

27 January 2017

His Excellency Mr. Pedro Agramunt
President
Parliamentary Assembly of the Council of Europe
Plaza de la Marina Española 8
Madrid 28071, Spain
pedro.agramunt@senado.es

Dear Mr. President:

Re: Rapprochement attempts with the Russian Federation despite its relentless violations of international law

The Ukrainian World Congress (UWC) is very troubled by your visit to the Russian Federation on 12-13 January 2017 and your following Opening statement on 23 January 2017 at the Parliamentary Assembly of the Council of Europe (PACE) regarding the Russian Federation:

It is regrettable that for a second consecutive year one of our member states – Russia – is not submitting a delegation to the Assembly. Since my election, I held numerous consultations with the Speakers of the Russian Parliament as well as with Russian parliamentarians. In my discussions, I always stressed that the delegations of all member states must participate in the Assembly's work, because we are an Assembly of 47, not 46.

The absence of one delegation from our work benefits no one.

I will not give up, because I see that the Russian Parliament and its parliamentarians are open to dialogue and co-operation in order to break the current impasse.

The UWC fully understands the vital role of PACE in promoting cooperation among parliamentarians in a laudable effort to unite democracies around common values and interests. However, the UWC is compelled to draw to your attention the following PACE resolutions, which unequivocally condemn the blatant aggression against Ukraine by the Russian Federation and its continuous violations of international law, which preclude the participation of the Russian Federation in such esteemed Parliamentary Assembly of democratic nations without undermining its most fundamental values.

[Resolution 2132 \(2016\)](#) on the “Political consequences of the Russian aggression in Ukraine”

1. More than two years after the outbreak of the Russian aggression in Ukraine, the Parliamentary Assembly is deeply concerned about its political consequences both for Ukraine itself and for the overall stability and security in Europe.
2. For Ukraine, the conflict has resulted in the violation of its sovereignty and territorial integrity. This started, in the aftermath of the Euromaidan, with the illegal annexation of Crimea by the Russian Federation and has continued with Russia's support for separatists in eastern Ukraine and its growing role in the ongoing conflict. Since mid-April 2014, more than 9 300 people have been killed, more than 21 500 people have been injured and almost one-and-a-half million people have left their homes as a result of the conflict. Hundreds are being held captive or are reported missing.

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Head Office: 145 Evans Avenue, Suite 207, Toronto, Ontario M8Z 5X8 Canada
Tel: 416.323.3020 E-mail: uwc@ukrainianworldcongress.org Website: www.ukrainianworldcongress.org

3. The Assembly reaffirms its commitment to the principle of peaceful settlement of disputes and to the independence, sovereignty and territorial integrity of Ukraine, within its internationally recognised borders.

4. As regards Crimea, the Assembly reiterates its condemnation of the illegal annexation of the peninsula and its continuing integration into the Russian Federation, in breach of international law and the Statute of the Council of Europe (ETS No. 1). It regrets that, despite the continuing refusal of the international community to recognise Crimea's annexation by the Russian Federation and the application of various types of sanctions against the Russian Federation and Russian citizens, not only has the annexation not been reversed, but the human rights situation in the peninsula continues to deteriorate. In particular, the Assembly:

4.1. condemns the illegal Duma elections held on 18 September in occupied Crimea and considers their results null and void. The incorporation of Ukrainian sovereign territory into Russian federal constituencies and the creation of four single-member constituencies are blunt violations of international law and effectively compromise the legitimacy of the Russian Parliament;

4.2. is deeply concerned about actions against critical media outlets, acts of intimidation and harassment against opponents, cases of disappearances and threats of abduction and the repression of persons belonging to minorities, in particular the Crimean Tatars, in the application of the law on extremism;

4.3. considers the banning of the Mejlis of the Crimean Tatar People, declared to be "an extremist organisation", to be a harsh repressive measure targeting the whole Crimean Tatar community and calls for this measure to be reversed;

4.4. calls for full and unrestricted access to the Crimean Peninsula for all human rights bodies of the Council of Europe in order for them to carry out their monitoring activities unimpeded and in accordance with their mandates;

4.5. calls on the Russian authorities to reverse the illegal annexation of Crimea and allow Ukraine to regain control of the peninsula.

5. As regards the ongoing conflict in eastern Ukraine, the Assembly is deeply concerned about the continuing violations of the ceasefire, in breach of the Minsk Agreements and the Package of Measures for their Implementation of February 2015. The escalation of violence along the contact line in Donbas has resulted in the movement of positions of the two sides closer to the contact line and in an increase in the number of civilian casualties caused by shelling. The Assembly also regrets increasing violations of weapon withdrawal commitments and restrictions on the freedom of movement of the Special Monitoring Mission of the Organization for Security and Co-operation in Europe (OSCE).

6. The Assembly reiterates its support for a peaceful solution to the conflict and for the Minsk process. It calls once again for:

6.1. the Russian Federation to withdraw its troops from the territory of Ukraine and stop providing the separatists with military supplies

6.2. all sides to implement, responsibly and in good faith, the commitments undertaken under the Minsk Agreements and the Package of Measures for their Implementation, starting with full respect for the ceasefire.

Resolution 2133 (2016) entitled "Legal remedies for human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities"

The Parliamentary Assembly is deeply worried about the human rights situation in Crimea and in the self-proclaimed "people's republics" of Donetsk and Luhansk ("DPR" and "LPR", respectively).

It reaffirms its position that the annexation of Crimea by the Russian Federation and the military intervention by Russian forces in eastern Ukraine violate international law and the principles upheld

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by the Council of Europe, as stated in Assembly Resolution 2112 (2016), Resolution 2063 (2015), Resolution 1990 (2014) and Resolution 1988 (2014).

The “DPR” and “LPR” – established, supported and effectively controlled by the Russian Federation – are not legitimate under Ukrainian or international law. This applies to all their “institutions”, including the “courts” established by the de facto authorities. [...]

17. The Assembly therefore urges: [...]

17.2. the Russian authorities to:

17.2.1. end their repressive actions against people loyal to the Ukrainian authorities in all areas under their effective control, including Crimea; in particular, to restore the historical rights of the Crimean Tatar people and to enable the re-establishment of the rule of law in the whole of eastern Ukraine;

17.2.2. meanwhile, ensure the protection of the fundamental rights of all inhabitants of the “DRP” and the “LPR” and the fulfilment of their basic needs, and exercise their influence with the de facto authorities to this end;

17.2.3. facilitate the independent monitoring of the human rights situation in all Ukrainian territories under their effective control, including Crimea;

17.2.4. use all available legal means to repeal the decision of the Supreme Court of the Russian Federation to outlaw the Mejlis, and to allow the Crimean Tatar people to choose their own self-governing institutions;

17.2.5. ensure unrestricted access by representatives of international organisations and consular officers of Ukraine to convicted persons displaced from territories temporarily not under Ukrainian control to penitentiary institutions in the territory of the Russian Federation;

17.2.6. transfer to Ukraine all convicted Ukrainian citizens who express such a wish, so that they may serve the remainder of their sentences in territories controlled by the Ukrainian authorities;

17.2.7. bring an end to the displacement from the territory of Crimea to the territory of the Russian Federation of people that do not have Russian citizenship – including those sentenced to imprisonment – who have, whatever the circumstances, found themselves under the control of the Russian Federation in Crimea;

Therefore, the UWC urges you to withhold your efforts to re-engage the Russian Federation until, at the very least, it:

- (a) ceases its flagrant violations of Ukraine’s territorial integrity;
- (b) fully complies with the above PACE resolutions; and then
- (c) submits the credentials of a new delegation to PACE.

Moreover, I would like to request a meeting with you at your earliest convenience to discuss these very serious issues that endanger peace and stability in Europe.

Sincerely,

UKRAINIAN WORLD CONGRESS



Eugene Czolij
President

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Head Office: 145 Evans Avenue, Suite 207, Toronto, Ontario M8Z 5X8 Canada
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c.c.: Mr. Mark Neville, Head of the Private Office of PACE
 Mr. Axel Fischer, Vice President of PACE and Chairperson of the Group of the European People's Party in PACE
 Mr. Georgii Logvynskyi, Vice President of PACE and Vice-Chairperson of Ukrainian national delegation in PACE
 Sir Roger Gale, Vice President of PACE
 Mr. Michele Nicoletti, Chairperson of the Socialist Group in PACE
 Mr. Jordi Xuclà, Chairperson of the Alliance of Liberals and Democrats for Europe in PACE
 Mr. Ian Liddell-Grainger, Chairperson of the European Conservatives Group in PACE
 Mr. Tiny Kox, Chairperson of the Group of the Unified European Left in PACE
 Mr. Volodymyr Arieu, Chairperson of Ukrainian national delegation in PACE
 Ms. Yuliya L'Ovchukina, First Vice-Chairperson of Ukrainian national delegation in PACE
 Mr. Serhiy Sobolev, Vice-Chairperson of Ukrainian national delegation in PACE
 Ms. Maryna Iaroshevych, UWC Liaison Officer to International Organizations

The UWC is the international coordinating body for Ukrainian communities in the diaspora representing the interests of over 20 million Ukrainians. The UWC has a network of member organizations and ties with Ukrainians in 53 countries. Founded in 1967, the UWC was recognized in 2003 by the United Nations Economic and Social Council as a non-governmental organization with special consultative status.