

135th Session of the Committee of Ministers (Chişinău, 15 May 2026)

2. Support for Ukraine

a. Special Tribunal for the Crime of Aggression against Ukraine –

Adoption of Resolution CM/Res(2026)5 establishing the Enlarged Partial Agreement on the Management Committee of the Special Tribunal for the Crime of Aggression against Ukraine

Reference document
CM(2025)105-prov

Decisions

The representatives in the Committee of Ministers of Andorra, Austria, Belgium, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Republic of Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom, as well as the representatives of the European Union, Australia and Costa Rica:

1. adopted Resolution CM/Res(2026)5 establishing the Enlarged Partial Agreement on the Management Committee of the Special Tribunal for the Crime of Aggression against Ukraine and thus expressed their intention to join the Enlarged Partial Agreement, subject to the completion of internal procedures necessary to express their consent to be bound where applicable;
2. agreed that the Committee of Ministers, in its composition restricted to States/European Union having notified their intention to join the Enlarged Partial Agreement, and the completion of their internal procedures necessary to express their consent to be bound where applicable, shall decide on the entry into force of the Enlarged Partial Agreement once:
 - (i) the aforementioned States/European Union have reached agreement that their total number, including the major contributors of the Enlarged Partial Agreement, according to its scale of contributions, is sufficient for such entry into force, it being understood that this number will be higher than 16;
 - (ii) they deem, in accordance with their internal procedures, the budgetary parameters to be adequate and acceptable taking into account the work carried out by the Advance Team; and
 - (iii) those States/European Union, who are major contributors of the Enlarged Partial Agreement, according to its scale of contributions, have agreed to its entry into force;
3. invited the Secretariat to report on the progress of the Advance Team's preparatory work;
4. stated that any member State or observer State of the Council of Europe, other State or international organisation that notify before the entry into force their intention to join the Enlarged Partial Agreement, as a member or associate member, and the completion of their internal procedures necessary to express their consent to be bound where applicable, shall be considered a founding member of the Enlarged Partial Agreement and shall be entitled to participate in the adoption of that decision;

5. decided that, in line with the phased-in approach to be adopted for the establishment of the Special Tribunal, the Management Committee of the Special Tribunal shall review the implementation of the first phase of the Special Tribunal under Article 53, paragraph 1, lit. a of the Statute of the Special Tribunal and decide, by a two-thirds majority of its members, including the affirmative votes of all major contributors, on the transition to phase 2 of the Special Tribunal under Article 53, paragraph 1, lit. b of the Statute of the Special Tribunal, including the approval of the related budgetary and organisational arrangements.