

## Resolution 2292 (2019)<sup>1</sup>

# Challenge, on substantive grounds, of the still unratified credentials of the parliamentary delegation of the Russian Federation

Parliamentary Assembly

1. The Parliamentary Assembly takes note of the presentation of credentials by the Russian Federation, after adoption of [Resolution 2277 \(2019\)](#) and [Recommendation 2153 \(2019\)](#) “Role and mission of the Parliamentary Assembly: main challenges for the future”, the decision of the Committee of Ministers of 18 May 2019 and [Resolution 2287 \(2019\)](#) on strengthening the decision-making process of the Parliamentary Assembly concerning credentials and voting.
2. On 25 June 2019, the still unratified credentials of the Russian delegation were challenged on the basis of Rules 8.1 and 8.2 of the Rules of Procedure of the Assembly on the grounds that the military aggression by the Russian Federation in eastern Ukraine, as well as its continued illegal annexation of Crimea, are in contradiction with the Statute of the Council of Europe (ETS No. 1) and with the country’s obligations and commitments.
3. The Assembly recalls its [Resolution 1990 \(2014\)](#) on the reconsideration on substantive grounds of the previously ratified credentials of the Russian Federation; [Resolution 2034 \(2015\)](#) on the challenge, on substantive grounds, of the still unratified credentials of the delegation of the Russian Federation, and [Resolution 2063 \(2015\)](#) on the consideration of the annulment of the previously ratified credentials of the delegation of the Russian Federation (follow-up to paragraph 16 of [Resolution 2034 \(2015\)](#)) in which it resolutely condemned the grave violations of international law committed by the Russian Federation with regard to the conflict in eastern Ukraine and the illegal annexation of Crimea.
4. The Assembly regrets the Russian Parliament’s decision to suspend co-operation with the Assembly and not to submit the credentials of its delegation at the opening of parliamentary sessions in 2016, 2017, 2018 and 2019 and following the parliamentary elections in the Russian Federation in September 2016.
5. Similarly, the Assembly deplores the suspension, which has been in effect since July 2017, by the Russian Federation of the payment of its annual fees to the Council of Europe’s budget for which the Russian Federation is nevertheless legally liable.
6. While regretting the lack of co-operation by the Russian Federation in the framework of the Assembly’s monitoring procedure, the Assembly expresses its concern over a number of exacerbating negative tendencies with regard to democracy, the rule of law and human rights, which are having an impact on the fulfilment of other commitments and obligations of the Russian Federation.
7. At the same time, it should be highlighted that the Assembly has always remained committed to dialogue as a means of reaching lasting solutions, as illustrated by the aforementioned resolutions. The Parliamentary Assembly constitutes the most important pan-European platform where political dialogue on the

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1. *Assembly debate* on 26 June 2019 (24th Sitting) (see [Doc. 14922](#), report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), rapporteur: Sir Roger Gale). *Text adopted by the Assembly* on 26 June 2019 (24th Sitting).



Russian Federation's obligations under the Statute of the Council of Europe can take place, with the participation of all those concerned and where the Russian delegation can be held accountable on the basis of the Council of Europe's values and principles.

8. The Assembly refers to its [Resolution 2277 \(2019\)](#), which proposed to set up, in addition to existing procedures, a joint procedure of reaction which could be initiated by either the Assembly, the Committee of Ministers or the Secretary General of the Council of Europe "in order to strengthen the Organisation's ability to react more effectively in situations where a member State violates its statutory obligations or does not respect the fundamental principles and values upheld by the Council of Europe". In the light of the reaction of the Committee of Ministers expressed at its 129th ministerial session, the Assembly resolves to immediately start working on the establishment of such a joint mechanism, which should be politically impartial and effective. It should be made operational without delay.

9. Furthermore, the Assembly notes that the Committee of Ministers "having regard to the importance of the elections of the Secretary General and of judges of the European Court of Human Rights, would welcome that delegations of all member States take part in the next June part-Session of the Parliamentary Assembly", as indicated in its decision adopted at the 129th ministerial session on a shared responsibility for democratic security in Europe and ensuring respect for rights and obligations, principles, standards and values.

10. Consequently, the Assembly resolves to ratify the credentials of the Russian delegation.

11. In return, the Assembly calls on the Russian Federation to fulfil all recommendations included in [Resolutions 1990 \(2014\)](#), [2034 \(2015\)](#) and [2063 \(2015\)](#).

12. The Russian delegation must without any further delay return to co-operating with the Monitoring Committee, and all other committees of the Assembly, and engage in meaningful dialogue on the fulfilment of its commitments and obligations. Access should be granted to the Council of Europe's monitoring representatives.

13. Furthermore, the Assembly calls on the Russian authorities to:

13.1. release the 24 Ukrainian sailors captured in the Kerch Strait on the charge of "illegally crossing the border of the Russian Federation";

13.2. immediately pay all fees due to the Council of Europe budget;

13.3. unconditionally and fully co-operate with the joint investigation team and the Dutch prosecution service in bringing those responsible for the downing of Malaysia Airlines Flight MH17 to justice;

13.4. take effective measures aimed at preventing violations of the human rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people, in particular in the Chechen Republic, and prosecute the perpetrators for acts committed in the past;

13.5. co-operate fully with the international community in the investigation of the murder of Boris Nemtsov;

13.6. co-operate fully with all human rights monitoring agencies, and enable their complete and unfettered access to all locations in which Russia has operational activities.

14. The Assembly expects that its clear offer of dialogue will be accepted and will lead to concrete results. It invites its Monitoring Committee to present a report on the honouring of obligations and commitments by the Russian Federation at its earliest convenience but no later than the April 2020 part-session.