

Debates of the Parliamentary Assembly of the Council of Europe on Russia's application for accession (25 January 1996)

Caption: On 25 January 1996, the Parliamentary Assembly of the Council of Europe gives its verdict on Russia's accession to the Council of Europe.

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Russia's request for membership of the Council of Europe (25 January 1996)

THE PRESIDENT (Translation). - The next order of the day is the resumption of the debate on Russia's request for membership of the Council of Europe.

[...]

May I remind you that the majority required for the adoption of an opinion is two thirds of the votes cast and at least one third of the members of the Assembly, that is, eighty-three.

If no roll-call vote is taken, only the result will be announced, without any figures.

We will resume the list of speakers. I call Mr Masseret.

Mr MASSERET (*France*) (Translation). - Mr President, ladies and gentlemen, in deciding on Russia's application for membership, we have to ask ourselves two questions. Where do Europe's interests lie? And what are the interests of democracy?

As far as Europe's interests are concerned, we must remember that our political goal is to bring all the countries of Europe together in a shared democratic area. And Russia is part of Europe.

Our political goal is to promote a model of democracy which brings economic and social progress, peace and security with it. But to attain the goals which the world sets Europe, and Europe sets itself, Europe must be united.

Rejecting Russia today would be tantamount to dividing Europe and erecting a new barrier - some of this morning's speakers referred to a new wall. Rejecting Russia would make it turn away from Europe and our Organisation and look for answers outside this democratic framework. To reject Russia would be to repeat the mistakes made in the Treaty of Versailles.

In terms of Europe's interests, which we all understand, let us consider how democracy is faring in Russia. It is true that there are some problems.

The Chechen conflict is a reality which no one can deny. We must work together to find peaceful, political solutions to it. The inadequacies of Russian democracy are also a reality. And the emergence of grey zones is another.

We must not forget that progress has in fact been made on these problems in the areas which concern us here. There have been several free elections in the four years since Russia first applied to join the Council. Political pluralism exists, and the rule of law is gradually being introduced. Fundamental freedoms are emerging and permeating the whole of society, too slowly, no doubt, but surely.

We need to be demanding and vigilant, but we also need to be just. We cannot demand of Russia the same standards of democratic behaviour that we have in Western Europe, in a democratic society which it has taken us centuries to build. In spite of our doubts, we must trust ourselves. It is our Assembly which is best-placed to help Russia win the battle for democracy.

Let us think of the Russian people, and beware of the nationalist forces which will thrive on Russia's isolation. Indeed, an isolated Russia would be a threat to Europe's security as a whole.

If we reject Russia today, we shall be strengthening the nationalists, isolating Russia and therefore jeopardising our common security.

For the reasons I have briefly outlined, I am in favour of Russia's joining the Council of Europe.

THE PRESIDENT (Translation). - I call Mr Gricius, the next speaker on the list.

Mr GRICIUS (*Lithuania*). - Today we are discussing Russia's accession to the Council of Europe and the future of this Organisation and its role in the Europe of the future. The conditions on which Russia will become a fully fledged member of the Council and the commitments that that mighty country and its government will undertake and fulfil later will depend greatly on the efficiency and effectiveness of our Organisation's work.

I express my great gratitude to Mr Mühlemann for undertaking the enormous job of preparing the report, which involved taking into account and incorporating many proposals made by different countries, including those put forward by Lithuanian representatives.

Lithuania is a neighbour of Russia. It is clearly in our interests to have good-neighbourly relations with it. It is our belief that the relationship must be based on respect of lawful interests as well as treating each other as equal partners in the international community.

The Lithuanian Parliament has discussed the possibility of Russia becoming a fully fledged member of the Council of Europe. It adopted a statement on the issue, which sets out the perspective of Lithuanian-Russian relations. The statement reads: "Seima of the Republic of Lithuania, 18 January 1996. Statement concerning the admission of the Russian Federation to the Council of Europe.

The Seima of the Republic of Lithuania, assessing the wish of the Russian Federation to join the Council of Europe, expresses the hope that the Russian Federation will comply with the obligations to fulfil the requirements established by the Council of Europe for each state joining it, as well as with the following additional obligations: not to threaten or use force against nations and states; to urgently settle with Lithuania and other states of the Council of Europe a number of economic and financial issues, as well as issues relative to real estate and, in the first place, to make restitution of the buildings of the Lithuanian embassies in Paris and Rome; to settle the Chechen problem by peaceful dialogue, adhering to the principles of the European Convention on Human Rights and taking into consideration the right of every nation to self-determination.

The development of democracy in Europe will help to achieve a higher economic level, more speedily create a civic society, and will strengthen mutual confidence."

Lithuania is concerned about Russo-Lithuanian relations, which are burdened by the non cooperative attitude of Russian authorities towards unsolved bilateral issues, and about how human rights are respected within Russia itself. If the rule of law is strengthened and human rights respected, my country will feel more secure. That will serve as a good basis for the development of a friendly relationship between the two countries.

Unfortunately, the latest events in Chechnya and the way in which the critical situation has been handled over the last several weeks causes strong doubts about Russia's readiness to adhere to the European Convention on Human Rights, which member countries of the Council of Europe are expected to observe.

The most recent record of human rights in Russia and today's debate complicates the decision that we must make when we vote. It is an especially difficult issue for me as a Lithuanian representative because Lithuania's history has many crossroads with Russia. We spent the past fifty years in a totalitarian system where, mainly, Russian apparatchiks, not ordinary Russian people, played the role of Big Brother.

I wish to express the hope that Russia will find enough spiritual determination to achieve a peaceful solution in Chechnya, and enough good will to further friendly relationships with neighbouring states, including Lithuania and the other Baltic states. It is my belief that it will do so because I have known Russia and Russian people for many years. I believe that they will find the right solution at this critical time in their history.

THE PRESIDENT - I now call Lord Finsberg.

Lord FINSBERG (*United Kingdom*). - So much has already been said that I have only a few thoughts that I wish to share with colleagues. First, I had the great pleasure of chairing the Political Affairs Committee when it met in Zurich and took the decision to recommend Russia's membership of the Council. Throughout my political life I have had one guiding aim. That is that if I am in the chair for something, I do not rat later on decisions that are made. That being so, I shall certainly be voting in favour of Russian accession.

I speak as the immediate past chairman of the European Democrats and its honorary vice-president. No vote was taken by the group and, therefore, it is impossible to say what the members would have done. Each of us must talk as individuals.

We do not have an easy task. There are those who say that we must choose the lesser of two evils. I believe, however, that if there is any influence to be exerted, it can be exerted only from the inside.

We have the Russians at the door wanting to come in. If we do not invite them in, with all the strong conditions that will attach to accession, they will almost certainly strengthen the CIS. We may well find that they will withdraw from any form of Partnership for Peace and any association, or possible association, with either WEU or NATO. That would be extremely dangerous.

We know that the Russians have undertaken certain commitments. We see in Mr Mühlemann's brilliant report that the commitments find favour with the Russian delegation. That is important. I am content if those commitments are observed.

I believe firmly that whatever the dangers may be in inviting Russia to join us, if that process permits one Russian citizen in Astrakhan to bring his case to the European Court of Human Rights in Strasbourg, it will be worthwhile. To me, everything else is irrelevant.

We are basically the only organisation dealing with human rights. We are the only organisation that allows individual citizens to come here to present their case. We would be acting foolishly, nay criminally, if we turned down the chance of giving individual Russian citizens the right to come here.

I appeal to colleagues firmly and clearly to vote in favour of the report. Recognising the political realities, we must not leave Russia in a vacuum. We know that vacuums can be filled with unpleasant things.

THE PRESIDENT (Translation). - Thank you very much, Mr Büchel. I now call Mr Bergqvist.

Mr BERGQVIST(*Sweden*). - On behalf of the seven Social Democratic Representatives and Substitutes from Sweden, I want to explain why we are all in favour of Russian membership.

We want Russia to join the Council of Europe, though well aware that Russia has a long and thorny way to go before it achieves acceptable human rights standards, before it establishes a genuine respect for the rule of law and before it becomes a deep-rooted and well-developed democracy. The tragic deaths in Pervomayskaya also give us grounds for concern.

The legacy of dictatorship is always human suffering and cruel degradation. Thus the end of the Soviet dictatorship was an enormous relief for more than 200 million of our fellow human beings within that empire's previous borders as well as for all of us. Today little remains worth keeping of the old Soviet system but, as the dissolution of a dictatorship does not take place without turmoil, the social and economic difficulties are immense. Russia - the main successor of the Soviet Union - is in a state of radical transition.

We all know that during the Soviet era, it was absolutely impossible for the dictatorship to admit that there was any problem whatsoever with citizens' rights, humanitarian conditions and respect for life. Today, however, the democratically elected political parties not only admit that there is a broad range of severe problems but have committed themselves to tackling them, and doing so in cooperation with the Council of

Europe.

Even though we know that so much remains to be done, the changes have already been so far-reaching that Russia will not return to the old Soviet system. We believe that membership of the Council of Europe will help Russia advance democracy, human rights and the rule of law. As many colleagues have said, we think that this is an historic opportunity - let us not miss it.

To keep Russia out of the Council of Europe would be to establish a special border between Russia on the one side and Ukraine and all the other new and old member states of the Council of Europe on the other. That cannot be good for Europe. The future of Europe lies in cooperation, not confrontation.

THE PRESIDENT . The next speaker is Mr Szalay.

Mr SZALAY (Hungary). - Dear colleagues, there is no doubt about the great importance of the Russian political and economic restructuring that has been realised in the past couple of years. Even so, it is certain that Russia is still far from being a democratic state complying with the criteria of a constitutional state in which laws, rules and basic human rights are mostly respected. Even if we value highly the distance that the Russians have covered on the road to democracy, starting from point zero, we are very well aware how much further they have to go down that road in order for Russian democracy to be comparable with the standards of the Council of Europe and to be in accordance with the standards common in most European countries.

All that makes comprehensible the reservations and conditions formulated by some colleagues who reacted with little enthusiasm to Russia's aspiration to gain immediate accession to the oldest European integrated institution, the Council of Europe. Even those who are anxious about the Council of Europe losing face and its traditional values can be more or less understood.

Nevertheless, even bearing in mind all those considerations, I think that when making a decision we should give priority to two matters in particular. First, how could we better help democratic development in Russia? Secondly, how could we ensure more efficiently the security of the region and particularly that of the neighbouring countries?

Should we have Russia in the Council of Europe and thus be able to see its representatives sitting here among us in the hemicycle, reserve the right to influence and monitor developments in that huge country and more or less get rid of one thousand years of totalitarian rule? Or, on the contrary, are we to slam the door in Russia's face, thus preventing it from identifying itself with us, with Europe and with democracy and pushing it back into its authoritarian and nationalist traditions? I think that we should choose the first option, which seems to be the more reasonable and suitable answer.

I must admit that if I vote yes this evening, it is not because I am wholly convinced about the favourable change in Russian policy that eventual admission will produce but because I am certain that an eventual refusal would have catastrophic consequences. An integrated Russia would become a more humanitarian society and a more reliable neighbour. I am convinced that an isolated Russia would be more oppressive at home and would again become a clear risk to European security. That is why, after some hesitation, I have decided to support the application of Russia. I suggest that my colleagues in the Assembly do the same. We should not give anti-democratic political forces the opportunity to gain even more ground in Russia. Thank you for your attention.

[...]

Mr DE LIPKOWSKI (France) (Translation). - In taking our decision today - undoubtedly one of the most important in our Organisation's history - I believe we have to ask ourselves three questions.

First, will Russian membership be good for Europe, for its security and stability?

Some of our colleagues are hanging back for emotional reasons connected with the past. The old apprehensions are resurfacing, and I can understand that. But I would ask them one question. Will they feel any safer if we shut the door on Russia?

If we do that, we shall be encouraging the disturbing trends and aberrations which have recently been appearing on the Russian political scene. Ultra-conservative elements are exploiting various frustrations with which, of course, I do not identify, but which I note.

When the Soviet Union collapsed, Russian diplomacy turned resolutely away from confrontation and towards trusting cooperation with the West, in the hope of joining our various organisations. That hope has been disappointed: there is no question of allowing Russia into the European Union; it is still waiting for ratification of the partnership agreement we have signed with it; it is watching Nato's enlargement with anxiety, since it feels that we have not given it a proper part to play in European security arrangements; and it has still not been admitted to the G7, OECD, or our own Organisation.

It has the supremely humiliating impression of being left to cool its heels in the waiting room, while some of its former satellites - which have actually made less headway towards democracy - are allowed into the Council of Europe before it. Double standards. Russia feels that it is not being treated like a great power in the peace process in the Middle East or in the Balkans.

These frustrations are fuelling ultra-conservative propaganda, based on the old idea of the enemy without, and the result of this will be confrontation, not cooperation, with the West.

Naturally, I do not accept that we are systematically isolating, ignoring and even scorning Russia. All I am saying is that this way of seeing things suits all of those who want the old system back and would like to resurrect the Soviet Union. The latest election results show, alas, that they have not been inactive. And the replacement of Mr Kozyrev is a disturbing sign of a hardening in Russian policy.

So let us be careful what we do. Voting against Russia would encourage the ultra-conservatives to stir up public opinion against us. It would take us back to the cold war and a divided Europe. On the other hand, letting Russia in would enable us to forge links of partnership and trust which would give powerful encouragement to all the reformers who want to make sure that the blocs do not come back.

Second question: would Russia's joining the Council be a victory for democracy? It is clear that it would.

Our Organisation is the only one which can encourage, lead and guide Russia towards full democracy. There are signs that it could still regress into a kind of fascism, which would exploit economic failure and national humiliation. This is what the reactionary groups are working for. If we slam the door, what hold will we have on Russia to stop it going this worst of all ways and to promote greater democracy? None. As things stand, it is to us that Russia owes all the progress it has made on the path to democracy.

It was to meet our requirements that it introduced free speech, adopted a constitution and held free elections. Of course, as our rapporteurs have so rightly pointed out, a lot still needs to be done, but Russia is well on the way to becoming a democratic state. Step by step, it is getting there. It is also accepting commitments, such as those involved in acceding to the European Convention on Human Rights, with its right of individual petition.

Let us not forget that, if things go seriously wrong and Russia reneges on those commitments, we can always apply the penalty of suspension, as we did with the colonels' regime in Greece or with the former Yugoslavia.

Third and last question: will Russia's joining be a good thing for our Organisation?

The answer is clear. Turning Russia down would greatly reduce the Council of Europe's role. Many of its members are on the waiting list to join the European Union - so much so indeed, that the Council is in

danger of turning into a branch office or a human rights museum.

If Russia is rejected here, it has another card up its sleeve. It will turn to the OSCE, and play an active part in European security there. One of the things it will try to do there is set up a mini security council for Europe, where it will be sure of a permanent seat.

On the other hand, Russia's joining will give our Organisation a new impetus and authority. We shall be the only pan-European organisation, since the OSCE includes the United States and Canada. We shall be the only forum for dialogue embracing all the countries of a Europe whose divisions we shall at last have healed, thanks to the birth of a democratic Russia which, for the first time in seventy-five years, will be able to play its full role in the great European democratic family.

This vote is historic. We all know that Europe's future peace and stability depend on us today. Let us trust our rapporteurs and follow their recommendations.

I shall be voting for Russian membership of the Council of Europe.

THE PRESIDENT (Translation). - I call Mr Caputo.

Mr CAPUTO (*Italy*) (Translation). - Mr President, colleagues, as Lord Finsberg has said, the choice before us today, paradoxically, is between the lesser of two evils.

The first of these evils entails opening the doors of our Council of Europe, which has the institutional responsibility to defend human rights and the rule of law, to a country that leaves much to be desired in these respects. Exactly one year ago, on 2 February 1995, we suspended the accession procedure because of the war in Chechnya, and it is significant that today we are being called on to take a final decision when the conflict still rages. We must, however, consider the fact that this time the events that unleashed such justified indignation on the part of public opinion were sparked off, not by any attempt on behalf of the Russian Government to deliberately violate commitments entered into, but by the action of rebels, representing no less a violation of human rights than does repression.

Unfortunately, the conduct of the Russian Army in Chechnya is not the only problem we have. One has only to read the long list, drawn up by the Political Affairs Committee, of requirements still awaiting action by Moscow. There are other worrying developments, too, which reflect a clear reversal of the trend towards liberalisation which prevailed when Russia filed her request for membership.

There is, for example, the tougher stand being taken in Russian foreign policy towards the West, culminating in the replacement of the pro-European Foreign Affairs Minister Mr Kozyrev with the hardliner Primakov. Or the electoral success of the reborn Communist party, certainly no champion of human rights, which led immediately to the exclusion from government of the last remaining liberals and therefore to a slowing down of the pace of reform. Or again, the resignation, already mentioned several times, of Yeltsin's human rights advisor, the indomitable Sergei Kovalev, in protest against the worsening domestic and international situation. Yet further evidence of this tougher line is also to be seen in Moscow's reluctance to ratify the already signed disarmament agreements and its growing aggressivity towards the former republics of the Soviet Union. Nor do we like the vaguely intimidatory tone that President Yeltsin - no less - has adopted towards us to push us to vote yes.

But the second of the two evils, the other option, which would consist in closing the door in Russia's face having opened it to virtually all the other countries on the continent, would be even greater. For reasons of time I cannot go into all the reasons already adduced by those colleagues who are in favour of Russia's accession, such as the particular need to avoid erecting a new iron curtain, the opportunity to begin to integrate within Europe, at least within this Organisation, a great country which for the first time in its history is attempting to strike out on the path towards democracy, or the possibility of keeping an eye on domestic developments in Russia on the basis of the powers vested in us under Order No. 508.

There is one point that hasn't been touched on so far. History has taught us that very often it is events that are considered to be minor at the time which often mark a watershed between one era and the next. Therefore, I would not like a negative decision today to mark the beginning of a new period of isolation for Russia, which could lead to renewed hostility towards the rest of Europe, if not to out-and-out cold war. So, with considerable reservations, and basically in the name of "realpolitik", I wish to inform you that the Italian representatives on whose behalf I am speaking, namely parliamentarians from Forza Italia, the Partito Democratico della Sinistra, Alleanza Nazionale, the Partito Popolare Italiano, the Centro Cristiano Democratico, Federalisti Liberal-Democratici and Rifondazione Comunista will be voting in favour.

THE PRESIDENT (Translation). I call Mr Marmazov.

Mr MARMAZOV (*Ukraine*) (Interpretation) said that ever since he had been a delegate to the Council of Europe, the question of Russian accession had been on the agenda. Now was the time to make the decision. Russia had made great progress in recent years. There was no longer a fear of the cold war. There were better relations with Ukraine and there was a consistent Russian policy of moving towards Council of Europe membership. In his region of Ukraine, mines had previously been closed in order to stockpile missiles. Now the missiles were dismantled and the mines were open again. If Russia were refused membership, the Chechen problem would not be solved, the nationalists would become more influential and democracy would be harmed.

With the expansion of NATO and the refusal of Russian membership, Europe would be divided into two camps. The Russians were a hardworking, internationalist and proud people. If, however, they were offended, they would do anything to defend their honour. Russia was a great country going through a very difficult time. Patience was needed. Double standards should not be applied. Countries had been admitted into the Council of Europe, such as Ukraine itself, which were not, at the time of accession, fully compliant with all aspects of human rights.

THE PRESIDENT . - I now call Mr Zhirinovsky.

Mr ZHIRINOVSKY (*special guest from Russia*) (Interpretation) said that he was pleased the discussion was taking place but he did not like what many people were saying about Russia. Many people mentioned Mr Kovalev. He was only one man and he was spitting on parties representing millions of people. He was as ill as many Europeans. President Yeltsin had been criticised but he was too soft and too influenced by European principles. On 16 June 1996, Russia would have a new President who would not be so soft with Chechnya. The Assembly should not submit to misinformation. They were forgetting that Russia had saved Europe in the past from the eastern threat. Without Russia the Chechens would be invading Europe.

Russia stood between Europe and Asia. Europe should remember Russia's help at the end of the Second World War. Without Russia, Europe would have fallen under the yoke of the Turks. European blockades against Iraq, Libya and Yugoslavia had resulted in many deaths. Turkey was bombing its own people. Germany was bombing refugees. Russia was the freest country in the world. Europe had been against the Russian empire in the past and now did not like democratic Russia either. Russia was not ill; it would come to Europe as a doctor.

He said he would be grateful if the Council of Europe rejected Russia, as that would be a gift to his party, and to himself in the next presidential election. It would, on the other hand, be a gift to the Council of Europe if Russia were accepted. The Council of Europe would then have as a member a new European country which believed in human rights.

[...]

Mr THORESEN (*Norway*). - It might be a little difficult to follow a colourful speaker such as Mr Zhirinovsky, but I shall try.

It is fair to say that there are a great many obstacles in the way of Russia's accession to the Council of

Europe. The events in Chechnya represent only one of those problems. Russia has a long way to go in establishing basic human rights, as well as the rule of law, which is an especially great challenge, as the eminent lawyer's report clearly pointed out.

If this Assembly had been a court, our decision would have been only a logical examination of the facts, which might have produced a negative result. This is, however, not a courtroom; the Assembly is a political body. We must therefore also pay due attention to the political and dynamic aspects of the matter and of course honour the immense progress that Russia has made over recent years.

As many speakers have said, we could not have dreamed of being in this position a few years ago. Leaving that aside, we must decide the best way in which to promote further improvements in Russia. I am not advocating double standards or the lowering of standards. It is my firm belief that to agree to Russia's accession is the best way in which to improve further conditions in Russia and defeat the unfortunate developments that are hindering that improvement. The Russians themselves therefore have an obligation to speed up the process, and we have an obligation to monitor it properly.

If Russia becomes a member, the Council of Europe will be able to play an important pan-European role in the development of a more stable and democratic Europe. The Council of Europe has already made a substantial contribution to developments in other central and eastern European states, and its legal foundation, together with its competence in the field of human rights, democracy and the rule of law will be important to the development of democracy in Russia.

The Council of Europe will continue - one hopes - to develop after Russia has become a member. That means that it will need more resources to enable it to fulfil its obligations to Russia and any other new member states. Russian membership will make the Council an important arena for Russian parliamentarians - as the previous speaker's speech showed - as well as for representatives of member states that have been part of the Assembly for some time. I also hope that membership will strengthen the parliamentarians' role in and influence on internal democratic development in Russia.

I am happy to be able to say that despite the huge obstacles, the great majority of the Norwegian delegation will be voting for Russian accession.

THE PRESIDENT (Translation). - I call Mr About.

Mr ABOUT (*France*) (Translation). - Madam President, ladies and gentlemen, in deciding whether to admit Russia, the Assembly must stay mindful of its responsibilities and of the implications of this new stage in the Council of Europe's history.

The history of Europe and the history of Russia have been intertwined for centuries. It would be wrong for the Council of Europe to leave a great European nation by the wayside. Russia needs Europe to help it through the difficult economic transition which has been in progress since the Soviet Union collapsed.

Liberalisation of the economy has brought its share of hardships, and some of the victims are starting to look back on the Soviet era with nostalgia and to put their trust in an extreme form of nationalism, whose ideology carries the seeds of past dangers.

Europeans must help the Russian economy to get back on its feet. The issue here is the future of a country with enormous potential and the largest population in Europe.

Until very recently, political and cultural democracy was unknown in Russia, although undeniable progress has been made towards reform in a country which - we need to remind ourselves - has no democratic tradition. Official corruption and the many and varied activities of the mafias are a threat to the country's infant democracy. There is reason to fear that, that if we abandon Russia to its fate, these evils will take on proportions which endanger the country's whole future.

Western Europe has a long experience of democracy, and it can help to strengthen democracy in Russia. Once it is fully a part of the Council of Europe, Russia will be led to improve prison conditions and find peaceful solutions to the problems it has with its numerous minorities.

Russian accession to the Council will send the Russian authorities and the reformers an encouraging signal and give Europeans a means of ensuring that democratisation continues.

Europe also needs Russia, now that we have - after centuries of division and intrigue - a real opportunity to unite our continent. How can we build a united Europe and leave the Russian nation out? Its history and culture are a part of our own.

We cannot find the right answers to the big challenges - challenges such as European security, the future of nuclear power plants in the East, the environment, human rights, and the rights of children and minorities - unless Russia belongs to the various European institutions which deal with these questions.

Joining the Council will also allow Russia to develop and improve its relations with some of its neighbouring states which are members already. It will, in other words, be a factor for stability in a region where many borders are disputed.

Mr Zhirinovsky has just given us a repeat performance of the act he put on for the press this morning, and has added a few extra comments on the Council. According to him, we are just a bunch of parliamentarians with nothing important to say, and Europe's institutions are frightened of Russia.

Let us stand firm in the face of provocation. Let us not play Mr Zhirinovsky's game. We are not building Europe today for Yeltsin or Zhirinovsky. Our job is to build, by our own efforts and for our children and grandchildren, a Europe which takes better care of its children and keeps the peace better than it has in the twentieth century.

That is why I shall shortly be voting in favour of letting Russia in.

THE PRESIDENT (Translation). - I call Mr Guenov.

Mr GUENOV (*Bulgaria*). - It is a great honour and a serious responsibility to report on Russia's proposed membership of the Council of Europe. That is why I congratulate Mr Mühlemann, Mr Bindig and Mr Atkinson on the competent accomplishment of their mission.

Some of my colleagues in the Committee on Legal Affairs and Human Rights consider it a manifestation of courage to say no and to postpone Russia's accession to the Council of Europe. In my view, it is a manifestation of tremendous courage, after carrying out a thorough political and judicial analysis of the situation in Russia, to say yes to Russia's membership of the Council of Europe.

I realise that such an enlargement of our Organisation is an unprecedented test for the Council of Europe. For me, the positive solution to the problem means the definitive destruction of the last remnants of the Berlin Wall. Without taking this step, the Council of Europe cannot gain an entirely pan-European dimension. At the same time, Russia's joining the Council of Europe guarantees its democratic and legal development. Moreover, I am convinced that Russia's membership is a guarantee by itself of the stability of democracy and security on the continent.

From the viewpoint of Council of Europe standards and values, there are, of course, grounds for criticising Russia. However, we have the right to put forward our conditions and to emphasise our concern about the judicial situation. In the long run, we have at our disposal the monitoring procedure under Order No. 508.

I believe that we do not have sufficient justification for keeping Russia out of the Council of Europe. In spite of all the difficulties, Russia follows the road to democracy. The country brought life to its special guest status, established fruitful cooperation with the Council of Europe and ratified a number of European

conventions.

As a member of the Committee on Legal Affairs and Human Rights, I consider that Russia's legitimate place is within and not in front of the doors of the Council of Europe. I believe that through Russia, Europe will acquire a new and important resource of democratic consolidation eastwards.

THE PRESIDENT (Translation). I now call Mr Bühler.

Mr BUHLER (*Germany*) (Translation). - Madam President, ladies and gentlemen, in his memorable speech here, at the Council of Europe, Mikhail Gorbachev said that the Soviet Union also wished to take its place in the European home. The Soviet Union and the other Warsaw Pact states have collapsed. As a result of that collapse, the Council of Europe started to take on a completely new role - that of helping Europe to grow back together, and accompanying and supporting the former socialist dictatorships on their way to democracy. This development began in November 1991, when Hungary joined, and it continues to this day. To this day, it has remained our duty to support those countries on their way to democracy.

But no country, ladies and gentlemen, has been looked at so long and so hard after asking to join, and had so many conditions imposed on it - indeed, the whole admission procedure has even been suspended - as Russia. So far, Croatia is the only country for which the procedure has lasted the same amount of time.

I think Russia needs its place in Europe, just as Europe urgently needs a Russia on the path to democracy. It needs this both for its political stability and to have a firmly established security structure. Joining the European Union is currently impossible, and so the only European institution open to Russia at the moment is the Council of Europe. The initial question which concerns us here today is admitting a delegation from the freely elected Duma. We have no influence on the composition of the Duma or its delegation, and we must accept the voters' choice, hard as that can sometimes be - we were reminded how hard, a few minutes ago. We also have to give the Committee of Ministers a recommendation.

Ladies and gentlemen, one vital point is the fact that Russia, when it joins the Council, will inevitably come steadily closer to our democratic principles and values. This will give us a limited, but still definite possibility of influencing its further internal development. We shall be strengthening its reformers, who, as we have seen, need our help urgently.

I should like to remind you of two things Mr Kovalev has said. Firstly, he has said that Russia also needs the protection of the European Court of Human Rights. Secondly, he has said - and he was even more emphatic here - that Russia will be the Council of Europe's cross, but a cross it must bear.

Russia still has a long way to go on the path to democracy. That path will be a stony one, and it will need help on it. Its action against Chechnya is being sharply and openly criticised, both in its own press and in the Duma. We join them in condemning it. This is made very clear in the rapporteurs' reports, and also in the conditions imposed on it. If Russia is admitted, monitoring will acquire special importance in the future.

We are deciding today on a matter of vast political importance. The issue is Europe's political stability and, in the last analysis, its security too. That, ladies and gentlemen, is why we must face this question squarely. We must not approach it in legal terms only, but must see the political dimension too.

I appeal to you: let us have faith in the strength of our own principles and democratic values. In the past, doing that has repeatedly led to success. Keep the people of Russia company on their difficult road to democracy. Thank you very much.

THE PRESIDENT (Translation). Thank you, Mr Bühler. Mr Abdulatipov now has the floor.

Mr ABDULATIPOV (*special guest from Russia*) (Interpretation) said that Russia had been working with the Council of Europe for the past four years. Russia needed European support in moving to democracy and many European security problems could only be solved with Russia's help. Russians now wanted an open

society in which they might live in peace and democracy with their neighbours and it was important to support that process. It was also important to remember that Russian troops were sent to Chechnya in response to a civil war provoked by Dudayev's violation of human rights, although once there both sides had behaved badly. Dudayev's recent activities in Dagestan were an attempt to bring unrest to the region and to thwart Russia's application to the Council of Europe. The Duma had said that there should be dialogue with the Chechens and would like an end to the Chechen crisis.

Membership could help to cure that problem. The Council of Europe had shown a great deal of knowledge about the Chechen conflict. It was hoped that Russian membership of the Council of Europe would help Russia attain European standards in international relations. As Goethe had said, endeavour would always be rewarded with success. The Russian people would appreciate the efforts of the Council of Europe. The unity of Russia and the Council of Europe would add a new confidence to relations.

[...]

THE PRESIDENT Translation). I call Mr Briane.

Mr BRIANE (*France*)(Translation). - Madam President, ladies and gentlemen, it is because the Council of Europe makes certain demands on its members that admission of the Russian Federation has been, until now, deferred. Today, we are again called upon to reach a decision. It is up to us to say very clearly whether or not we are in favour of its joining.

I should like to thank the rapporteurs for their excellent reports, which we have read with close attention and which give us a good picture of the present situation in Russia. Does that great country fulfil all the conditions for immediate admission to full membership of the Council of Europe? Objectively speaking, I must say that it does not.

We do well to remind ourselves that the Council of Europe requires its member states to respect human rights and fundamental freedoms strictly and to practise pluralist democracy.

All its member states - I repeat, all - have the same rights and duties. The Council must be consistent and make exactly the same demands on every member. It is not a hotel where people come and go as they please. It is a community of countries with certain rules, and everyone must obey them. It is up to the Council to enforce those rules with flexibility and understanding, but also with determination.

What is the present situation in Russia? Serious shortcomings have been noted in the legal and human rights fields, and in the sphere of democracy as well. Russia cannot be regarded as having the rule of law today. If only for that reason, it does not satisfy the conditions for membership.

At the same time, democracy is not a spontaneous growth. Russia has no democratic tradition. When the tsars went, the totalitarians took over. Recent changes, since the demise of the Soviet Union, have not allowed a genuine, western-style democracy to emerge, although there have been some encouraging developments. There are some serious aberrations in the way power is exercised, and these are highlighted in the written reports. Alas, the Chechen tragedy merely confirms that this is so, and it discredits those who are to blame for it.

If we open Europe's door to the Russian Federation, will we be able to ensure that it honours all its commitments within a reasonable time, which we shall have to determine? Will we have the means of checking that it is doing so, as we need to do? It is a moot point.

We face a challenge here. The things we know about the current situation in the Russian Federation suggest that we should again postpone its joining. At the same time, we are convinced that we must bind Russia firmly to Europe. Can we do that without contravening the Council of Europe's rules and requirements?

The ideal solution would have been some way of admitting Russia on probation or, even better, some special

partnership and cooperation scheme, taking account of its distinctive features, as a huge and complex nation with a foothold in two continents. The fact that we want to bind it to Europe does not allow us to give it a blank cheque - but we cannot shut the door on it either.

And so all we can do is hold out the hand of friendship to the democrats, and to all those who are struggling to make human rights and democracy a reality in Russia, helping them to measure up to the Council's standards, so that both Russia and Europe are the winners.

We can meet this challenge only if we act together. That is why I shall be voting to let Russia join, for political and geopolitical reasons - and also for the sake of that future peace in Europe which all its peoples want.

THE PRESIDENT (Translation). I call Mr Dionisi.

Mr DIONISI (*Italy*) (Translation). - Mr President, colleagues, the opponents of Russian membership of the Council of Europe put forward as their main argument the question of Chechnya.

No one here wishes to play down the serious and dramatic nature of what is going on in Chechnya, but I believe the "Chechen question" has to be situated in the more general context of the crisis of the nation-state and the process of fragmentation and neo-tribalism confronting us at the end of the millennium, a period that coincides with the end of the cold war and the international divisions established with the second world war. It is not only the countries of the former Soviet bloc who are concerned, those who emerged vanquished from the cold war, but also certain western countries.

It must be said, however, that the Chechen question has been exacerbated by the unpopular, authoritarian and repressive nature of the regime and policies of Boris Yeltsin. His star is now waning, but he was hailed in particular by those who are opposed to Russian integration in Europe, and by the West as a whole as a champion of freedom and democracy.

And what of the countries that are members of the Council of Europe, yet do not respect human rights, who occupy the territory of other countries or who seek to stamp out the aspirations towards independence and self-government of ethnic minorities or whole regions? It is the case of Turkey, but also of other countries, whose democratic credentials are more readily sported. The suspicion, therefore, that an attempt is being made to push the process of Russian decomposition to its final extremes, is legitimate. If it is an unfair suspicion, and were this Assembly today to reject Russia's application to join the Council of Europe, we would be faced again with yet further evidence of the West's inability to understand Russia, its culture, its very diversity, the aspirations of its people. We have seen an instance of it already this century, when we came to the assistance of the Tsarist regime the people wanted to overthrow, and we know what happened there. A second instance was when, in the aftermath of the Second World War we established NATO on an anti-Soviet logic, and we are running the risk of making the same mistake today.

If Russia were made to feel it is encircled, it will still remain strong and powerful, but will be a foreign body as far as Europe and the West are concerned, held together by nationalist sentiment and a new iron curtain we will all have helped erect.

-democratic and right-wing nationalist forces in that country who are advocating revanchist policies in relation to the West and neo-imperialism, a rather frightening vision of which we were offered only a short while ago.

In the days of the global economy, we should not be pushing in the direction of fragmentation but strengthening the processes making for supra-national state entities which are as all embracing and homogenous as possible.

I believe it is in Europe's interest, and that of the West as a whole, to have Russia join us in Europe, as it is something which will enrich us in every respect, in the economic as well as in the social and cultural fields.

In informal talks in recent days, I have heard that many people fear the change that Russia's accession will

mean for Europe and this Assembly. I am sure there will be changes, but I think we must take a broader view of the dialectics of history and show our ability to master complex processes.

To Mr Speroni, who is fighting in Italy for a reform of the constitution and the state along federalist lines, but who is known to hold out the threat of the North's secession, I wish to say he should not be blinded by his own fervent bias. I am a neo-communist and I do not go along with the social model of my own country, but this does not prevent me from recognising that Italy is a great democratic country in which it is possible to voice and support the most eccentric, anti-historical and sometimes absurd opinions, as Mr Speroni has shown us, moreover.

We need to put back authority and wisdom into politics.

Let us vote therefore in favour of Russian membership and add one more stone to this wonderful, even if at times long-suffering, world mosaic.

[...]

THE PRESIDENT . The Assembly will now vote on the motion by sitting and standing.

The motion is rejected.

The Political Affairs Committee has presented a draft opinion, contained in Document 7443, which reads as follows:

"1. The Russian Federation applied to join the Council of Europe on 7 May 1992. By Resolution (92) 27 of 25 June 1992, the Committee of Ministers asked the Parliamentary Assembly to give an opinion, in accordance with Statutory Resolution (51)30 A.

2. Special guest status with the Parliamentary Assembly was granted to the Russian Parliament on 14 January 1992.

3. Procedure for an opinion on Russia's request for membership was interrupted on 2 February 1995 because of the conflict in Chechnya. On 27 September 1995, with the adoption of Resolution 1065 (1995), procedure was resumed on the grounds that Russia was henceforth committed to finding a political solution and that alleged and documented human rights violations were being investigated.

4. The Assembly notes that political, legal and economic reforms have been sustained. The legal system continues to show shortcomings, as noted by Council of Europe legal experts (7 October 1994). Nonetheless, there is progress towards a general awareness of - and respect for - the rule of law.

5. Assurances of continued progress were given to the Council of Europe by the President of the Federation, the Prime Minister, the President of the Duma and the President of the Council of the Federation in their letter of 18 January 1995.

6. On the basis of these assurances and of the following considerations and commitments, the Assembly believes that Russia - in the sense of Article 4 of the Statute - is able and willing to fulfil the provisions for membership of the Council of Europe as set forth in Article 3 ('Every member of the Council of Europe must accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and collaborate sincerely and effectively in the realisation of the aim of the Council...'):

i. Russia has been taking part in various activities of the Council of Europe since 1992 - through its participation in intergovernmental 'cooperation and assistance' programmes (notably in the fields of legal reform and human rights), and through the participation of its special guest delegation in the work of the Parliamentary Assembly and its committees;

- ii. *'Political dialogue' between Russia and the Committee of Ministers has been established since 7 May 1992;*
 - iii. *Russia has acceded to several Council of Europe conventions, including the European Cultural Convention;*
 - iv. *The following legislation is being prepared as a matter of priority with international consultation, on the basis of Council of Europe principles and standards: a new criminal code and a code of criminal procedure; a new civil code and a code of civil procedure; a law on the functioning and administration of the penitentiary system;*
 - v. *New laws in line with Council of Europe standards will be introduced: on the functioning and administration of the Procurator's Office and of the Office of the Commissioner for Human Rights; for the protection of national minorities; on freedom of assembly and on freedom of religion;*
 - vi. *The status of the legal profession will be protected by law: a professional bar association will be established;*
 - vii. *Those found responsible for human rights violations will be brought to justice notably in relation to events in Chechnya;*
 - viii. *Effective exercise will be guaranteed of the rights enshrined in Article 27 of the constitution and in the law on freedom of movement and choice of place of residence;*
 - ix. *Conditions of detention will be improved in line with Recommendation A (87) 3 on European prison rules;*
 - x. *The state and progress of legislative reform will permit the signature and ratification, within the indicated timetable, of the European conventions listed hereunder in paragraph 9.*
7. *With a view to the fulfilment of these assurances and respect for these commitments, the Assembly resolves to establish - with the close cooperation of Russia's national parliamentary delegation - its own parliamentary 'advisory and control' programme under the authority of the committees responsible for the implementation of Order No. 508 (1995) on the honouring of obligations and commitments by member states of the Council of Europe. This programme will complement and not prejudice the monitoring procedure under Order No. 508 (1995).*
8. *As a contribution to long-term assistance and cooperation, the Assembly welcomes the European Union/ Council of Europe joint programme for the strengthening of the federal structure and of human rights protection mechanisms and for legal system reform.*
9. *The Parliamentary Assembly notes that the Russian Federation shares fully its understanding and interpretation of commitments entered into as spelt out in paragraph 6, and intends:*
- i. *To sign the European Convention on Human Rights at the moment of accession; to ratify the Convention and Protocol Nos. 1, 2, 4, 7 and 11 within a year; to recognise, pending the entry into force of Protocol No. 11, the right of individual application to the European Commission and the compulsory jurisdiction of the European Court (Articles 25 and 46 of the Convention);*
 - ii. *To sign within one year and ratify within three years from the time of accession Protocol No. 6 to the European Convention on Human Rights on the abolition of the death penalty in time of peace, and in the meantime to put into place a moratorium on executions;*
 - iii. *To sign and ratify within a year from the time of accession the European Convention for the Prevention*

of Torture and Inhuman and Degrading Treatment or Punishment;

- iv. To sign and ratify within a year from the time of accession the European Framework Convention for the Protection of National Minorities; to conduct its policy towards minorities on the principles set forth in Assembly Recommendation 1201 (1993), and to incorporate these principles into the legal and administrative system and practice of the country;*
- v. To sign and ratify within a year from the time of accession the European Charter of Local Self-Government and the European Charter for Regional or Minority Languages; to study, with a view to ratification, the Council of Europe's Social Charter; and meanwhile to conduct its policy in accordance with the principles of these conventions;*
- vi. To sign and ratify and meanwhile to apply the basic principles of other Council of Europe conventions - notably those on extradition; on mutual assistance in criminal matters; on the transfer of sentenced persons; and on laundering, search, seizure and confiscation of the proceeds of crime;*
- vii. To seek to settle international as well as internal disputes by peaceful means (an obligation incumbent upon all member states of the Council of Europe);*
- viii. To settle outstanding international border disputes according to the principles of international law;*
- ix. To ratify the agreement of 21 October 1994 between the Russian and Moldovan Governments, and to continue the withdrawal of the 14th Army and its equipment from the territory of Moldova within a time-limit of three years from the date of signature of the agreement;*
- x. To fulfil its obligations under the Treaty on Conventional Armed Forces in Europe (CFE);*
- xi. To negotiate claims for the return of cultural property to other European countries on an ad hoc basis that differentiates between types of property (archives, works of art, buildings, etc.) and of ownership (public, private or institutional);*
- xii. To seek to settle rapidly all issues related to the return of property claimed by Council of Europe member states;*
- xiii. To cease to restrict, with immediate effect, international travel of persons aware of state secrets, with the exception of those restrictions which are generally accepted in Council of Europe member states;*
- xiv. To ensure that the application of the Commonwealth of Independent States (CIS) Convention on Human Rights does not in any way interfere with the procedure and guarantees of the European Convention on Human Rights;*
- xv. To revise the law on federal security services in order to bring it into line with Council of Europe principles and standards within one year from the time of accession;*
- xvi. To adopt a law on alternative military service, as foreseen in Article 59 of the constitution;*
- xvii. To pursue legal reform with a view to bringing all legislation in line with Council of Europe principles and standards;*
- xviii. To extend its international cooperation to prevent - and eliminate the ecological effects of - natural and technological disasters;*
- xix. To sign and ratify within a year from the time of accession the General Agreement on Privileges and Immunities of the Council of Europe and its additional protocols;*

xx. To cooperate fully in the implementation of Assembly Order No. 508 (1995) on the honouring of obligations and commitments by member states of the Council of Europe, as well as in monitoring processes established by virtue of the Committee of Ministers' Declaration of 10 November 1994 (95th session).

10. The Assembly recommends that the Committee of Ministers - on the basis of the commitments and understandings indicated above:

- i. Invite the Russian Federation to become a member of the Council of Europe;*
- ii. Allocate eighteen seats to the Russian Federation in the Parliamentary Assembly;*
- iii. Adapt the Organisation's means and capabilities to the consequences of this decision."*

[...]

That brings an end to the vote.

The number of votes cast was as follows:

Total: 214

For: 164

Against: 35

Abstentions: 15

The draft opinion contained in Document 7443, as amended, is adopted.

It will be published as Opinion No. 193.

First, may I congratulate the Russian delegation. We place much confidence in you, and we expect a lot of work from you, but we think that it will be proved that our decision has been a good one. I thank the Assembly for the responsible, honest, fair and open debate.

Our opinion will now go to the Committee of Ministers, which will no doubt obey the will of the elected representatives of the people of Europe. We all face great challenges. The Vienna Summit has succeeded; we are now a pan-European organisation. And we are looking for the means to help us to carry out the obligations on monitoring and cooperation.

Again, I congratulate the Russian delegation and the Assembly. I offer my personal hearty thanks to every one of you. With your discipline, you made the debate and the voting process a very honourable conference, and that meant an easy life for me. Thank you. Mr Lukin, you have the floor.

Mr LUKIN (*special guest from Russia*) (Interpretation) said that it was impossible to express his feelings. On behalf of the Russian Parliament he would like to thank the Assembly for devoting so much time to the Russian issue. He thanked the Secretariat who had worked on Russia's accession for so long a time and the rapporteurs who had been selfless in making themselves experts in Russian affairs and had shown near heroism in visiting very dangerous regions. He would particularly like to thank his colleagues in the Assembly who had showed confidence in Russia by voting for its accession.

Russia was a European country. European history was, above all, a drama of human freedom and from this point of view Russian history was European history. European culture was about the freedom and the development of the individual personality. Russian culture contained great men who had shone in European terms. The task was to bring Russian culture closer to Europe without losing its identity.

Like a bouquet, each flower should show its own beauty yet contribute to the harmonious whole.

He knew there was a huge task ahead. It would be difficult to work together, but vital to do so, and he pledged that the Russians would work with the Council of Europe.