
Resolution CM/Res(2022)1 on legal and financial consequences of the suspension of the Russian Federation from its rights of representation in the Council of Europe

*(Adopted by the Committee of Ministers on 2 March 2022
at the 1427th meeting of the Ministers' Deputies)*

The Committee of Ministers,

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

Reiterating its decision on the situation in Ukraine of 24 February 2022 (CM/Del/Dec(2022)1426bis/2.3) urging the Russian Federation to immediately and unconditionally cease its military operations in Ukraine;

Confirming its decision of 25 February 2022 (CM/Del/Dec(2022)1426ter/2.3) by which, following an exchange of views with the Parliamentary Assembly in the Joint Committee, it 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;
- 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;

Having regard to Article 26 of its Rules of Procedure under which the suspended member shall receive a notification from the Secretary General setting out the legal and financial consequences of the decision on the suspension of this member State;

Decides that the suspension of the Russian Federation under Article 8 of the Statute of the Council of Europe entails the following legal and financial consequences:

1. The rights of representation of the Russian Federation in the Committee of Ministers and in the Parliamentary Assembly, as well as in any respective subsidiary organs or bodies thereof, are suspended;
2. Suspension under Article 8 of the Statute also covers representation on the Committee of Ministers when the latter exercises functions conferred to it by virtue of treaties concluded in the framework of the Council of Europe with the exception of functions under Article 46 of the European Convention on Human Rights as specified in paragraph 7 of this resolution;
3. Suspension under Article 8 of the Statute equally covers committees set up under Articles 15.a, 16 and 17 of the Statute of the Council of Europe. Unless the Committee of Ministers decides otherwise in a particular case, the Russian Federation will no longer have the right to be represented on such committees or to participate in any activities thereof;
4. The Russian Federation will no longer have the right to be represented in the Congress of Local and Regional Authorities nor in any subsidiary bodies thereof;
5. The suspension of the Russian Federation does not affect the exercise by the Council of Europe Commissioner for Human Rights of her functions under CM Resolution Res(99)50 in respect of this member State nor the functioning of the European Commission against Racism and Intolerance under CM Resolution Res(2002)8;

6. The suspension of the Russian Federation will not affect its position as a Contracting Party to those conventions and agreements concluded in the framework of the Council of Europe, which it has ratified or signed without reservation in respect of ratification. As a Contracting Party to Council of Europe treaties, the Russian Federation retains the right to participate in the work of bodies set up under the provisions of the said treaties;

7. The Russian Federation remains subject to its obligations under the European Convention on Human Rights. The judge elected to the European Court of Human Rights in respect of the Russian Federation remains a member of the Court, and any current and future applications introduced against or by this High Contracting Party will continue to be examined and decided by the Court. The Russian Federation may continue to participate in the meetings of the Committee of Ministers only when the latter exercises its functions in respect of the supervision of the execution of judgments under Article 46 of the Convention with a view to providing and receiving information concerning the judgments where it is the respondent or applicant State, without the right to participate in the adoption of decisions by the Committee nor to vote;

8. The suspension of the Russian Federation will not affect its right of participation in partial agreements of which it is a member, unless otherwise decided by the governing body of the partial agreement concerned;

9. The Russian Federation will only be allowed to participate in conferences of specialised ministers when explicitly invited;

10. Unless otherwise specified by this resolution, the Russian Federation it retains its rights and obligations attached to its position as a member State, including payment of its obligatory financial contributions to the Organisation's General Budget as well as to the budgets of those partial agreements of which it is a member.