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Committee on Rules of Procedure, Immunities and Institutional Affairs

Challenge on procedural grounds of the still unratified credentials of the parliamentary delegation of the Russian Federation

Information memorandum

Rapporteur: Mr Egidijus Vareikis, Lithuania, Group of the European People's Party

1. The challenge of the credentials of the Russian delegation of 25 June 2019: unprecedented grounds

1. At the Assembly sitting on 25 June 2017, Mr Volodymyr Ariev (Ukraine, EPP/CD) and several members of the Assembly challenged on procedural grounds the still unratified credentials of the national delegation of the Russian Federation to the Parliamentary Assembly, in accordance with Rule 7.1.a of the Rules of Procedure, on the grounds that:

- the delegation comprised a number of parliamentarians included on the list of individuals subject to EU restrictive measures introduced by the Council Decision 2014/145/CFSP of 17 March 2014 in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine;
- the delegation comprises members elected on an illegal basis and was appointed by a parliament whose legitimacy was compromised by incorporation of Ukrainian sovereign territory into the Russian federal constituency and illegal elections held in that territory in 2016.

2. On the basis of grounds which had never before been raised in this context, the challenge to the credentials of the Russian delegation led the Committee on Rules of Procedure to question the admissibility and validity of the grounds raised under Rule 7 of the Rules of Procedure and, consequently, its own sphere of competence.

3. Rule 7.1.a provides that: "*Credentials may be challenged by at least ten members of the Assembly present in the Chamber, belonging to at least five national delegations, on stated procedural grounds based upon one or more of the relevant provisions of the Statute (in particular Articles 25 and 26)*".

4. The Committee on Rules of Procedure therefore held several in-depth exchanges of views on the grounds raised in support of this challenge. On the first question, it sought the opinion of two experts in international law and the law of international organisations (Chapter 2). On the second question, the committee requested the opinion of the European Commission for Democracy through Law (Venice Commission). This opinion was adopted by the Venice Commission at its plenary session on 6-7 December 2019 (Chapter 3).

2. Should the Parliamentary Assembly (and its Committee on Rules of Procedure) take into consideration, in the context of a challenge of credentials on formal grounds, the fact that several members of the Russian delegation have been subjected to restrictive measures by the European Union for acts which undermined or threatened the territorial integrity, sovereignty and independence of Ukraine?¹

5. Ukraine's sovereignty and territorial integrity was violated, in breach of international law, by the Russian Federation as a result of the annexation of Crimea in March 2014 and its support to the, so called, rebels in Donbas and its growing role in the conflict there as of April 2014. The Assembly adopted a number of resolutions condemning this situation, declaring actions by the Russian Federation "in clear contradiction with the Statute of the Council of Europe", expressing its concerns about the political and humanitarian consequences of the conflict and reaffirming 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.²

6. At the Ministerial Conference held in Helsinki on 17 May 2019, the Committee of Ministers of the Council of Europe reaffirmed its commitments to the norms and principles of international law, to the principle of peaceful settlement of disputes, the independence, sovereignty and territorial integrity of all member States within their internationally recognised borders.³

2.1. Restrictive measures decided by the European Union

7. Following the 2014 events, the European Union introduced a series of restrictive measures, including visa or entry bans and asset freezing targeting Russian parliamentarians, referring mainly to the fact that they publicly supported the deployment of Russian troops in Ukraine, including during the debate in the Federation Council on 1 March 2014, and, in some cases, initiated or supported the legislation facilitating the annexation of Crimea.

8. Article 1.1 of the Council Decision 2014/145/CFSP of 17 March 2014⁴ concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine provides that:

"Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the natural persons responsible for actions which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine, and of natural persons associated with them, as listed in the Annex."

In this annex Mr Leonid Slutski appears under n° 18, Mr Leonid Kalashnikov under n° 110, Mr Igor Lebedev under n° 114 and Ms Svetlana Zhurova under n° 116, all members of the Russian Federal Assembly.

9. It has to be noted that members of the Parliamentary Assembly whose credentials have been ratified are covered by relevant provisions of the General Agreement on Privileges and Immunities of the Council of

¹ Hearing held in Strasbourg on 2 October 2019 on "Rule 7 of the Assembly's Rules of Procedure on the challenge, on procedural grounds, of credentials submitted by national delegations: taking into account restrictive measures adopted by the European Union concerning individuals", with the participation of Professor Pierre Klein, Centre for International Law, Faculty of Law – Free University of Brussels (Belgium), and Professor Władysław Czapliński, Institute of International Law, Polish Academy of Sciences, Łódź (Poland) – extract of the minutes AS/Pro (2019) PV 07 <http://www.assembly.coe.int/nw/Page-EN.asp?LID=ProDocs>

A legal advice was also prepared by Professor Pierre Klein (AS/Pro (2019) 15).

² The Assembly condemned the annexation of Crimea and resolved to firmly support territorial integrity, sovereignty and independence of Ukraine in several resolutions: in particular Resolution 1990 (2014) on the reconsideration on substantive grounds of the previously ratified credentials of the Russian delegation, Resolution 2034 (2015) on the challenge, on substantive grounds, of the still unratified credentials of the delegation of the Russian Federation, Resolution 2063 (2015) on 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)), Resolution 2112 (2016) on the humanitarian concerns with regard to people captured during the war in Ukraine, Resolution 2132 (2016) on the political consequences of the Russian aggression in Ukraine, Resolution 2133 (2016) on legal remedies for human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities and Resolution 2198 (2018) on the humanitarian consequences of the war in Ukraine.

³ « A shared responsibility for democratic security in Europe – Ensuring respect for rights and obligations, principles, standards and values" CM/Del/Dec(2019)129/2.

⁴ It was extended several times, last time in December 2019 until 15 March 2020 <https://www.consilium.europa.eu/en/policies/sanctions/ukraine-crisis/>

Europe and, therefore, enjoy certain immunities which enable them to freely travel to and from part-sessions and meetings of the Assembly notwithstanding a travel ban which could be imposed on a PACE member by a Council of Europe member state.

2.2. *Consideration by the Assembly of restrictive measures of the European Union in the procedure for challenging the credentials of a national delegation*

10. The Committee on Rules of Procedure invited two experts in international law and the law of international organisations at a hearing held on 2 October 2019, to clarify the extent to which restrictive measures adopted by the European Union against certain individuals should be taken into account by the Assembly when examining the credentials of a national parliamentary delegation. It should be recalled that, in the Assembly's Rules of Procedure, challenges to a national delegation's credentials are considered from two angles, depending on whether they are based on procedural grounds (Rule 7 - competence of the Committee on Rules of Procedure) or substantive grounds (Rule 8 - competence of any appropriate committee, for report, and of the Committee on Rules of Procedure, for opinion).

11. Rule 7 of the Rules of Procedure sets out, in an exhaustive way, the reasons for which a challenge on procedural grounds could be made, mentioning in particular disregard of one or more provisions of the Statute of the Council of Europe – and Rule 7 makes particular but not exclusive reference to Articles 25 and 26 of the Statute. Rule 7 does not preclude a challenge from being based on statutory provisions other than Articles 25 and 26, which refer to requirements that are essentially of a procedural nature. However, Rule 8 of the Rules of Procedure clearly opens the scope of the challenge of credentials to a “serious violation of the basic principles of the Council of Europe mentioned in Article 3 of, and the Preamble to, the Statute”.

12. The Statute of the Council of Europe makes no reference to any obligation on the Council of Europe to take into account decisions adopted by other international organisations. However, Article 1.c of the Statute⁵ mentions that the participation of States in the work of the Council of Europe “shall not affect the collaboration of its members in the work of the United Nations and of other international organisations or unions to which they are parties”. This provision creates obligations for member states, mainly not to act within an international organisation to the detriment of the achievement of the aims of other organisations to which they are also a party and to harmonise as far as possible the Council of Europe's action with their actions in other international organisations.

13. The Council of Europe and the European Union are two separate international organisations, based on their founding treaties, each with its own sphere of competence, its own decision-making capacity and its own rules, but they share common objectives and, above all, common values. The 2007 Memorandum of Understanding between the Council of Europe and the European Union aims to develop relations between the two organisations in areas of common interest, defines a general framework for co-operation to this end, sets out a number of principles, identifies the main fields of co-operation and the means of such inter-institutional co-operation.

14. Paragraph 9 of the 2007 Memorandum of Understanding between the Council of Europe and the European Union dealing with “Purposes and Principles of Co-operation” provides that “*The Council of Europe and the European Union will develop their relationship in all areas of common interest, in particular the promotion and protection of pluralistic democracy, the respect for human rights and fundamental freedoms, the rule of law, political and legal co-operation, social cohesion and cultural interchange. ...*”

15. Although there is no formal provision in the 2007 Memorandum of Understanding setting out a commitment to mutual recognition of decisions or requiring their implementation, or obligation on the Council of Europe to take into account certain acts or decisions of the European Union, it is undeniable, in the view of the experts, that the Memorandum of Understanding testifies to the willingness of the two European organisations to co-operate as closely and to act as far as possible in concert for the achievement of goals of common interest. In such a context, the actions or decisions adopted by one of them must be taken into account by the other when dealing in parallel with problems or situations that fall within their respective fields

⁵ Article 1 of the Statute provides that:

“a. The aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress.
b. This aim shall be pursued through the organs of the Council, by discussion of questions of common concern and by agreements and common action in economic, social, cultural, scientific, legal and administrative matters and in the maintenance and further realisation of human rights and fundamental freedoms.
c. Participation in the Council of Europe shall not affect the collaboration of its members in the work of the United Nations and of other international organisations or unions to which they are parties.”

of competence. The reactions of the Council of Europe and the European Union to the situation resulting from the annexation of Crimea are a good illustration of this.

16. *“The European Union is the Council of Europe’s most important institutional partner at both political and technical levels.”*⁶ Under the Memorandum of Understanding, the Council of Europe and the European Union seek to achieve *“greater unity between the states of Europe through respect for the shared values of pluralist democracy, the rule of law and human rights and fundamental freedoms as well as through pan-European co-operation, thus promoting democratic stability and security to which European societies and citizens aspire”* (paragraph 1). As a *“benchmark for human rights, the rule of law and democracy in Europe”*, the Council of Europe and its organs are bound, in their actions and decisions, by the principles of moral and institutional integrity and accountability.

17. In its Decision on the Co-operation between the Council of Europe and the European Union (CM(2019)67-final), taken at its Ministerial Session in Helsinki (17 May 2019) (document CM(2019)67-final), the Committee of Ministers “expressed its determination to further strengthen co-operation between the Council of Europe and the European Union, in accordance with the Memorandum of Understanding, in order to better protect and promote human rights, democracy and the rule of law in Europe.”

18. The experts concluded that, although the Assembly is not explicitly required to take into account any restrictive measures adopted by the European Union in dealing with a challenge to the credentials of members of a national delegation *on procedural grounds*, the Assembly would be fully justified in taking into account the existence of such restrictive measures when challenging the credentials of members of a national delegation *on substantive grounds*, under Rule 8 of the Rules of Procedure, insofar as the Rule refers to a serious violation of the fundamental principles enshrined in the Preamble and Article 3 of the Statute, and that these restrictive measures were adopted by the European Union in response to such a serious violation. The European Union’s decision is a factor to be taken into consideration because it highlights the existence of the violations of international law and their seriousness, which justify the restrictive measures. There is no direct obligation, but the values and principles shared by the two organisations are so similar that the Council of Europe must take into account the Union’s decisions in this field.

19. Finally, it should be recalled that, on the occasion of the adoption of Resolution 2087 (2016) “Introduction of sanctions against parliamentarians”, it was underlined that States have collective responsibility in implementing the restrictive measures taken by the European Union.⁷

20. Although the Assembly is not explicitly required to take into account the European Union’s restrictive measures, such an obligation implicitly follows from the Statute of the Council of Europe and the commitment of the Council of Europe and the European Union to co-operate and promote shared common values.

The credentials of the Russian delegation can be validly challenged on the basis of Rule 8 of the Rules of Procedure on the grounds that some of its members are subject to restrictive measures decided by the European Union.

3. Compliance with the Council of Europe and other international standards of national parliamentary elections organised in a State’s nationwide constituency which is not within internationally recognised borders. Does ratification of the credentials of a delegation, which includes parliamentarians elected by citizens of an illegally annexed territory, imply recognition by the Council of Europe and the Assembly of that annexation? ⁸

⁶ <https://www.coe.int/en/web/der/european-union>

⁷ See the report by the Committee on Rules of Procedure, Immunities and Institutional Affairs, Doc. 13944 (rapporteur: Mr Díaz Tejera, Spain, SOC): “All the measures taken by the European Union against Russia could be described as countermeasures. Implemented collectively by States that are not directly affected by the violation, they take on a rather different outlook since they are aimed not just at obtaining restitution, compensation or satisfaction in relation to the right infringed but at protecting the international order as a whole, securing respect for fundamental rights and protecting society’s ethical principles.”

⁸ Opinion No. 955/2019 of the European Commission for Democracy through Law (Venice Commission) – Report on the compliance with Council of Europe and other international standards of the inclusion of a not internationally recognised territory into a nationwide constituency for parliamentary elections, adopted by the Venice Commission at its 121st Plenary Session, (Venice, 6-7 December 2019) , CDL-AD(2019)030-e [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2019\)030-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2019)030-e)

21. The challenge to the credentials of the Russian delegation also relates to the legitimacy of the representative body of the Russian Federation due to the elections held in Crimea in 2016. In 2016, the parliamentary elections were held in Russia according to a mixed system: 225 deputies had to be elected in single-member constituencies and 225 deputies on party lists in a nationwide constituency. 4 single-member constituencies were set up in Crimea. Also, three people added as candidates to the nationwide party list by the Crimea regional branch of the United Russia Party have been subsequently elected to the Duma.⁹

22. Elections in Crimea were condemned by the international community. The Assembly considered the results of the elections held in Crimea as “*null and void*”.¹⁰

23. The Committee on Rules of Procedure therefore requested the opinion of the Venice Commission on the question of “compliance with Council of Europe and other international standards of national parliamentary elections organised in a State’s nationwide constituency which is not within internationally recognised borders”, in the context of the non-recognition under international law of the consequences of the illegal annexation of a territory.

3.1 Obligation by international organisations and States within the framework of an international organisation to refrain from recognising even implicitly an annexation

24. The opinion of the Venice Commission on “the compliance with Council of Europe and other international standards of the inclusion of a not internationally recognised territory into a nationwide constituency for parliamentary elections” clearly recalls that annexing territory is a serious violation of international law and that states and international organisations have an obligation not to recognise the consequences of an internationally wrongful act.

25. The Venice Commission recalls that the annexation of the territory of one state by another state is an unlawful act which violates the prohibition of the use of force and the principles of territorial integrity of States, State unity and/or indivisibility of the State, and non-interference in matters within the domestic jurisdiction of another State. Annexation is thus contrary to peremptory norms of international law (*jus cogens*). All States are under the obligation to cooperate to bring this violation to an end, which means that in addition to non-recognising the annexation as lawful, they must not render aid or assistance in maintaining that situation.

26. There exists a clear obligation under international law for all States not to recognise an annexation, even implicitly. International organisations, including the Council of Europe, are under the same obligation. The extent - and content - of this obligation is however not clearly defined. States and international organisations enjoy a margin of manoeuvre and discretion to fulfil this obligation while preserving peaceful diplomatic relations between States and in the interest of the individuals residing in the annexed territory.

3.2. The obligation of the annexing State to guarantee to the inhabitants of the annexed territory the right to free and fair elections

27. Furthermore, the Venice Commission recalls that the State which has annexed a territory has an obligation to facilitate the organisation of free and fair elections in the annexed territory by ensuring continuity of the right to vote of the citizens of the annexed territory with their national territory of origin. The individuals residing in the annexed territory are entitled to continue to participate in the elections of the State to whom the territory lawfully belongs, whose nationality in principle they maintain from the standpoint of international law. The annexing State therefore has the primary obligation to restore the inhabitants’ effective voting rights in the elections organised by the territorial State and to facilitate their participation in elections held in the country of origin to which they are linked under international law.

28. The annexing State cannot be considered to have fulfilled its obligation to secure the enjoyment of the right to free and fair elections of the population of the annexed territory if the elections fail to respect the following preconditions: (a) respect for freedom of expression, assembly and association; (b) stability of electoral legislation and its protection from political manipulation; (c) procedural guarantees such as the

⁹ Announcing results of the 2016 parliamentary elections the Head of the Republic of Crimea said that Crimea was represented in the Duma by the above 6 people - <https://crimea.ria.ru/radio/20160927/1107437851.html>

¹⁰ Paragraph 4.1 of Resolution 2132 (2016) “Political consequences of the Russian aggression in Ukraine”: “[In particular, the Assembly] 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;”

organisation of elections by an impartial body, electoral observation, an effective system of appeal, funding and security. These preconditions appear difficult to meet for elections organised in an occupied territory.

29. In the absence of respect for the preconditions for meeting the principle of free and fair elections, the organisation of elections in an annexed territory not only does not cure the illegality of the annexation, but also fails to meet the obligation to secure the enjoyment of the right to free and fair elections of the population of the annexed territory.

30. Finally, the Venice Commission notes that the inclusion in the national territory of the state holding an election of a territory that lay outside its internationally recognised borders is likely to undermine the legitimacy of the electoral process and distort the vote not only in the region concerned but also in terms of the general constituency, that is to say for the country as a whole.

3.3 Implications as regards the Assembly's competence to examine the credentials of the delegation of the annexing State

31. The Parliamentary Assembly, as an organ of the Council of Europe, is bound to refrain from recognising even implicitly the unlawful annexation of a territory of one member state by another member state. The question is what this obligation implies as regards the examination of the credentials of the delegation of the annexing State whose elections were held in a nationwide constituency comprising the territory of the annexed State.

32. The Venice Commission considers that, when verifying the credentials of parliamentarians who have been elected in a nationwide constituency which covers a territory that may not be recognised as forming part of the organising State, "the impact of the inclusion of the annexed territory on the final results of the election should be examined. The Assembly should consider this impact paying due regard to the principle of proportionality and determine whether the credentials should be ratified or refused".

33. In the Commission's view, in discharging its obligation of non-recognition of an unlawful annexation, the Parliamentary Assembly has a margin of appreciation. Non-recognition does not necessarily entail the obligation to deny credentials to the entire delegation of the annexing State. The Venice Commission notes that the Assembly's Rules of Procedure provide for different options ranging from non-ratification or ratification with denial or suspension of some rights of participation or representation. The Assembly's obligation not to recognise an annexation has an impact on its verification of the credentials of the delegation of the annexing State. When deciding on the credentials of a parliamentarian who has been elected in a nationwide constituency which comprises a territory that is not recognised on the international plane, and which may not be recognised as forming part of the annexing State, the impact of the inclusion of the annexed territory on the final results of the election should be examined.

34. The Committee on Rules of Procedure considered whether ratifying the credentials of a national delegation which includes parliamentarians elected by citizens of an illegally annexed territory:

- 1/ would run counter to the obligation not to recognise the consequences of an internationally wrongful act;
- 2/ would be tantamount to recognition of the consequences of that internationally wrongful act - the illegal election of parliamentarians in that constituency;
- 3/ gave it any legal effect and could entail implicit recognition by the Council of Europe and the Assembly of the annexation of Crimea by the Russian Federation.

35. The Venice Commission replied in the negative: clearly, the validation of the credentials of the members of the Russian delegation elected on the basis of an illegal election cannot lead to a recognition of the annexation of the annexed territory by the annexing state which organised the elections.

36. The reaction to internationally unlawful acts by applying counter-measures – and rejecting the credentials of a delegation constitutes a counter-measure – must be proportional to the gravity of such acts.

In conclusion, the Venice Commission is of the view that the obligation under international law for the Parliamentary Assembly not to recognise an annexation "does not necessarily entail the obligation to deny credentials to the whole delegation of an annexing State. Other options are possible. The Parliamentary Assembly might consider increasing the range of such options for the future".

4. Conclusions

37. The Committee on Rules of Procedure, seized for report on the challenge on procedural grounds of the credentials of the Russian delegation on 25 June 2019, had not been able to adopt a report at that moment. This item had therefore been removed from the Assembly's agenda, so that the credentials of the Russian delegation remained challenged on procedural grounds (the Russian delegation shall be seated provisionally in the Assembly with the same rights as the other Assembly members, in accordance with Rule 10.3 of the Rules of Procedure). The procedure for challenging credentials on procedural grounds has therefore remained pending since then and until the opening of the 2020 session, when the new credentials of the delegation will be submitted.

38. In order to close the committee's deliberations, the rapporteur invites the committee to approve the following conclusions, based on the expert opinions it has requested, which might serve as guidelines for any further challenges to credentials on the same grounds in the future:

- the grounds raised in support of the challenge of the credentials of the Russian parliamentary delegation are admissible and fully valid, whether they concern the inclusion in the delegation of parliamentarians subject to restrictive measures decided by the European Union in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, or the inclusion in the delegation of members of the Duma elected on an illegal basis and appointed by a parliament elected in 2016, whose legitimacy would have been compromised by the incorporation of a sovereign territory of Ukraine into the nationwide electoral constituency of Russia and by illegal elections held in that territory in 2016;
- the restrictive measures adopted by the European Union against certain individuals give rise to an obligation deriving from the Statute of the Council of Europe and must be taken into account by the Assembly when examining the credentials of the parliamentary delegation concerned; ratification of the credentials of a delegation which comprises parliamentarians subject to such measures would undermine both the aim of the Council of Europe and the means of achieving that aim, referred to in Article 1 of the Statute, and would render in part inoperative the commitment stemming from the Memorandum of Understanding between the Council of Europe and the European Union ;
- individuals representing Crimea in the Federal Assembly of the Russian Federation, whether appointed by Crimea's de facto authority¹¹, directly elected in constituencies set up on the territory of Crimea or elected following their appointment as candidates by parties' branches set up on the territory of Crimea, cannot be considered as representatives of a member State within the meaning of Article 25 of the Statute;
- ultimately, the ratification of the credentials of the members of the delegation concerned, challenged on the basis of the above-mentioned grounds, is tantamount to recognition of the validity of the mandate of those members in the Assembly, which may not be challenged again on the same grounds; any subsequent challenge to the credentials of the same members on these grounds would not be in order;

– by virtue of the obligation of states and international organisations under international law not to recognise the consequences of the illegal annexation of a territory, the validation of the credentials of the Russian delegation by the Assembly would in no way constitute recognition, even implicit, of the annexation of Crimea by the Russian Federation.

39. The Assembly acts within the framework of its competences, conferred on it by both the Statute of the Council of Europe and its Rules of Procedure, when it examines the compatibility of the composition of a delegation with other requirements which could stem from the Statute of the Organisation and relevant documents which give effect to the Statute. The Committee on Rules of Procedure might consider that the two grounds raised in support of the challenge to the credentials of the Russian delegation of 25 June 2019 are admissible and valid, but that they should be examined more on the basis of Rule 8 of the Rules of Procedure (serious violations of the provisions of the Statute of the Council of Europe), than on the basis of Rule 7 of the Rules of Procedure.

¹¹ In 2015, credentials of Ms Kovitidi from the Russian Federation were challenged before the Parliamentary Assembly of the OSCE. Following a report established by the Credentials Committee, the Bureau of the Parliamentary Assembly of the OSCE did not recognise, by a decision taken unanimously, Ms Kovitidi as a member of the OSCE PA. In particular, the Bureau followed the conclusion by the committee that what Ms Kovitidi represented in the Russian Federation Council was not a Russian territorial entity, but an illegal de-facto authority on Ukrainian territory. The Credentials Committee stressed that « [if] a country appoints representatives of territorial entities to a parliamentary body; the country needs to make sure that this act does not infringe upon the sovereignty and territorial integrity of another state.

40. Finally, it appears from both the October 2019 expert hearing and the opinion of the Venice Commission that it would be advisable for the Committee on Rules of Procedure to consider the need to revise the provisions of the Rules of Procedure concerning challenges to credentials in order to include additional criteria which could motivate a challenge, such as the violation of general principles of international law.