

The Bureau of the Congress

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25 February 2022

The situation in Ukraine

Introduction

This document contains the decisions taken by the Committee of Ministers on 24 and 25 February 2022, the statements by Council of Europe authorities in this respect and the Congress declarations adopted in 2014

Action required : for information

¹ This document is classified confidential until it has been examined by the Bureau of the Congress

a. Decisions taken by the Committee of Ministers

1426bis meeting, 24 February 2022

2.3 Situation in Ukraine

Decisions

The Deputies

1. condemned in the strongest terms the armed attack on Ukraine by the Russian Federation in violation of international law;
2. decided to examine without delay, and in close co-ordination with the Parliamentary Assembly and the Secretary General, the measures to be taken in response to the serious violation by the Russian Federation of its statutory obligations as a Council of Europe member State;
3. urged the Russian Federation to immediately and unconditionally cease its military operations in Ukraine;
4. condemned the recognition by the Russian Federation of the Ukrainian oblasts of Donetsk and Luhansk as independent entities;
5. reiterated their unwavering commitment to the independence, sovereignty and territorial integrity of Ukraine within its internationally recognised borders;
6. expressed their support to Ukraine and their solidarity with its people;
7. agreed to hold an extraordinary meeting (1426ter) on 25 February 2022 at 3 p.m. with a view to considering measures to be taken, including under Article 8 of the Statute of the Council of Europe.

(*) Article 8: Any member of the Council of Europe which has seriously violated Article 3 may be suspended from its rights of representation and requested by the Committee of Ministers to withdraw under Article 7. If such member does not comply with this request, the Committee may decide that it has ceased to be a member of the Council as from such date as the Committee may determine.

1426ter meeting, 25 February 2022

2.3 Situation in Ukraine – Measures to be taken, including under Article 8 of the Statute of the Council of Europe

Decisions

The Deputies

Considering the serious violation by the Russian Federation of its obligations under Article 3 of the Statute of the Council of Europe,

Referring to their decisions on the situation in Ukraine of 24 February 2022 ([CM/Del/Dec\(2022\)1426bis/2.3](#)),

Following an exchange of views with the Parliamentary Assembly in the Joint Committee,

1. agreed to suspend the Russian Federation from its rights of representation in the Council of Europe in accordance with Article 8 of the Statute of the Council of Europe;
2. agreed that this suspension takes immediate effect in respect of the rights of representation of the Russian Federation in the Committee of Ministers and in the Parliamentary Assembly of the Council of Europe;
3. invited the Secretary General to notify the Russian Federation accordingly and to provide it with the legal and financial consequences of this decision.

b. Statements by Council of Europe authorities

24 February 2022

Council of Europe Secretary General Marija Pejčinović Burić on the military attack by the Russian Federation on Ukraine

“I strongly condemn the Russian military attack against Ukraine in flagrant violation of the Statute of Council of Europe and the European Convention on Human Rights. This is a dark hour for Europe and everything it stands for.

I call upon the authorities of Russia to immediately and unconditionally cease hostilities and return to diplomacy to restore peace and avoid further devastating consequences for the entire continent. Protecting civilian lives must remain a matter of priority. All my thoughts are with Ukraine, its people and its authorities.

Together with the Committee of Ministers and the Parliamentary Assembly of the Council of Europe, we will swiftly take necessary measures to respond to the current situation”.

Italian Minister for Foreign Affairs and International Cooperation and Chair of the Council of Europe's Committee of Ministers, Luigi Di Maio

“The Russian military operation is a very serious, unjustified and unprovoked aggression against Ukraine, which Italy strongly condemns. It represents a violation of international law. Italy stands alongside the Ukrainian people.

The Committee of Ministers, in close coordination with the Parliamentary Assembly of the Council of Europe and with the Secretary General, will take all appropriate measures to respond to the situation.”

PACE President Tiny Kox reacts to Russian military attack on Ukraine

“I am deeply appalled by the military attack of the Russian Federation against Ukraine that started last night,

I urge the Russian Federation to immediately end its military action and withdraw its forces from Ukraine.

This attack is in clear breach of the principles and values that the Council of Europe and its member states stand for. It requires a robust and consolidated response from our Organisation. I am therefore convening an urgent meeting of the Joint Committee between the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to co-ordinate our concerted reaction to this unprecedented crisis in Europe.

I am also proposing to the Bureau of the Assembly to advance our second part-session with a view to immediately addressing the situation and its consequences.”

Dunja Mijatović, Commissioner for Human Rights

“What had seemed unthinkable in Europe in the 21st century has just happened. Our continent is today once more being drawn into an armed conflict. The Russian military attack on Ukraine has already resulted in the loss of human life and dire human suffering. It exposes millions of people in Ukraine and beyond to the risk of senseless violence, displacement and other serious violations of

human rights and international humanitarian law. People are already fleeing in high numbers in search of safety, away from the hostilities. Many others, such as elderly people, people with disabilities, the sick, and families with young children, may be unable to leave and are therefore particularly vulnerable.

I urge the authorities of the Russian Federation to prevent the further unfolding of this human rights disaster by immediately putting a stop to all military actions in Ukraine and adhering strictly to international humanitarian and human rights law. I further call on all Council of Europe member states to stand in unity and solidarity with Ukraine and to receive people fleeing Ukraine with open arms to help protect their dignity, safety and human rights. My thoughts are with the people of Ukraine and all those affected by these terrible events and as Commissioner for Human Rights, I will do my utmost to address the human rights violations resulting from this situation.”

President of the Congress on the Russian military attack against Ukraine

“I strongly condemn the Russian military attack against Ukraine, which constitutes a flagrant violation of international law and the Statute of Council of Europe, and the principles and values it stands for.

I recall my statement of 22 February 2022 and wish to reiterate our full solidarity with Ukraine and its people and deplore the loss of lives and the damaging consequences of this unjustified aggression.

I urge the Russian authorities to immediately cease the hostilities and withdraw their troops from Ukraine and choose the path of diplomacy and peaceful settlement of the conflict.

I have called an extraordinary meeting of the Bureau of the Congress to address this critical situation and its consequences.”

c. Congress declarations

26th SESSION, Strasbourg, 25-27 March 2014

The situation in Ukraine

Declaration 2 (2014)²

1. The Congress of Local and Regional Authorities of the Council of Europe is deeply concerned at developments in the situation in Ukraine, particularly the attacks on the territorial integrity of the country.
2. It shares the concerns expressed on this subject by the Committee of Ministers and the Parliamentary Assembly of the Council of Europe, and more generally by the whole international community.
3. It does not accept the validity of the referendum, held on 16 March last, without the minimum democratic guarantees that should be in place for any vote and which are the preconditions required by the Congress when it observes local and regional elections.
4. This pseudo-consultation should on no account pave the way for a change of borders between Russia and Ukraine. The use of military force by Russia to redraw national boundaries is unacceptable. The Congress therefore condemns Russia's annexation of Crimea and Sebastopol in violation of international law. The occupation of territories of independent states, as we saw in 2008 in Georgia and are facing now in Ukraine is unacceptable in international law and should not be tolerated.
5. The Congress reiterates its full support for Crimea and Sebastopol to be an undisputed part of Ukraine and for the integrity of the Ukrainian territory to be restored. The Congress also urges all parties to fully respect human rights and the rule of law.
6. The Congress points out that prior to this referendum Crimea enjoyed a broad degree of autonomy and that this could, if necessary, have been strengthened in consultation with the Ukrainian national authorities. In this regard, it recalls its Recommendation 346 (2013) on Regions and territories with special status in Europe, which was adopted on 31 October 2013.
7. In addition, it lends its support to the new and legitimate Ukrainian authorities for any initiatives they take to strengthen democracy in their country and to protect the rights of all Ukraine's citizens, including those of cultural, national and linguistic minority groups, in the spirit of inclusiveness and to ensure genuine dialogue between all political forces.
8. In particular, this dialogue should enable all the persons belonging to a national minority in Ukraine, including the Russian-speaking population as well as the non-Russian speaking minorities of the Autonomous Republic of Crimea, which was illegally annexed by the Russian Federation, to benefit fully from the provisions of the Framework Convention for the Protection of National Minorities and those of the European Charter for Regional or Minority Languages. Lastly, it should lead to constitutional and administrative reforms providing this country with institutions which receive broad consensus and which, with regard to local and regional authorities, comply with the principles of the European Charter of Local Self-Government and those of the Reference Framework on Regional Democracy.
9. The Congress refers to its recommendations adopted at its session held from 29 to 31 October 2013, further to the report on local and regional democracy in Ukraine, and in particular those calling for the:

² Adoption by the Congress on 25 March 2014, 2nd Sitting (see Document CG(26)15PROV, rapporteur: Marc COOLS, Belgium (L, ILDG).

- a. removal of the constitutional and legislative restrictions to which the local authorities are subject and the reinforcement of subsidiarity by granting local authorities competence for a substantial share of public affairs;
- b. transfer of the administrative competences of the districts and regions to elected bodies in order to establish an administration under their responsibility.

10. Such reform would strengthen democracy and the social, economic and territorial cohesion of Ukraine.

11. The Congress is ready to discuss with the new authorities the implementation of these recommendations. It is particularly willing to send a delegation to Ukraine, including the region of Crimea, to examine the situation in the country. It is also at the disposal of the Ukrainian authorities to take part in a mission to observe the local elections to be held in several Ukrainian towns and cities on 25 May 2014.

27th SESSION, Strasbourg, 14-16 October 2014

Separatist tensions in Ukraine and neighbouring countries

Declaration 3 (2014)³

1. In the spirit of the "Chisinau Declaration", adopted by the Committee on the Honouring of Obligations and Commitments by Member States of the European Charter of Local Self Government, the Congress expresses its grave concern about the situation in Ukraine and other countries of the region.

2. During its last session, the Congress condemned the annexation of the Crimea and the city of Sevastopol by the Russian Federation.

3. Today, the Congress condemns Russia's military intervention in the east of Ukraine and condemns all forms of pressure by Russia on its neighbours.

4. The security of this continent is seriously threatened by the Russian Federation's repeated failure to comply with international rules and the principles and values of the Council of Europe that it signed up to when it joined the Organisation.

5. For years, we have been working to improve local and regional autonomy in Europe. We are convinced that subsidiarity benefits all levels of governance. That is why we encourage the Ukrainian authorities to pursue their reforms to deepen local and regional democracy and decentralisation in line with the recommendations made by the Congress in this regard. The Congress will continue its efforts to accompany these reforms.

6. The principles of international law, such as territorial integrity, sovereignty and the inviolability of the internationally recognised borders of states are imperative for the peaceful settlement of conflicts in Georgia, Ukraine, Azerbaijan and the Republic of Moldova faced with separatist movements. Armed separatism, supported by mercenaries and the intervention of foreign troops, is the antithesis of all that the Congress stands for and has created a humanitarian crisis that the national authorities and the international community must resolve together.

7. The Congress calls for an independent and thorough international investigation into all human rights violations committed in Ukraine during and since the Maidan events of February 2014.

³ Adopted by the Congress on 16 October 2014, 3rd Sitting (see Document CG(27)16FINAL), rapporteur: Marc COOLS, Belgium (L, ILDG).

8. The Congress supports the initiatives and activities of the Secretary General of the Council of Europe and its other bodies aimed at promoting a peaceful settlement in Ukraine. Declaration 3 (2014).

9. What has taken place in the Crimea (Ukraine), in South Ossetia and Abkhazia (Georgia), and in Transnistria (Republic of Moldova), and what is happening today in the east of Ukraine is totally contrary to the Europe of the regions that we are striving to achieve. At the same time, the Congress reaffirms its commitment to a peaceful dialogue on the basis of European values, especially the respect for human rights, including language rights of national minorities. With regard to the east of Ukraine, a cease-fire has been agreed in Minsk between the different parties concerned by the conflict. This cease-fire must be effectively and comprehensively implemented and must be followed by a political dialogue to enable Ukraine to recover its territorial integrity.