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2018 ORDINARY SESSION

(Fourth part)

REPORT

Thirtieth sitting

Tuesday 9 October at 10 a.m.

In this report:

1. Speeches in English are reported in full.
2. Speeches in other languages are reported using the interpretation and are marked with an asterisk
3. The text of the amendments is available at the document centre and on the Assembly's website. Only oral amendments or oral sub-amendments are reproduced in the report of debates.
4. Speeches in German and Italian are reproduced in full in a separate document.
5. Corrections should be handed in at Room 1059A not later than 24 hours after the report has been circulated.

The contents page for this sitting is given at the end of the report.

(Ms Maury Pasquier, President of the Assembly, took the Chair at 10.05 a.m.)

The PRESIDENT* – The sitting is open.

1. Election of judges to the European Court of Human Rights in respect of Albania and Norway

The PRESIDENT* – This morning the agenda calls for the election of two judges to the European Court of Human Rights, from Albania and Norway respectively.

The list of candidates and biographical notices are to be found in Documents 14605 and 14603 and the report from the Committee on the Election of Judges to the Court of Human Rights in Document 14632, Addendum 2.

Voting will take place in the area behind the President's chair. At 1 p.m. the ballot will be suspended. It will re-open at 3.30 p.m. and will close at 5 p.m. Counting will then take place under the supervision of four tellers. I will now draw by lot the names of the four tellers who will supervise the counting of the votes.

The names of Mr Leśniak, Ms Bakoyannis, Mr Huseynov and Mr Montilla have been drawn. They should go to the back of the President's chair at 5 p.m.

The results of the election will be announced as soon as possible after 5 p.m.

If the Assembly needs to proceed with a second round of voting for the election of judges to the European Court of Human Rights, that will take place tomorrow morning and afternoon.

I now declare the ballot open.

2. Strengthening the decision-making process of the Parliamentary Assembly concerning credentials and voting

The PRESIDENT* – The next item of business this morning is the debate on the report entitled "Strengthening the decision-making process of the Parliamentary Assembly concerning credentials and voting", Document 14621, presented by Ms De Sutter on behalf of the Committee on Rules of Procedure, Immunities and Institutional Affairs.

Under Rule 37.1.a, Sir Christopher Chope and Sir Edward Leigh have given notice that they wish to move a dilatory motion to defer the debate on the report titled "Strengthening the decision-making process of the Parliamentary Assembly concerning credentials and voting", Document 14621, until such time as "an independent legal opinion has been obtained on the content of the non-binding legal analysis enlisted on behalf of the Committee of Ministers on 25 September 2018 and a discussion has taken place with the Committee of Ministers to seek consistency and coherence in the Statutory organs", as set out in Document 14636.

If this motion is agreed to, the effect will be to defer the debate until such time as the conditions relating to the text under discussion are fulfilled and, as there is no further business to be taken this morning, to adjourn the sitting until this afternoon at 3.30 p.m.

Under Rule 37.3, only the proposer of the motion, one speaker against the motion, and the rapporteur or chairperson concerned have the right to speak.

I therefore give Sir Christopher the floor, to speak in support of the motion.

Sir Christopher CHOPE (*United Kingdom*) – I understand that I have only 30 seconds. Is that correct?

The PRESIDENT – That is correct.

Sir Christopher CHOPE (*United Kingdom*) – Rules are our constitution, and to change our rules is to change our constitution. Two weeks ago, after the Committee on Rules of Procedure, Immunities and Institutional Affairs had met, the Committee of Ministers issued a legal analysis that challenges the very legal status of our Assembly. That analysis cannot be ignored, but it needs to receive a robust response. Do we want to go ahead with tinkering with the rules today, or do we want to seize the opportunity and do what is

said in the motion, which is to seek a robust and coherent vision for the future of the Council of Europe and this Assembly?

The PRESIDENT* – Does anyone wish to oppose the motion? Mr Schwabe, you have 30 seconds.

Mr SCHWABE (*Germany*) – Whatever we decide this afternoon, we should take this matter seriously. Our timetable has been long discussed and long agreed, so the decision has been made. Most of the group leaders who are present are in favour of holding the debate. Members can decide whether to follow the information contained in the legal analysis, but we should be able self-confidently to make that decision and prevent this from becoming a never-ending story. I ask members to vote against the motion.

The PRESIDENT* – What is the opinion of the Committee? Ms De Sutter, you have 30 seconds.

Ms De SUTTER (*Belgium*) – I am against the motion. Postponing the debate would make no sense. In fact, the content of the legal analysis gives an extra reason to hold it and to discuss the report.

The PRESIDENT* – The Assembly must now vote on the dilatory motion. A simple majority is required. Those who wish to support the motion and defer the debate should vote in favour, and those who wish to reject the motion should vote against.

The vote is open.

The motion to defer the debate is rejected.

The PRESIDENT* – We accordingly resume debate on the report, “Strengthening the decision-making process of the Parliamentary Assembly concerning credentials and voting”, Document 14621. Before giving the floor to the rapporteur, I remind the Chamber that the Assembly agreed in its Monday morning session to limit speaking time to three minutes. I will need to interrupt the list of speakers at 1 p.m., but the debate will resume this afternoon around 4.30 p.m., after the address by the Minister of Foreign Affairs of Tunisia.

Madam rapporteur, you have a total of 13 minutes’ speaking time, which you may divide between presentation of the report and responding to the debate.

Ms De SUTTER (*Belgium*) – I am honoured to open today’s debate and would like to thank the members of the Committee on Rules of Procedure, Immunities and Institutional Affairs for the confidence they have placed in me to do this difficult job. The Rules Committee’s clear and constant position has been to address the important issues raised in the report on the basis of constructive consensus. Revising the Assembly’s rules of procedure concerning the credentials of national delegations may be justified only where it helps to make the Assembly more robust and better able to uphold the fundamental values of democracy, human rights and the rule of law.

I hope that this exercise will achieve its main objective, namely to strengthen the coherence, legitimacy and effectiveness of the Assembly’s mechanisms in order to guarantee and defend the principles and values on which this Organisation has been built. I also sincerely hope that this exercise will be useful to both the Assembly and the Committee of Ministers. It is a great opportunity to better understand the what, the why and the how of a procedure – namely, the possibility of challenging credentials on substantive grounds – that was set up more than three decades ago and which has embodied the common vision of our predecessors in the Assembly.

What the Parliamentary Assembly has achieved so far is unique, but like any institution, it is subject to an ongoing discussion on how it can better achieve its goals. Such debates have been held in the past, and they should acquire a new dimension with the approach of the Assembly’s 70th anniversary. However, the discussion today was launched with a clearly defined question: should we maintain, change or supplement the current rules governing the challenge or reconsideration of the credentials of national delegations, the rights of representation and participation of national delegations and, in that context, the Assembly’s voting procedures? That is the question today.

For each and every Assembly member, the question can only be answered in light of the global context in which this debate is taking place. I will discuss the elephant in the room. This debate is viewed by many as a key step in ensuring the unconditional return of the Russian national delegation to the Parliamentary Assembly. I will come back to that point. In 2015, the delegation of the Russian Federation decided not to transmit its credentials to the Parliamentary Assembly, and since then it has stood by that

decision. It should be made clear that in neither 2014 nor 2015 did the Parliamentary Assembly decide to exclude the Russian delegation from the Assembly. As a sign of its condemnation of acts violating international law, the Assembly took a decision to deprive the delegation of a number of rights. Shortly afterwards, the government of the Russian Federation notified the Council of Europe of its intention to suspend financial contributions to the budget of the Council of Europe until its delegation could take up its duties within the Assembly.

It is certainly not the intention of the Rules Committee to present a report that would aim to weaken or even abolish the procedure for challenging credentials that can be launched for the violation by a given member State of its statutory obligations and commitments towards the Organisation. The report has nothing to do with lifting sanctions against the Russian Federation – on the contrary.

I would like to underline that, even if the situation with the Russian delegation has been a triggering point, this debate is not about the Russian Federation. This debate is about the Assembly's competencies to maintain the procedure for the non-ratification or annulment of credentials for a serious violation of the principles and values of the Council of Europe. Those are the substantive grounds under rule 8 in our Rules of Procedure. The debate is about whether the Council of Europe has acquired, after more than 30 years of consistent practice coupled with the exclusive competence to set up its own procedures, the right to impose sanctions on a national delegation for violations committed by a government.

The answer to that question is somehow locked in the dichotomy between the attributed powers and the implied powers, which is far from being a new legal problem. That competence has been questioned by the Russian Federation. The legal analysis requested by the Secretary General of the Council of Europe also stated that only the Committee of Ministers could take a decision to suspend the rights of a member State.

On one hand, the legal analysis of the Secretary General suggests that, when provisions of the Statute are absent, the Assembly does not have such a competence. It relies on the Vienna Convention on the Law of Treaties and the idea of express wording, which means that if it is not written it does not exist. However, the traditional counterargument to that has always been that attributed powers are static and that it would never be possible for the drafters to foresee all the challenges that a body would face in the future. Therefore, to accommodate the effective performance of the body's statutory functions, new powers or competences could arise. That is what we call implied powers. That mechanism has been used on several occasions to expand powers of international bodies and organisations, such as the United Nations Human Rights Committee, which now has powers not explicitly spelt out by the International Covenant on Civil and Political Rights.

The dichotomy between attributed and implied powers does not provide an easy way out; hence the problems that we are in today. However, the Rules Committee has a legitimate position in presenting its argument as to why the Assembly can maintain the procedure on the challenge of credentials and, what is more, why it requests the Committee of Ministers to recognise it. That procedure was also used on an ad hoc basis following major political crises or coups in Greece in 1967, Cyprus in 1974, and Turkey in 1980, as you can read in the explanatory memorandum. The ad hoc approach was definitely institutionalised during the enlargement period, to which the Council of Europe responded in a different way from the European Union. The European Union set the Copenhagen criteria, requiring countries willing to join the European Union to comply with values prior to accession. The Council of Europe invited candidate States to join the Organisation on the condition that they would enter into a number of commitments, the fulfilment of which would be monitored post accession. That is how the monitoring procedure of the Assembly started, a kind of procedure that the European Union lacks, something that has now caused them problems.

Following the request for an opinion by the Committee of Ministers on the Russian accession to the Council of Europe in 1996, the Assembly invited the Russian Federation to become a member of the Council of Europe. However, that opinion also made it clear that respect to commitments would be monitored in accordance with the procedure established by order No. 508, which foresaw the non-ratification of credentials of a national delegation on substantive grounds. The same procedure applied to all new member States, with no objection made by the Committee of Ministers until recently.

Today's debate is therefore not on whether the Assembly can act as in 2014 and 2015 with respect to the Russian delegation. It is about the common vision of both statutory bodies regarding the object and purpose of the Statute. It is about the choice between two different conceptual approaches: should we use the ratification of credentials to condemn the non-respect by a member State of the founding values of this Organisation, or should we not?

In search of reconciliation, our committee suggested keeping the procedure of challenging and reconsidering credentials on substantive grounds, while increasing political legitimacy and consistency with the goals. You have of course read the resolution, but in a nutshell it proposes to merge Articles 8 and 9, to increase the number of members there are to challenge credentials, to increase the majority required, and to remove the voting rights of members of the Parliamentary Assembly of the Council of Europe stemming from international treaties from the catalogue of sanctions – the elections of judges, the Commissioner for Human Rights, the Secretary General and the Secretary General of the Assembly. All members of the Rules Committee willing to contribute to the discussion were able to do so. Even though some proposals were not accepted by the committee, the current proposal reflects the global consensus that the committee reached – and it did so again this morning.

Lastly but not least, Article 25 of the Statute of the Council of Europe set the express wording requiring a State party to transmit its credentials at the opening of the session. Failing to comply with that requirement, a State would be in clear violation of the Statute. It seemed to the committee important to underline that fact in the text of the draft resolution.

Ladies and gentlemen, do not be mistaken. This report is our own legal analysis, clearly stating that we have the power to refuse delegations on substantive grounds. Do not reject the report. Thank you very much.

The PRESIDENT* – Thank you, Ms De Sutter. You will have two minutes and 10 seconds to reply to the debate.

To open the general debate, I call Mr Schwabe on behalf of the Socialists, Democrats and Greens Group.

Mr SCHWABE (*Germany, Spokesperson for the Socialists, Democrats and Greens Group*)* – Dear colleagues, we in the Council of Europe indeed have serious problems here, some of which we encountered when it came to corruption. We found a method to deal with that. What has brought us to this situation is that member States do not keep to the rules. I thank all those who have dealt so responsibly with this matter. My own political group has had very lively but transparent discussions and has responded very responsibly, respecting differences of opinion fully. Of course, we have talked about the Russian Federation, which has triggered this. It has huge problems; it does not respect rules and it intervenes in an aggressive way in other countries.

Today we are talking about the Russian Federation – but not just about the Russian Federation. Using the example of the Russian Federation, we have to think about whether our rules correspond to today's needs and requirements. I am grateful that a clear signal was sent yesterday through the award of the Václav Havel prize. Regardless of what we discuss this afternoon, there is no question of somehow compromising on human rights. We need to make a clear stand on that, hence I am pleased that Oyub Titiev was yesterday awarded the prize. The huge problems in the Russian Federation need debating, but that is not a reason simply to turn down proposals that are logical and responsible. If the proposals make sense – I thank Petra De Sutter for her splendid work – it also makes sense to adopt them and adapt the rules so that we are prepared for the future.

Let me say something about the legal advice. It is the right of any body, including the Council of Europe, to consult on such a matter, but we should develop a method together so that we can clarify legal points collectively. All the proposals that came from the British, Ukrainian and Georgian delegations have been taken on board, hence my request for a broad consensus to send a clear signal outside these walls. That would show unity to those States that do not behave responsibly. We are not making any compromises on human rights; we are simply adapting our rules so that they can continue to be applied.

Sir Edward LEIGH (*United Kingdom, Spokesperson for the European Conservatives Group*) – This Organisation is 70 years old and has played a notable part in preserving and enhancing human rights in Europe. My group believes that this report is being rushed. There is nothing wrong with the report, and we pay tribute to the chairman and the way she has tried to reform our procedures, but make no mistake. Why is this report being considered now? Why did the Committee of Ministers rush it through? For one reason only: to let the Russian Federation back into this Assembly. The Committee of Ministers is changing our rules to accommodate the Russian Federation and to make it easier for that country to re-join this Parliamentary Assembly.

There may be arguments for an interparliamentary union and for the Russian Federation to be part of that union. Members may believe that, whatever the Russian Federation has done, jaw-jaw is better than

war-war, and that we should talk and let them in. That is fine. Let us have that open debate, but let us not change our rules. Let us not fiddle our rules to make it easier – to lower the bar – to let the Russian Federation in.

I remind you, dear colleagues, that appeasement – this is a lesson from the 1930s – achieves nothing. The Russian Federation has invaded one of our member nations; it has annexed part of one of our member nations. Only this morning it has been established that a military doctor accompanied a GRU officer onto the streets of Salisbury to poison people. This is a serious issue. It is not about a legal opinion. It is not a narrow legal issue.

The Committee of Ministers and some parts of the Secretary General's office are forcing this through. They have made an analysis. It is not actually a legal opinion; it is just an analysis. We should have come back with our own analysis. Make no mistake, this is a power grab by the Committee of Ministers. It is an attempt to force this issue. And why is this issue being forced? Is it a matter of principle? It is about money. It is because we are short of all the millions of euros that the Russians have previously given. I am not against the Russian Federation, and nobody wants the Russian Federation to be expelled from this Assembly. Everybody wants the Russian Federation to return to this Assembly, but we want the Russian Federation to return to this Assembly because the Russian Federation has changed her ways, not because we accommodate her by just changing our rules.

This is a decisive moment for our Assembly. At the end of this debate, our group will vote against the report, not because it is wrong but because right must be done.

Mr van de VEN (*Netherlands, Spokesperson for the Alliance of Liberals and Democrats for Europe*) – Yesterday, the ALDE group had an intense debate on the report, the draft resolution and the draft recommendation. I attended all the meetings of the Ad Hoc Committee on the Role and Mission of the Parliamentary Assembly of the Council of Europe, as well as the two meetings in September of the Rules Committee, of which I am a member, and I have the honour to inform the Assembly of ALDE's position. I thank my colleagues for their excellent contributions to the debate in our group.

Our group's debate was both technical and political. The technical part of our discussion concerned the question of what we are actually voting for. The core of our discussion was the political aspects of what ALDE is to vote for on the basis of our core values: the rule of law, democracy and human rights. The common feeling was that, either way, there are problems in voting either for or against the resolution and the recommendation.

Voting in favour of the resolution would increase the threshold, the quorum, for challenging or reconsidering the credentials of national delegations on substantive grounds, which would be detrimental to the integrity, respectability and authority of the Parliamentary Assembly of the Council of Europe as the consultative organ of the Council of Europe. The ultimate consequence of voting against the proposals is that the Russian Federation might leave the Council of Europe, to the detriment of the application of the rule of law and of the human rights of citizens in Council of Europe member States.

The ALDE group is not aware of any positive move to resolve the current stalemate, be it the resolution of the conflicts since 2014 or the payment of the contributions that are long overdue. The current stalemate is not helpful. After our strong internal debate, the position of ALDE is that the current rules would be better left unamended. ALDE is opposed to the resolution and the recommendation for challenging and reconsidering the credentials of national delegations on substantive grounds.

Mr KOX (*Netherlands, Spokesperson for the Group of the Unified European Left*) – The draft resolution proposed by Ms De Sutter and the Rules Committee is a wise compromise that strengthens the decision-making process of the Parliamentary Assembly concerning credentials and voting. The compromise was reached by the Rules Committee following this year's discussions by the Ad Hoc Committee on the Role and Mission of the Parliamentary Assembly of the Council of Europe. The Rules Committee comprises representatives of all political parties, and I am therefore surprised that, as we reached an almost unanimous decision in Paris on the report of Ms De Sutter, the first two speakers, saying that they speak on behalf of their political groups, have said that they will vote against a report that was supported almost unanimously by the Rules Committee, which causes me to ask what has happened since then. In my opinion, nothing has happened.

My group thinks the report is a wise compromise. The resolution underlines how important it is that parliamentary delegations participate in our Parliamentary Assembly, which is why we now say that a two-thirds majority will be needed to exclude a member State's parliamentary delegation as a full-fledged

member of the Committee of Ministers. The resolution strengthens the credibility of this Organisation and strengthens our decision-making process.

From now on, the voting rights of any parliamentary delegation can no longer be taken away, as they are related to the fundamental rights given to member States and formulated in our Statute and Convention. Again, this strengthens our system of decision making and makes us more credible.

The resolution underlines that the Council of Europe is not a cafeteria in which people can pick and choose what they want and leave whatever they do not want. From now on, it will be seen not as a right but as an obligation to present credentials and to be represented here, just as it is an obligation to participate in the work of the Committee of Ministers.

Those are three important improvements and clarification to our rules, and I thank Ms De Sutter for these proposals. My group has its own ideas about certain aspects, as all groups do, but after the Rules Committee has reached this wise compromise, it makes no sense suddenly to say, "My group supported this idea but now we oppose it." I hope and expect that, at the end of this long and important debate, the vast majority will vote in favour of this resolution so that this Assembly again becomes a breeding ground for positive change, instead of a negative political battleground. We are here to do something good for Europe, not to prevent it.

Mr POCIEJ (*Poland, Spokesperson for the Group of the European People's Party*)* – I congratulate the rapporteur on her excellent work. The majority of our group is in favour of this report. Compromises are a good thing, which is true in both private life and political life. This report can open a door that leads us to good compromise. Our group is an open group that is able to accept divergent views and positions.

I underscore the fact that we should be able to exchange views, but I am concerned about imposing views without discussion. We know that we must always abide by rules, but we also know that we must stand by precedent. We are talking about changing the rules of the game without changing the essence of the situation. We are concerned about this compromise because it has been brought about by financial pressure.

The PRESIDENT* – Ms De Sutter, if you wish, you can respond straight away, or do you prefer to wait until the end of the debate?

Ms De SUTTER (*Belgium*) – I will respond at the end of the debate.

The PRESIDENT* – Thank you.

I remind Members that the vote is in progress to elect two judges to the European Court of Human Rights. At 1 p.m. the ballot will be suspended. It will re-open at 3.30 p.m. and will close at 5 p.m. Those who have not voted may still do so by going to the area behind the President's chair.

Ms DURANTON (*France*)* – Madam President and dear colleagues, I pay tribute to Petra De Sutter for her work on behalf of the Rules Committee, which she chairs. Her report on the reform of our Assembly was undertaken with the Ad Hoc Committee for the Bureau, and takes on board the consultation undertaken with the national delegations on strengthening the Assembly's decision-making processes.

The report makes proposals on challenging and reconsidering the credentials of national delegations, the modification of Assembly decisions, and limitations on the scope of sanctions we can impose on our colleagues. They are opportune proposals and I approve them, but let me address the question from a more political than procedural angle.

How did we get here? For our Assembly, it is a question of getting out of a very tricky situation into which it had plunged itself. The report seeks to settle the question of the participation of the Russian delegation in the work of our Assembly. Without their credentials, our Russian colleagues have been deprived of several of their rights, which followed the illegal annexation of Crimea and the troubles in Eastern Ukraine. They decided no longer to sit with us, and the Russian Federation announced that it would no longer pay its contribution to the Council of Europe budget.

During those debates in 2014 and 2015, the Assembly expressed its values with respect to the mandate granted by the 1949 statute. I invite colleagues to re-read the Resolution 1990 (2014), Resolution 2034 (2015) and Resolution 2063 (2015). In January 2015, our Assembly asked the Russian Federation to

cancel the illegal annexation of Crimea, to withdraw all its troops from Ukrainian territory, including forces deployed there clandestinely, and to refrain from providing weapons to the Ukrainian insurgent forces.

Having vaunted the merits of the Minsk Agreements, we called for dialogue. In June, we regretted deeply the manifest absence of progress in the implementation of the resolutions and the Russian Federation's failure to honour its undertakings to neighbouring states. Four years later, the Russian Federation is still in Crimea and continues to be involved in the Donbass region. The rules of the Assembly cannot be instrumentalised as Petra de Sutter says in her report. Before we vote, I invite colleagues to recall the Assembly's resolutions.

Mr RUSTAMYAN (*Armenia*)* – I congratulate our rapporteur, Ms De Sutter, who has done a very important piece of work that is very relevant to today's situation. Perhaps not directly, the report touches on serious challenges to the future of our Organisation as we prepare to celebrate our 70th anniversary. There have been calls for a Council of Europe summit. In that context, it is essential that we the Assembly think about the relevance and legitimacy of all our procedures. We need to look at these things in the light of our goals and ambitions. It is vital that we assess and evaluate our practices so that we can better guarantee the principles and values that bring us together. We need to reaffirm and reassert our European unity. We need to re-launch the decision-making process within the Assembly to make our decisions more credible and guarantee their authority and legitimacy.

That being so, the corruption scandals within the Parliamentary Assembly pose a serious threat to the fundamental values that the Council of Europe seeks to uphold, and sap the credibility of our decisions. Some of our colleagues look at the report only through the prism of the Russian situation, but it is clear that there can be no compromise on our fundamental universal values. Alongside that, we must not forget that our Assembly is a pan-European forum for inter-parliamentary dialogue. It can only bolster the credibility of our Organisation if all member States are represented and participate in both our supreme bodies. The role and vocation of the Council of Europe is to stand against the breaking up of Europe, and to stand for a greater Europe based on the common heritage that all the peoples of Europe share.

Mr NICK (*Germany*)* – We are called upon to take a very important decision and this is an important debate. However, it is not a question of the future of the Parliamentary Assembly or the values of the Council of Europe. I thank Ms De Sutter and the Rules Committee for their hard work in preparing for the debate, but I have a certain number of critical comments on the aggressive lobbying of which we have been victims, and on the insults, personal degrading comments and attacks. They are unacceptable. I will leave you to guess where they come from.

We are talking about rules and not about the situation in the Russian Federation and neighbouring countries. Our assessments of the human rights situation in the Russian Federation and of the illegal annexation of Crimea remain unchanged. We need to make a clear distinction and possibly need a separate resolution so that we can talk about those assessments.

On financial matters, the Parliamentary Assembly of the Council of Europe cannot be blackmailed. We should counter any impression of it. As colleagues have said, the Council of Europe Parliamentary Assembly should be a forum for discussion and critical engagement with member States. Human rights organisations active in the Russian Federation such as Memorial are pressing upon us the need to keep Russian access to the Court of Human Rights open.

The issue of co-operation here within the Council of Europe is something that we should bear in mind. Nobody has an interest in an institutional conflict between the Parliamentary Assembly and the Committee of Ministers or seeks escalation in that respect. Ms De Sutter's report, with the amendments that have been agreed upon, is a balanced report. It is a practical solution in terms of the remaining procedure. I can certainly say, as one of the overwhelming majority of members of the German delegation, that we will be voting in favour of this proposal.

Ms CHUGOSHVILI (*Georgia*) – I should start by expressing appreciation for the work of the rapporteur, Ms De Sutter, who tried her best to come up with a balanced report, although the topic is, as we all know, very controversial. In this report we are seeking a compromise, but we believe that it is a one-sided compromise. We should not allow for a precedent whereby a country ignoring the obligations imposed by the Council of Europe is getting special treatment. There is an opinion that we are changing our own rules in order to allow the Russian Federation to avoid meeting its responsibilities. We appreciate that some of our colleagues have a different opinion on this matter. Once again, we do not want the Russian Federation to be out of the Council of Europe – we want them in, but not through one-sided compromise, not through falling

for the blackmailing coming from their side, and not through financial pressure. If we allow this to happen, it will weaken our Organisation and further damage its reputation.

The Russian Federation should be in the Council of Europe, but we have to be stronger and find another way to break the deadlock between the Parliamentary Assembly of the Council of Europe and the Russian Federation whereby the Council of Europe will get out of the process stronger, not weaker. I believe that all of us together have a full feeling of responsibility for this Organisation and hope that by the end of the process today we will make a decision that makes all of us feel that we made the Parliamentary Assembly of the Council of Europe a stronger Organisation, not a weaker Organisation. Let us not change the rules; let us find another way for breaking the deadlock.

Mr BECHT (*France*) – The proposal before us today gives us an impossible choice. If we vote against it, then we are running a real risk of driving the Russian Federation out of the Council of Europe. That would be a disaster for the 140 million people of the Russian Federation who would no longer enjoy access to the European Court of Human Rights, but it would also be a disaster for all of Europe. The Russian Federation humiliated would become even more inward-looking and would seek to assert the pride of its people by pursuing imperialist policies that threatened the very stability of our continent. But if we vote for this at a time when the Russian Federation has done nothing in Ukraine and, more particularly, has changed nothing in Crimea since 2014, then we will be giving the impression that legalistic tinkering and partial re-establishment of the Russian Federation's voting rights would be more important than our values. That solution would also be disastrous.

What has happened in Ukraine is probably the most serious thing to happen in Europe in terms of annexation of part of a State by another State since the 1930s. Indeed, the situation makes me think back to what Winston Churchill said following the annexation of the Sudetenland. He said that you were given the choice between war and dishonour; choose dishonour, and you will have war. It is impossible to choose between dishonour and war. It is impossible to choose between driving the Russian Federation out in the name of our values or keeping the Russian Federation in by renouncing those values. Since it is impossible to do these things, it is essential that we think of a third way – and there is such a third way if we think about bold, far-reaching reform of our Organisation as we approach our 70th anniversary. We need to think about subjects that can bring the States and peoples of Europe together – that can help people to transcend their differences and to respect the fundamental bedrock of our Organisation: the rule of law, democracy and human rights.

As I am sure you have understood, I will not vote for this proposal as it stands, because I cannot accept this kind of tinkering with the rules. If you look at all of Europe's history, this kind of thing has only ever led to disaster. I urge you, colleagues, to work immediately to bring about far-reaching reform of our institution and to reawaken the European dream. Let us dare to imagine what we could do to bring the peoples and the States of Europe together. Let us dare to move further from where we are to try to find new solutions to health challenges such as how to cure cancer, and how to create the circular economy we need so that we no longer have to despoil the resources of our planet. Let us dare to dream to build together new means of transport that would allow us to eradicate pollution. Let us think about the conquest of space; let us not just leave that to the Americans and the Chinese. We need to be bold again. We need to find the boldness, the vision, the faith and the courage of our founding fathers. That is what will save Europe and our Council, not legalistic tinkering.

The PRESIDENT* – Thank you, Mr Becht. Ms Tomić and Ms Miladinović are not here, and I cannot see Mr Vareikis, so I call Sir Roger Gale.

Sir Roger GALE (*United Kingdom*) – This report has been very carefully thought through. It has been studied at great length by the Rules Committee, and it was carried at its meeting in Paris by a unanimous vote of those voting. I am careful to say that, because there were abstentions and one or two people who absented themselves. I believe that the report is worthy of very serious consideration, although in the light of the legal advice that has been procured by the Secretary General, further work may have to be done upon it before it is adopted – but we will take a long, hard look at that in the course of today.

I have said, as I did in the Rules Committee this morning, that if this is to go through, it should go through unamended. We cannot tinker with it in the interests of one party or another, for this reason: the rapporteur, Petra de Sutter, has made it very clear that this is not a report about the Russian Federation but a report about the rules and procedures of the Parliamentary Assembly of the Council of Europe. There is of course the elephant in the room, and we have to respect and recognise that fact.

Yesterday, permanent representative of the United Kingdom at the Joint Committee meeting suggested that, as a very first step in the right direction, it would be a good idea if the Russian Federation were to pay the money due to the Parliamentary Assembly and to the Council of Europe as at least a gesture of good will. That good will was clearly not forthcoming in the Russian spokesman's response. Not only was it not forthcoming, but the response was a threat: effectively, "If we don't get what we want, there will be consequences."

I am sorry, Madam President, but we have to send out a very clear message today, as we have done before: the Parliamentary Assembly, the elected body of the Council of Europe, is not for sale at any price. We cannot give in to blackmail. I hope that in the course of today, this report will get serious consideration and then we shall have to decide whether it is passed back for further work, or carried or defeated.

Mr VAREIKIS (*Lithuania*) – I am sorry for my late arrival, Madam President. I will say a few things that are perhaps not directly about the report. This report has been done in the correct manner, and as always it is balanced. This is about what we do and what we are discussing. I come from a former Communist country. Under dictatorial regimes generally – this was not only the case in the Soviet Union – people are happy to tell jokes. They speak in strange ways, about animals and fairy tales. People talk about the truth through metaphors, and unfortunately, we now use a lot of metaphors in the Council of Europe.

Everybody says that what we are proposing is not about the Russian Federation, yet in the meantime, we understand that it is about the Russian Federation. For almost 70 years, we lived without problems regarding the Parliamentary Assembly and its powers, and suddenly, we created an ad hoc committee about the rules – not about the Russian Federation. We received hundreds of proposals to change and improve the rules. However, we said that hundreds of proposals are not important, but we will deal with a few about credentials. People say, however, "Don't worry. It is not about the Russian Federation; it is about credentials only." So we have talked about that and now we understand that it is not really about credentials.

So, what is the Russian problem really? When some journalists ask me, "Why are you expelling the Russian Federation?", I am surprised. Nobody has expelled the Russian Federation; it is a fully-fledged member State. Russian parliamentarians can participate here, but they have excluded themselves. The main problem is that if we want to take the Russian Federation back, we have to ask Moscow why they are not sending parliamentarians. It is not about changing the rules here. However, if we want to change them, that is no problem. We can do that, but will we really solve the problem? We cannot solve a political or moral problem by changing the technical rules. We can change them – we can say that a red light is not red, but amber. However, the car that violated the traffic rules violated the traffic rules. Will the Assembly vote for the report or not? I do not know, but this does not change the essence or the political or moral face of the Council of Europe.

Mr CEPEDA (*Spain*)* – What is the Council of Europe today? It came into existence 70 years ago, and it is not just a debating club. That question underscores the decision that was taken some two or three years ago following Russian intervention on the Crimean peninsula. The decision was political and we have to talk about political decisions that we take in the Parliamentary Assembly. On many occasions, we try to disguise political decisions as regulatory decisions, even though this is not true. The reality is that we are a very important Organisation, and that is felt not just here but in other places, such as the United Nations and so on. For example, a few weeks ago, the General Assembly of the United Nations invoked participation in the Human Rights Council, UNESCO, the Paris Accords on the environment and the economic decisions of the United Nations, and that reflects what happens here.

The Russian Federation is part of this Organisation and it is obviously very important that we have such countries. Some 850 million people are affected by the decisions that we take, which have much to do with the values of democracy, human rights and the rule of law. We cannot forget that, but we are taking a political decision, not a regulatory one, and we have to consider whether we are taking political decisions or not.

I thank Petra De Sutter for her work, which has been very important. However, I ask for consistency from political groups if we have a Rules Committee meeting in Paris. We cannot constantly chop and change if we want consistency in decisions. Otherwise, we risk the integrity of the Organisation as a whole, so we will not be able to talk about competences of the Committee of Ministers or the Parliamentary Assembly. The most important thing is that we are risking multilateralism, and we have to be extremely careful because our future over many years depends on what happens.

Mr ZINGERIS (*Lithuania*) – Madam President, dear friends, colleagues and Madam De Sutter, thank you for your integrity and dedicated work. I have been in this Assembly since 1993 and I remember huge debates about Russian obligations. In 1996, for days and days, the issue of Russian obligations was in front of us. We have seen that no obligations have been met, apart perhaps from that on capital punishment. For three years, there was the issue of withdrawing the 14th Guards Army from the Republic of Moldova; there was refusal in Russian politics to engage with the near abroad concept; and no assistance concerning the deportees from the gulags and Siberia. None of these points was implemented.

While we are doing this, we are under pressure in regard to 10% of the Council of Europe's budget, but we should have these discussions without any pressure. It is like having a gun at our head. All the discussions take place under pressure, as we think about money. Let us deliver the 10% of funding from other member States. That will give us a solution, without our being blackmailed.

I accept the integrity of the report and the amendments agreed today in the Rules of Procedure Committee, especially with regard to the threshold of 50%. However, the report was done under pressure and I do not accept that. Mr Secretary General, I and most of the Baltic delegation were on your side, in favour of you being Secretary General. Last week, however, it was absolutely unacceptable behaviour for your side to put pressure on us, about a 60% threshold in respect of the consultative level of our Parliamentary Assembly. We have democracy in Europe, which was threatened after the Second World War. My mother was in a concentration camp and I am from the second generation of the Holocaust. I know what it means for us to fight radicalism. It is our parliamentary duty to fight for democracy in Europe. Do not put pressure on our side.

The PRESIDENT* – Mr Zingeris, could you please remain respectful and not make any unjustified accusations that do not belong in this chamber?

Ms WASERMAN (*France*)* – I pay tribute to the work of the rapporteur and the Rules Committee. We need constantly to look at how we operate, for the sake of our long-term future. The proposal for reform comes at a decisive moment in the history of the Council of Europe. The values and principles we have defended for 70 years have never been as imperilled, and it is time for members of the Assembly to defend as never before this community of principles, values and rights.

We cannot reform rules as important as the challenging of credentials of delegations – rules that go to the heart of how we operate – under the pressure of the current crisis around the reintegration of the delegation of the Russian Federation. Yes, the Russian Federation needs to be a partner in the Council of Europe in the interests of the future of this institution, the rights and freedoms of Russian citizens and peace in Europe, but we must not, when faced with such an important decision, be dictated to by short-term considerations. We must not weaken the procedures for challenging credentials, and thereby weaken the whole Assembly, on the grounds of trying to solve the Russian crisis. We must not sacrifice our ability to act or our fundamental values on the altar of realpolitik. I understand realpolitik, but it has certain limits.

We must maintain the current rules for challenging credentials – in other words, a simple majority within the Assembly; that would strike the right balance within the text and is an amendment before us. It behoves us to shoulder our responsibilities, to strike a balance in the text and to say no, calmly but with determination, to this proposal.

Mr LOUCAIDES (*Cyprus*) – I congratulate our colleague, Ms De Sutter, on her excellent work and express our satisfaction with the compromise proposal submitted, which concerns a crucial issue that we have been discussing over the past few years. We will all agree that, whatever modifications are made to the Assembly's decision-making procedures, they must first and foremost enhance its effectiveness. In other words, these changes must not mask other political pretext or target any specific member State.

No one can deny that each organisation functions on the basis of its statute – a set of rules and principles that all member States should respect. When a breach in the functioning of an organisation is established, exhaustive, well-defined and specific sanctions should apply. We should note, however, that there is a clear distinction to be made between parliamentary assemblies such as ours and other international bodies where governments are represented. Parliamentary assemblies, by their very nature, should function on the basis of their persuasiveness and the weight and credibility of their recommendations, not on the basis of sanctions, punishments and exclusions.

When all other forums for communication and discussion are closed, the Parliamentary Assembly of the Council of Europe should remain an open forum for dialogue and communication for democratically elected representatives whose countries have been accused of or have committed repeated violations of the

principles of the Organisation. The situation can become even worse and contrary to the values of this Organisation, where a member State chooses to participate at the intergovernmental level through the Committee of Ministers, but its elected representatives, even those in opposition, are deprived of their basic rights in the Assembly.

In this case, not only is the government not held accountable for its repeated violations, but there is a possibility that our colleagues in the opposition, who are the victims of their governments and who may even be persecuted at home, will be the ones punished. That is why from the beginning the Group of the Unified European Left has judged in relation to the sanctions imposed that it would not be right to deny a national delegation its speaking and voting rights or its right to take part in the election of representatives to other organs of the Council of Europe.

Lord ANDERSON (*United Kingdom*) – The title of the report is somewhat misleading and could have mentioned our response to the Russian Federation's activities. As has been said, the Russian Federation is the elephant in the room. It is difficult to disentangle and detach the political reality of the Russian Federation from the technical changes proposed. Some say we should expel the Russian Federation, others that we should welcome its unconditional return. I favour conditionality, as in the report, but obviously the whole issue bristles with both political and legal questions. I hope we all agree that the Russian Federation's conduct is open to severe criticism and that there must be a line beyond which a member State cannot go without inviting sanctions on substantive grounds.

We cannot ignore the litany of reprehensible conduct on the part of the Russian Federation, including the Salisbury poisoning by GRU members posing as tourists; the hacking attempts recently in the Netherlands; the invasion of member States – Georgia and Ukraine; the interference in democratic elections; cyber-warfare; the threatening of the Baltic states; and now its threat to withdraw funds. In response, do we just roll over and accept its blackmail?

I have read the legal analysis, and I take issue with it on many grounds and question its origin. As a lawyer, I wish that there was a contrary legal opinion. Fundamental to that analysis is the relationship between the Council of Ministers and the Assembly. In the past – and indeed in statute – we were called a consultative and advisory Assembly; that was changed in practice in the 1970s, but it has not changed according to the report. We clearly need to be a Parliamentary Assembly responsible for our own procedures, including the sanctions imposed.

How then do we respond to the Russian problem? It is clearly now a debate about rules, but I accept that there is a compromise – perhaps it is an acceptable compromise in the circumstances. With a number of reservations, I personally am prepared to accept that compromise and will vote for it.

Mr SEYIDOV (*Azerbaijan*) – When politicians cannot agree, they usually refer to rules and procedures, which is exactly what has happened here. I am grateful to Ms De Sutter and the Rules Committee for assuming this very difficult – it is especially difficult given the current situation – responsibility. Their report provides an opportunity to think more deeply about where we are now and what direction we should go in and makes some very good and healthy compromise suggestions, but can we secure ourselves only by rules? I think not.

The problem facing the Parliamentary Assembly of the Council of Europe is a crisis of values and new challenges. The world has changed and faces many difficulties. From my point of view, immediately after this report we should change the composition of the committees and create a new committee, instead of or together with the Monitoring Committee. It should be a committee for reconciliation between member States within the Council of Europe, because we are suffering from each other, not from the rest of the world. We are under the occupation of Armenia; Ukraine has its own problems, as do the Republic of Moldova, Georgia and the Russian Federation. We should come to the conclusion that we should change our major value, tolerance, which means, "I hate you but I am also happy with you." Instead of tolerance, we should bring to this Assembly respect – respect for our culture, for our internationally recognised bodies, for all 47 member States and for this Assembly that gave us an opportunity to discuss everything with everybody and to advise our governments.

Ms SMITH (*United Kingdom*) – I welcome the opportunity to debate the matters considered in this report. I congratulate the Rules Committee and its chair, Petra De Sutter, for the rigorous approach taken to this matter. As a parliamentarian, I firmly stand behind the three principal aims enshrined in Article 3 of the Statute of the Council of Europe, namely the rule of law, individual freedom and political liberty.

An important aspect of maintaining those principles is the verification of the credentials of delegations. This mechanism provides a crucial check that enables the Assembly to preserve its political and moral integrity. The right of the Assembly to scrutinise delegations' credentials effectively has been questioned. I must say that the legal note I refer to has complicated things more than a little. For me, this development illustrates entirely why we need to think more carefully before voting on recommendations that would make it easier to allow transgressor member States to escape censure by the Assembly.

As we know, it is the Committee of Ministers that possesses the power, in Article 8 of the Statute, to entirely suspend a member State. That right has never been deployed, despite serious transgressions of key principles by member States in the recent past, but as I have said before, this report as it stands compromises too heavily in favour of allowing transgressor States to stay within the Assembly without fear of sanction.

Yesterday, in the Joint Committee of ambassadors and Bureau members, the Russian deputy Ambassador said that if this report does not go through, there will be consequences for the Council of Europe. I will not be bullied. As a parliamentarian, I will not be bullied for making the decision today that I think is right. We will not be bullied; we should not be bullied. The integrity of this Assembly is the most important aspect of what we are discussing today. If we want transgressor States such as the Russian Federation in the tent that is fair enough, but I ask members of this plenary to think carefully: if the transgressor State is in the tent, will it make any difference to the behaviour of that State? In the case of the Russian Federation, I think not. The Russian Federation is not open to dialogue, to collaboration or to building bridges. It wants to divide; it wants to disrupt. On that basis, I ask members of this plenary to think carefully before voting for this report.

The PRESIDENT* – I remind colleagues that the ballot for election of two judges to the European Court of Human Rights is going on behind the President's chair. You have until 1 p.m.

Mr ARIEV (*Ukraine*) – What is the name of this report? It is “Strengthening the decision-making process of the Parliamentary Assembly”, but have the proposals really made the process stronger and more reliable for the Assembly? Let us speak frankly: the Russian Federation, not the matter of strengthening, is behind this whole topic. That has just been confirmed on Twitter by a spokesperson of the Council of Europe, who clearly said that it is a matter of “The Russian Federation's voting rights”, so now we have to understand the real situation here in the hemicycle.

I remind you of the process that we went through last year. The Ad Hoc Committee collected many proposals for the better functioning of the Assembly, but now we are speaking about only three things, which are in full compliance with the demands of the Russian Federation. The Russian Federation not leaving the Council of Europe – look at that. The Russian Federation left the Assembly as a protest at the limiting of its rights, but it was very fair. Have you seen what is going on in Ukraine? Our country is suffering every day and losing people every day. Have you seen what is going on in Syria, the attacks in Salisbury and the meddling in elections? There are many things we have to speak about, but the Russians deprived themselves voluntarily of the opportunity to speak to us. They need to have a radio mode; they deliver their conditions to us, and now we are thinking about whether to accept them instead of speaking about how to compel the Russian Federation to comply with the Council of Europe's requirements. That is a strange situation.

I hope that we will stand first on the principles. The question is not principles or money. If we lose principles, we will lose the money. If we avoid war and shame, finally we will have both things. The Russian style of conduct has proved many times over the past four years that the only way to stop aggressors is to be very firm. If the Russian Federation is really trying to undermine the Council of Europe and the Assembly from outside, can you imagine what could happen inside if we met their requirements? Be very careful with the things we are discussing here. If you feel your country is safe, please look at Ukraine; we were safe before 2014, when we changed our way. Please keep your way, and you will be stronger.

Mr HUSEYNOV (*Azerbaijan*) – Principality and determination are the most important qualities that give additional power to any international organisation. A number of open debates and reports prepared by the Parliamentary Assembly in recent years are the outcome of such principality, irreconcilability with shortcomings and determination. Sometimes a hesitation to publicise some negative developments emerges, as they damage the reputation of the Organisation. Nevertheless, it is a praiseworthy indicator that the Parliamentary Assembly finds itself resolute to bring the corruption cases within the Organisation to open debate, rather than keeping them behind closed doors.

The fact that the Assembly is raising the issue of separate decision-making and non-objectivity in the conduct of voting as a problem, and is not afraid of harsh accusations that might be heard during the debate, should be welcomed. Of course, if you have an illness, you must endure pain to heal. In fact, there should not be room for such discussions, as the Parliamentary Assembly of the Council of Europe is a place where such complications should not find their way. The most distinguished people from the parliaments of 47 countries have gathered here. If this parliament of parliaments faces such a pitiful situation, then instead of fighting the consequences, we should find out the true reasons and eradicate them. Otherwise, there will still be groupings, the distortion of voting will continue and the adoption of unfair decisions will not end.

The main virus that infects all other diseases in the Parliamentary Assembly is discrimination – that is, a different approach to similar events in different countries. If two member States violate the law and the charter of the Organisation and are consequently found guilty, but only one of them has a heavy punishment imposed while the other remains as if nothing has happened, we are already in the position of the defeated. That approach would never generate the sincere impression that we have been attempting to get rid of any other defects, and no matter how many reports you prepare and how many harsh demands you put forward, the result we desire will not be achieved.

The main thing is that the Assembly should abandon this attitude, approach and way of thinking. Only in that case can the Parliamentary Assembly of the Council of Europe turn into a true family – not a family divided into step-relations and native members, but a healthy one that considers everybody with the same eyes. If we can achieve that, no unfair decisions will be taken, no fraudulent voting will take place and no problems that worry us will emerge in the Assembly.

Mr WILSON (*United Kingdom*) – I congratulate the rapporteur on what I think is a well-considered report. I do not necessarily agree with all of it, but I know a great deal of work has gone into it.

I make an appeal to everybody in the room today. The fundamental point for me is the following. If we have a member State that is prepared to use chemical weapons on a street in a small city in the United Kingdom; to disrupt the work of the Organisation for the Prohibition of Chemical Weapons, which is based in the territory of another member State of the Council of Europe; to invade the sovereign territory of not just one other nation but two; to interfere in the democratic process of member States through cyber-attacks and in other ways – there are big questions about whether they interfered in the Brexit referendum in my country; and to continuously threaten the States in the Baltic, we should not be making it harder to challenge the credentials of that member State. It needs to be held to account and we should not let the transgressor get away with the transgression.

We need to ensure that we stand by the principles of the rule of law, human rights and democracy that we have nurtured for decades in this Assembly. We should not let them be abused. In my view, we should not stand by and let our values be devalued. They are not for sale. When we vote later today on this report, we should stand by those principles, have them to the forefront of our minds and vote accordingly.

Mr NÉMETH (*Hungary*) – As the head of the Hungarian delegation, I congratulate the rapporteur. She has done a really good job that is a good example of process. There has been two years' work to try to overcome the very serious institutional and political crises of the Council of Europe, and I believe that work opens a very narrow window. As we have heard, the Council of Europe and the European People's Party seem to be divided. To be divided is not good, and in this Chamber we all feel that. However, deep division can be a route to a good compromise. I believe that the deep divisions can create mutual empathy among us, as we understand the position of the other side a little better.

Solving an institutional crisis is not possible without a political process that addresses the root causes of the crisis. On its own, the report has no fundamental problem but, in my view, it is in legal conflict with the analysis of the Directorate of Legal Advice of the Council of Europe. The real problem, however, is that I do not see the political process. What will the political message of our vote today be? We all know that the Minsk agreement has been disregarded. The Russian Federation still occupies Ukraine and territory in Georgia and the Republic of Moldova. Ukraine also has serious problems concerning the rule of law in its own territory. What is the conclusion to this very complex situation? I believe that our action should be guided by the principle of solidarity with nations under threat or perceived threat. Whether the report is adopted or rejected, it is that principle that should guide the actions of the Council of Europe.

Ms FATALIYEVA (*Azerbaijan*) – We are on the brink of putting a big cross over the 70 years of the activities of the Parliamentary Assembly of the Council of Europe. We should feel as if we are playing a computer game, when at the end we fail and it says “game over”. It is not enough that we adopt resolutions and make decisions that are not implemented. It is not enough that we sit together with occupants for

decades and do not urge them to fulfil their obligations and stop their occupational policies, such as in the case of Nagorno-Karabakh, when Armenia does not implement the resolution of the Parliamentary Assembly of the Council of Europe that was adopted back in 2005 and is not sanctioned for it. Equal treatment and equal terms of co-operation for member States, not a selective approach, is what we need today.

It is not surprising that we are facing a crisis. It happens because we make decisions that do not reference either the interests of member States or the peoples, but the interests of certain people. Are we becoming a scientific research centre that simply poses a problem, researches it and then suggests ways out of it, but does not influence any processes and does not make any decisions? Recently, we are casting away the values of 70 years – values that our predecessors fought for and dedicated their lives to. We should keep in mind that fundamental freedoms and human rights cannot be the subject of research. Such issues need real actions and real decisions to be taken. We need to be firmer and stricter in the decision-making processes, and in raising the authority of the Parliamentary Assembly of the Council of Europe, while not contributing to losing that authority. We have to enhance our position and strengthen our efforts to establish dialogue between member States and to try to solve problems, rather than isolating and ignoring them. The Parliamentary Assembly of the Council of Europe is an Organisation where co-operation, mutual understanding and mutual respect have always been the best solution.

Ms MIKKO (*Estonia*) – The main priority of the Parliamentary Assembly of the Council of Europe is to defend the fundamental rights of the member States – human rights, rule of law and democracy. When it comes to powers and rights of representation and participation of the national delegations, there are several challenges ahead of us.

It is crucial that we have a universal framework of rules for all member States. It is necessary to create equal conditions to ensure better monitoring of member States' obligations, including those outlined in conventions. Therefore, we need to maintain the current system of examining the credentials of national delegations on substantive grounds. As stated in the draft resolution, the Assembly's Rules of Procedure should not be changed "in an attempt to resolve a purely political problem." A simple revision of the rules is justified when it aims to give the Assembly more power and strength to maintain the necessary values of democracy, the rule of law and human rights.

As we know, the Assembly decided to suspend the voting rights of the delegation from the Russian Federation because of the annexation of Crimea and part of the eastern part of Ukraine, as well as the abuse of human rights. The situation in Ukraine remains extremely worrying and proves the need for us to be even more united and firm in our common goals and rules. Together we have to find a solution to resolve this important matter in the best way possible. As long as Ukraine continues to suffer attacks, there can be no return to business as usual in our relations with the Russian Federation. Therefore, we need to be fully committed to our task of protecting the stability of this Organisation and maintain its proper function based on our agreed rules.

The Estonian delegation believes that the Parliamentary Assembly of the Council of Europe is a house of democracy that is open to those who share our common values and principles, and who respect and follow the rules of this Organisation. That being said, it is crucial that the Parliamentary Assembly of the Council of Europe retains its current mechanism of oversight, together with the option to dispute the credentials of any member State.

Mr ZAVOLI (*San Marino*)* – I thank Ms De Sutter, the rapporteur, for her work. Against the backdrop of a very sensitive moment for the resilience of the principal tenets on which the Council of Europe is based, it is undeniable that the Parliamentary Assembly needs to be strengthened. The report is certainly a step in the right direction. It provides in-depth clarification that leading figures of the Organisation cannot deprive a delegation of voting rights.

I agree with Ms De Sutter's statement: "Revising rules and procedures is justified only where it helps to make the Assembly more robust in order to better uphold the fundamental values of democracy, the rule of law and human rights." I am perplexed, however, by the proposal that the credentials of a national delegation may be challenged only if "at least one sixth of the members of the Assembly... belonging to at least five national delegations" do so. That seems too low a number vis-à-vis the total number of national delegations. The limits of the parameters defined in the Rules of Procedure could therefore be manipulated in such a way that distorts our work, so I seek clarification on that issue.

I am convinced and maintain that the Parliamentary Assembly should not become a place for manipulative political struggles. Our Rules of Procedure should not be misused for the settling of scores between different factions – that cannot and must not be allowed. We are discussing not just the Rules of

Procedure in relation to one State or another, but the future of the Organisation and, above all, that of its citizens, whom it protects. It does not benefit anyone to discredit the Organisation's officials and to accuse legal experts of being partial. We must promote dialogue, both among the statutory organs and among parties.

In drawing to a close, I underscore the need to expand the options for reconsidering the credentials of national delegations, to better guarantee and defend the values and fundamental principles of the Council of Europe, and to respect obligations entered into according to statutes. We also need to guarantee that challenges are made not for ulterior motives but on objective grounds.

(Mr Jonas Gunnarsson, Vice-President of the Assembly, took the Chair in place of the President.)

Mr GOLUB (*Ukraine*)* – Certain delegations to the Assembly wish to modify our rules. I have a logical question: is the need to modify the rules really a pressing matter? Do members support such a modification, and are they convinced that without it the Assembly's further activities would be ineffective? The answer is univocal: there is no pressing need to modify the rules. Such a change would augur well only for those countries that neither know nor want to respect the norms of international rights and the fundamental values of Western democracy.

The Russian Federation wants this modification because it would complicate or render impossible the application of sanctions against it. In analysing the probability of the Russian Federation's return to the Parliamentary Assembly, let us try to provide an honest response to this question. How can we advocate the return of a country that has breached norms of international law and annexed part of the territory of the sovereign State of Ukraine – my country – and that refuses to conform to the decisions of the European Court of Human Rights and is blackmailing the Council of Europe by refusing to pay its annual contribution? It is a country whose policy centres on the right of the strongest, thereby flying in the face of democracy and respect for the principle of rule of law.

I thank our Lithuanian friends. On 28 September, the Seimas adopted a resolution asking the Assembly not to renew the credentials of the Russian delegation. The opinion of our Lithuanian colleagues cannot be refuted. The return of the Russian Federation would create a great crisis in the authority of the Assembly. Furthermore, it would give rise to a logical question concerning the future effectiveness of the Parliamentary Assembly as a bastion of democracy and a defender of rights and freedoms throughout Europe.

Let us compare the activities of the Parliamentary Assembly with those at the United Nations, whose recent session was marked by a series of declarations by different member countries on the need to reform the Security Council of the United Nations. The right to veto held by certain permanent members of the Security Council of the United Nations makes it impossible to take effective and useful decisions that would guarantee the maintenance of countries around the world. Modifying the rules of the Parliamentary Assembly could create a similar situation whereby all decisions would be declaratory rather than feasible.

Let us not forget that European fraternity is possible only when we respect democracy, freedoms and rights, and when we do not give in to blackmail or close our eyes to aggression.

Ms ÆVARSDÓTTIR (*Iceland*) – First, I thank the rapporteur, Ms De Sutter, for her excellent work on the report. For the Rules Committee to reach a consensus on these important issues is no small feat. I compliment Ms De Sutter on her diplomacy, diligence and tactfulness in crafting the report.

It is, therefore, regrettable that two political groups have decided to reject the decisions made, despite the fact that they were represented on the Rules Committee. I hope that they will change their mind, just as they did after the committee finalised its report.

Our Organisation stands at a crossroads. On the one hand, our right to challenge credentials on substantive grounds is being questioned by our Committee of Ministers and by our own legal adviser. On the other hand, we are debating whether amendments to the Rules of Procedure regarding retaining our rights constitute a capitulation to the Russian Federation. By adopting this report, we will confirm our competence to challenge credentials on substantive grounds while removing any excuse that the Russian Federation can cling to for rejecting our rapporteurs and officials within its territory. It will also put the responsibility for the conflict between the Parliamentary Assembly and the Russian Federation squarely on the shoulders of the latter.

We are better off with the Russian Federation in the Council of Europe. Russian citizens are far better off with the Russian Federation within the Council of Europe. However, I understand those who feel that the Russian Federation's crimes are too great to forgive. To those esteemed colleagues, I say that there is a procedure for inviting the Russian Federation to leave the Council of Europe. For those who think it is time for us to part ways with the Russian Federation, that approach would be a more appropriate and honest way of discussing frankly and openly in both organs – the Committee of Ministers and the Parliamentary Assembly – whether the Russian Federation belongs in the Council of Europe at all. That would create a much more balanced discussion that would put the entire onus for the future conversation not squarely on our shoulders, but on all those who care about the conversation, whether that is the Committee of Ministers, the Russian Federation or the Parliamentary Assembly. I urge colleagues to choose that way, rather than challenging our right to decide our own rules within the Assembly.

With this report, we are deciding our own rules. We are amending our rules of procedure and retaining our right to challenge credentials on substantive grounds. Consequently, I urge colleagues to approve the report so that we can move on from this conversation and start doing what we are really here for, which is protecting democracy, human rights and the rule of law.

Ms TRISSE (*France*)* – Colleagues, the discussion we are having today might seem rather technical. Some might even think it is navel-gazing, but it is vital, because the result of the vote today will determine the future face of the Parliamentary Assembly and the whole Council of Europe. We must recognise that as we approach our 70th anniversary, some individual attitudes are being profoundly questioned. We can also see significant divisions emerging that go beyond human rights. In that context, a previous President of our Assembly had the idea of starting to think about where we are in the 21st century. You might think that would only lead to disagreement, but that was far from the case. We actually had a rich, productive and truly ambitious discussion about the Council of Europe and its future. The work that was done allowed the Rules Committee to propose the changes before us today.

I thank Ms De Sutter for this high-quality and well-balanced report. I support the changes because they bring together and streamline the procedures for challenging unratified credentials and reconsidering ratified credentials from national delegations on substantive grounds. The changes also enhance the legitimacy and scope of the ways in which members can express their views on a request for challenging credentials or reconsidering national delegation credentials.

Aligning quorum requirements and voting requirements makes good sense. As well as that, excluding elections for the Secretary General, the Commissioner for Human Rights and judges to the Court from applicable sanctions makes it possible to strengthen the DNA of the Council of Europe vis-à-vis its members. We believe that this is a key moment for the Council of Europe and its future. We are not here to reflect national interests, but to reflect the much broader and more serious interests of the 820 million people who form Greater Europe. I urge colleagues to support the regulatory changes.

Mr SIMMS (*Canada, Observer*) – We always put ourselves in a somewhat awkward situation as observers. I will stand here and talk about an issue, yet I do not have a right to vote. I am not asking for the right to vote; I am just thanking you for allowing us the honour of standing here and talking about this particular issue.

Being an observer, I would like to start with an observation. I am not a very tall man. I have never been a tall man. Even as a child, I was always the smallest child in the room. When I used to go to the amusement park, I always hated the sign that said, "You have to be this high to get on the ride." I used to think it was an absolute fundamental wrong against my human rights to not be able to enjoy the ride, and I was very disgusted by it. As time went on, I realised that it was probably for the good of my own safety that the sign and rule remained in place. I only bring up that story because in voting for the report – I thank the rapporteur for a fine report – let us not make it something that is about the elephant in the room or tinkering; let us make it a fundamental change to this institution that we value so dearly.

As Canadians, we have the same values. I will give an example. In the early 1960s, Canada passed the Bill of Rights. It is a fantastic piece of legislation, but it could be changed within the legislature. In 1982, we patriated the constitution, which made those rights part of a charter that was much harder to change. We did that because we did not want to tinker with the rules we live by: democracy, human rights and the rule of law. Those are the values here.

I have been coming here since 2005. I have seen many debates and wars waged verbally in this Chamber. I have seen Armenia and Azerbaijan, and the Russian Federation and Ukraine. I have seen the

Russian Federation and Georgia nearly tear this place apart, but fundamentally it was a discussion that was dear to our hearts. Even I learned from that experience, and I hope we all did.

Does the Russian Federation deserve to be here? Yes, it does. It should be here, but the aggressions that took place in the past must be addressed. I will quote Mr Kox, who said earlier that this place is a breeding ground for positivity, not a battleground for political differences. Let us hope that the rules you may vote for will address that. I believe that this institution is vital for that purpose. If the problem is only about the Russian Federation, address it with the Russian Federation. If we are looking at how the institution is governed in the future, that is the way we should go.

The PRESIDENT – Thank you, Mr Simms. Ms Pantić Pilja is not here, so I call Ms Christoffersen.

Ms CHRISTOFFERSEN (*Norway*) – In every organisation, rules and procedures are important not in themselves, but as a means of fulfilling the organisation's purpose. The aim of every organ of the Council of Europe is to protect human rights, democracy and the rule of law all the way down to the individual level. All member States have voluntarily and unconditionally entered into an obligation to honour those basic rights. Unfortunately, those obligations are not always honoured in every member country, so we need rules to guarantee that our principles and values are respected by all member States. Among those rules are ones concerning credentials and voting procedures.

Today we have before us a number of proposals to strengthen certain provisions of our rules and procedures. They are the result of a thorough process over a long period of time that involved every national delegation. We might not agree on every detail, but the proposals can be seen as a good compromise between different views. As such, they should be adopted. It is time to move on. In doing so, we should bear in mind that our President said at the opening of our part-session yesterday that we should deal with rules and participation as two separate issues, with rules applying to all countries in all situations. In other words, changing rules to solve a specific political problem is not a good idea, nor are tactical manoeuvres to promote hidden agendas.

One part of the discussion is the need to harmonise the rules and improve co-operation between the Committee of Ministers and the Parliamentary Assembly, not in order to challenge each other's competencies, but to make the Council of Europe more efficient in protecting human rights. We should never lose sight of that; it is why we are here.

Before us, we also have the legal analysis from the Council of Europe's own directorate of legal advice, prepared by our best experts. They have raised the issue about the range of the Assembly's competence and concluded that it is limited to procedural matters. Nevertheless, we should adopt both the draft resolution and the draft recommendation as put forward in Petra De Sutter's report, as the basis for a continued and fruitful dialogue between our two organs to best protect human rights in all our member States, which is something we should not forget.

Ms SOTNYK (*Ukraine*) – I am a lawyer, but I will not make a legal speech or analyse the so-called legal opinion proposed by the Secretary General; it is not legal at all. I will share my feelings with you. First and most importantly, we as parliamentarians and representatives of our citizens have forgotten the meaning of this Organisation. In building a system to protect human rights and declaring to our citizens that we strengthen and maintain that in the Parliamentary Assembly, we forgot that we have no right to compromise those principles. Colleagues, we forgot that this Organisation is not for us parliamentarians; it is for people suffering in grey zones and occupied territories and seeking justice in many member States. Please do not lie to yourself that you are taking the decision to bring the Russians back because you want to give Russian citizens the opportunity to go to the European Court of Human Rights. It is not true, because there is a special law that totally ignores its judgments, so citizens will not receive any benefit from such a decision. I have a feeling that something similar went on in the 1940s. Europe started to trade principles and standards, and then we had bloody war.

Today, Council of Europe spokesman Daniel Holtgen publicly declared that the Parliamentary Assembly "has just rejected a last-minute motion to postpone a decision on sanctions and the Russian Federation's voting rights. Today's debate with 70 speakers is on". Whatever arguments you are going to find, all the world knows that you are voting to bring back the Russians and to lift sanctions, totally ignoring that it is still an aggressor that undermines all our rules, procedures and principles.

I have a feeling that we are looking for simple solutions. I understand that you are all tired, but we have been infected with the temptation to avoid reality. Ladies and gentlemen, there are no simple solutions, because we have a cruel and aggressive competitor. If the Russian Federation joins our Organisation,

it goes against all our principles and standards. It should either respect them or recognise that it is not ready to be in a democratic family. Money or trust, money or values, money or the future of this Organisation – that is what you are going to vote on, and I urge you to vote against the report.

Mr HUNKO (*Germany*)* – I thank the rapporteur. The report, resolution and recommendation are a sound compromise. On one hand, we have the legal opinion, which excludes the denial or withdrawal of credentials on political grounds. On the other hand, there are a number of motions that make it too simple to challenge credentials and to withdraw voting rights. That is the crux of the two arguments. The question is on whether we afford the European Convention on Human Rights and the whole system, including the Court, to 830 million people, including refugees in Europe. The Court is under pressure from many sides. Constitutional misgivings are expressed by the supreme courts of many countries and the European Union is still hesitant on acceding to it. Time and again, countries such as the Russian Federation try to curb the rights of the Court, but we should defend the system.

In the long term is it conceivable that one national delegation, regardless of which, should not have the right to vote with the rest of us? No, so it is right that voting rights on election of judges and others, including the President of this Chamber, be excluded. We can withdraw credentials with a simple majority at the moment, but we can amend our agenda only with the votes of two thirds of this Chamber. That is not very coherent, so the resolution offers a good compromise. If it is accepted as it stands, it will also be difficult for the Russian delegation to decide whether it wishes to return.

(Ms Maury Pasquier, President of the Assembly, took the Chair in place of Mr Jonas Gunnarsson.)

Mr GONCHARENKO (*Ukraine*) – Dear colleagues, let us be honest. Despite all the words, the report is about the Russian Federation, and its aim is to give in to the blackmail from the Russian Federation and to make possible the unconditional return of its delegation to the Parliamentary Assembly of the Council of Europe. The supporters of that plan do not like to call it surrender; they prefer “dialogue” and “compromise”. Correct me if I am wrong: compromise is when two sides change their positions to make them closer. How has the Russian Federation changed its position? It has not. What resolution of the Parliamentary Assembly of the Council of Europe, adopted together in this Chamber, is fulfilled by the Russian Federation? There is none, so let us not call it compromise.

Let us speak about the rules. Mr Jagland, if you open the doors of the Council of Europe to the unconditional return of the Russian Federation, please do not forget to disinfect the door handles; they can be dangerous. We should all be prepared for dialogue with the Russian representatives. I have prepared by wearing gloves to protect myself against chemicals; we will all need them if we want to shake their hands or touch the door handles, or it might mean our lives. The new rules should be: do not use the wi-fi network here because it can be hacked; do not fly to the Russian Federation in a big delegation of high officials because you might never return; and do not fly in the range of the Russian Federation’s Buk land-to-air missiles because it can be dangerous.

Members might think I am exaggerating. Well, ask the relatives of the victims on Boeing flight MH17. Ask the thousands of people across the world who are fighting Russian cyber-attacks today in the Netherlands, Latvia, Switzerland, the United States and other countries. Ask the relatives of the more than 10 000 people who have been killed in Ukraine during the Russian aggression. Ask the millions of refugees from Syria, Georgia and Ukraine. Do not ask for whom the bell tolls; it tolls for you.

The PRESIDENT* – Mr Goncharenko, this is not a theatre. We do not need any disguises in the Chamber.

Mr JAGLAND (*Secretary General of the Council of Europe*) – Mr Goncharenko directed his speech at me as if I wanted to get the Russian Federation back to this Assembly. Several other members also said that I asked for this legal opinion. The background is that the President of the Parliamentary Assembly invited the Committee of Ministers to the Joint Committee that took place before the summer. The Committee of Ministers then started to think about it. The Chair of the Committee of Ministers wanted to be on legal safe ground and therefore asked for this legal analysis. At the meeting he asked whether I would join his request, to which I responded positively. That is how the legal analysis came about.

Somebody said to me in the following days, “You should not make this public. You shouldn’t give it to the ambassadors. You shouldn’t give it to the Parliamentary Assembly.” I declined. I was a parliamentarian for 16 years, and I was the head of the Norwegian Parliament. I could never agree to hold back information from the Parliamentary Assembly, as I know where holding back important information from the Assembly

and from the Committee of Ministers would lead. That is why this legal analysis came about. It was not my personal initiative.

I am not interfering in the debate, but the report before the Chamber today is very important. I have held my opinion on this for a long time, as many members know. I hold my opinion because I can read the law. We cannot deprive members of this Assembly of their right to vote for justices of the European Court of Human Rights, for the Commissioner for Human Rights and for the Deputy Secretary General and the Secretary General. I am glad that has been said, because otherwise we would continue in a helpless situation in which a member State cannot exercise its rights in the Committee of Ministers and is not contributing to the budget, which is totally unacceptable. It would harm the whole Organisation if that situation were to continue for a long time. This proposal is important.

Sir Roger GALE (*United Kingdom*) – On a point of order.

Mr JAGLAND – That is up to the President.

The PRESIDENT* – Sir Roger, I will give you the floor for a point of order, but perhaps you will allow the Secretary General to continue.

Sir Roger GALE (*United Kingdom*) – On a point of order.

The PRESIDENT – Sir Roger, we will hear your point of order, but let the Secretary General finish. It is a question of respect.

(The speaker continued in French.)

The Secretary General has the right to address the Assembly at a moment of his choosing and for as long as he chooses. That is one of our rules, and we need to respect it. I will then give the floor to Sir Roger Gale.

Mr JAGLAND – Thank you very much. What Ms Ævarsdóttir said is important. We have in our hands the strongest tool possible, and it has not been applied – namely, to launch a process against a member State under Articles 7 and 8.

I happened to be a member of the board of the Norwegian solidarity committee for Greece after the military coup, and the committee's main purpose was to put pressure on the Norwegian Government to make a complaint against Greece because there were a huge number of human rights violations after the military coup. The Norwegian Government made the complaint, Greece lost in the court and the Parliamentary Assembly recommended that the Committee of Ministers act against Greece under Article 7 of the Statute. Greece then withdrew from the Council of Europe under Article 8.

We have a very strong tool, and nobody on the Committee of Ministers or in this hall has ever used it. The Council of Europe can be strong if it wants to be.

The PRESIDENT* – I call Sir Roger Gale on a point of order.

Sir Roger GALE (*United Kingdom*) – It is a little late in the day now. I regard that speech as a gross abuse of the process of the Chamber. The Secretary General said he is not seeking to influence the debate, and he has done precisely that. His remarks were disingenuous. I had intended to support Ms De Sutter's report this evening, but I now withdraw that support. That is the effect of what the Secretary General has said.

The PRESIDENT* – That is not really a point of order. We will therefore continue our debate with as much serenity as possible. I repeat what I have said at previous sittings. I was informed of a request for a legal opinion during a meeting with the Committee of Ministers at the end of the last part-session in June. I was informed of the request by the Secretary General and the Chairman of the Committee of Ministers. I remind members that we are discussing not the legal analysis but the report of the Rules Committee, on which we will vote shortly.

Mr MASIULIS (*Lithuania*)* – There is no doubt that we are not discussing a change to the rules; we are discussing our position on the Russian Federation. The Russian Federation is acting like a criminal, trampling human rights underfoot, and is violating commitments to which it has signed up. It has annexed parts of the Republic of Moldova and Georgia, then the Crimea, Luhansk and Donetsk. It is said that there is

no conflict between the Russian Federation and Ukraine, but the Russian Federation is acting with pure aggression in Ukraine. Chemical weapons are prohibited, but the Russian Federation used them in Salisbury – it previously used polonium in London. It hacks every country, but particularly neighbouring ones. It tries to interfere with elections in other countries even as far afield as the United States, and has no free media.

What should we do? Is our only response to the Russian Federation to tweak one or two Rules of Procedure? We need to strengthen our position and should consider excluding the Russian Federation. The criminals in the Russian Federation are doing all they can to violate human rights, and we are doing all we can to get them back into the Council of Europe. Does that consolidate or strengthen our position? It does not. We are just creating problems for ourselves. It would be like inviting Saddam Hussein here. I am sorry, but I just do not like what we are proposing.

Mr SOBOLEV (*Ukraine*) – I totally agree with Ms De Sutter on how Members of Parliament cannot be responsible for the actions of their governments, even criminal actions, but this is not about the Russian Federation. The State Duma voted in 2014 for the aggression of the Russian Federation against Ukraine. The Russian Federation has had total agreement for the past 20 years. The only person who voted against is in hiding from the Russian Federation.

Compromise itself can work, but after our April 2014 resolution, the Russian Federation adopted a new law so that, if somebody announces that Crimea is Ukrainian territory according to the Council of Europe or the United Nations, they will receive years in jail. That was the Russian Federation's answer to our resolution. People say that the 100 million or 120 million citizens of the Russian Federation should be able to go to the European Court of Human Rights but, according to the law adopted two and a half years ago by the Russian State Duma, the final decision belongs to the Constitutional Court of the Russian Federation.

I want to protect my relatives in the Russian Federation, but how can I do it? Most importantly, we await compromise from the Russian Federation. Salisbury, cyber-attacks and influencing elections all over Europe, and even in the United States, is not compromise. You should vote against the resolution so that you are not in my situation – in the Ukrainian Parliament 18 years ago, I voted for the ratification of a friendship agreement with the Russian Federation. Stop this. Do not vote for the resolution.

Ms ANTTILA (*Finland*) – I thank the rapporteur Ms Petra De Sutter for a well-prepared and timely report on the challenges facing the Council of Europe. I am very pleased that we can have an open and constructive dialogue on this critical issue.

I truly believe that the aim of the Parliamentary Assembly is to work as a platform for discussions of common concerns. It is possible that this process will achieve greater unity between member States, but before we can achieve common ground, we need to examine the different concepts and ideas that different member States represent. In that respect, we have come to a crossroads. Some say that they would like the Council of Europe to be a platform of unity. Others say there is a strong need to find and maintain a dialogue with countries that have challenged the principles of the Council of Europe. I am from a small country that has witnessed war. Dialogue and diplomacy has become the cornerstone of our foreign politics. We understand that breaking international rules comes with consequences, and we do not believe in isolation.

I believe that the purpose of the Council of Europe is not only to safeguard ideals and principles that are a common heritage of member States, but to equip societies that face challenges in the field of democracy, human rights and the rule of law. That aim should be pursued through the organs of our Organisation, and we should engage all member States. In my view, we cannot afford to let member States fall further behind the European framework and values only to find new allies from the outside.

I agree with the rapporteur that questioning the Assembly's decision-making machinery is legitimate – we should ask ourselves whether the Assembly's procedures are appropriate to the goals it has set itself. I also agree with the rapporteur that the numerous contributions submitted by parliamentary delegations and political groups are warmly welcome, as are the debates within the framework of the Ad Hoc Committee on the Role and Mission of the Parliamentary Assembly set up by the Bureau in December 2017.

Mr NISSINEN (*Sweden*) – Ms De Sutter's thoughtful report on Assembly credentials and voting cuts to the quick of the Council of Europe's mission, and even more to the mission of this Assembly. There are two takes on the situation. One school of thought, which is perhaps prominent among those who regard the Council of Europe as essentially inter-governmental, holds that the Assembly should consider credentials only on formal grounds and leave the wider aspects of the conduct of the States concerned to the Committee of Ministers, which represents the Council's supreme authority. If we call this first doctrine the minimalist

position, we might call Ms De Sutter's approach the holistic viewpoint, since it tends to look at the actions of our member States in a wider perspective. Here I would be wholly on the side of Ms De Sutter.

This Assembly has been here since the Council's foundation in 1949 as one of its two statutory organs, together with the Committee of Ministers – a rare occurrence among the world's international organisations, which normally have no inter-parliamentary body. Add to this our Assembly's vast experience over nearly 70 years. During the whole of the so-called Cold War, for instance, our Assembly, then restricted to western Europe, had a very active committee called the committee on relations with European non-member countries. That now-defunct committee is still today fondly remembered by many elderly central and eastern European statesmen and women thanks to its role in overcoming the Cold War. I have not even mentioned the great expertise gained over decades by our political, legal, monitoring and other Assembly committees in making sure that the actions of our member States are rightful.

One word of caution, however: there is much false information adrift out there in cyber-space regarding the reality in our member States. Let us therefore be circumspect in the conclusions we draw. Different countries may choose different paths towards a better democracy for many reasons. As long as these roads are compatible with our values, the member States in question must be free to pursue them without undue sanction on our part. I am going to vote no to the draft resolution.

Ms SCHOU (*Norway*) – I thank the rapporteur, Ms De Sutter. This draft resolution is important for the future of our Assembly. It is the first concrete result of the work of the Ad Hoc Committee and I will support it. The draft resolution is well balanced. It gives us an opportunity to move forward with the difficult challenges we have had to deal with for a long time now. It does not address all the challenges we are facing, but it reflects well the results we have achieved so far. I will not support any of the proposed amendments as I consider that they all, in one way or another, will only add to the disunity we currently experience in the Assembly. This being said, I regret that the resolution does not address the overarching question of whether the Parliamentary Assembly of the Council of Europe and the Council of Europe should use sanctions at all. Furthermore, since that question is not addressed, I would have preferred a reflection on the criteria for challenging credentials. A clearer description of the criteria for challenging credentials would serve the Assembly well.

We are a rules-based Organisation. The process of challenging a member's credentials should therefore be strict, transparent and comparable. The draft resolution suggests that the criteria for challenging credentials are assessed individually whenever a procedure of this kind is initiated. I fear that this would continue to politicise these kinds of processes and hence undermine the integrity of the Organisation. The draft recommendation invites the Committee of Ministers to engage in discussions on the effectiveness of its own procedures and ability to respond effectively to member States' violations of the statutory obligations. I wish that this had rather been an invitation to the Committee of Ministers to join the Parliamentary Assembly of the Council of Europe in a common discussion on how the two statutory organs could work together to best respond to member States not fulfilling their obligations. It is rather seldom that we see a statutory organ subject to legal analysis by another statutory organ.

I strongly advise against a discourse that undermines the spirit of co-operation between our two bodies. If the Council of Europe is to remain a strong pan-European Organisation and defender of democracy and fundamental human rights, we must do the job together. The opposite would undermine the credibility of our Organisation and our decisions.

Mr FOURNIER (*France*)* – Ms De Sutter has submitted an exhaustive report on the subject at hand. Although the report officially seeks to amend procedures within the Assembly concerning credentials and voting, we all know that its real aim is of course not of a regulatory nature but is very much political. Our colleague takes the precaution of pointing out that the re-integration of the Russian Federation within the Parliamentary Assembly is neither the subject nor the purpose of the report. Yet that is so obviously not the case. It is a question of facilitating the return of the Russian delegation.

I make no secret of the fact that reading the report left me feeling somewhat skeptical in a number of respects. First, I note that the Assembly is renouncing the possibility of obtaining satisfaction in terms of the law and our values – in other words, the foundation which makes the Organisation what it is. Our Russian colleagues could then return and sit alongside us, although we will have obtained nothing from the Russian Federation in Crimea or in eastern Ukraine. So the situation is a stalemate, and in this stand-off we are obviously bowing to force.

Then, certain ideas that are floated in the report are somewhat troubling, and all the more so when reading the legal analysis provided by the Council of Europe's Directorate of Legal Advice and Public

International Law. I am afraid that this legal analysis muddies the waters rather than clarifying the terms of the debate. We should avoid pitting the Committee of Ministers against the Parliamentary Assembly. There are some questions in my own mind with regard to the Committee of Ministers, where the Russian Federation continues to sit, as of 2014. I have some concerns as to the way in which the Committee of Ministers will react to our conclusion if we choose to adopt the resolution and the recommendation – in other words, renege on our values with a de facto acknowledgment of the annexation of Crimea. Rejecting the report risks seeing the Russian Federation leaving the Council of Europe, and then we would withdraw from ordinary Russian citizens the right to protection under the European Convention on Human Rights. If we go along with the proposals put forward by Ms De Sutter, and put an end to the pressure exercised over this Organisation, at least it will be possible to say that we have made not one step in the direction of the Russian Federation.

Ms GERASHCHENKO (*Ukraine*) – Just a few days ago, I received letters from two Ukrainian political prisoners – prisoners of the Kremlin. The first letter was from Roman Sushchenko, a Ukrainian journalist who has spent two years in Lefortovo prison and who will be transferred this very week to a different prison. The second letter came from Oleg Sentsov, who is in prison in Labytnangui. Oleg is from Crimea and he was sent to Siberia. The severe climate in Siberia is in itself a real kind of torture. Oleg Sentsov's letter is dated 5 October. That was the day when Oleg just could no longer physically continue with his hunger strike, and the Kremlin had threatened him with force-feeding.

The letters I have received are personal letters but they really include an appeal to all of you. Roman and Oleg are grateful to all European politicians who are fighting for their release. They are calling upon all of us not to stop fighting for the release of all Ukrainian political prisoners. They are calling upon us to continue to defend democratic values and principles and to fight against Russian aggression.

In Siberia, in Russian prisons, political prisoners believe that European politicians will not betray their principles and compromise their consciences. What should I write to Oleg, Roman and dozens of other political prisoners after today's vote? Will I say that we have betrayed them, that we voted to change our rules to allow the Russian delegation to come back without respecting even one of our resolutions?

I remind everyone that in 2015, we voted for a resolution that demanded the release of Oleg Sentsov. He is now dying in prison. The Russian Federation has done nothing to release political prisoners. It has not returned Crimea to Ukraine. It has not withdrawn its military personnel from Donbass. It has not admitted its involvement in the MH17 crash. It continues to support the Assad regime and is denying its involvement in the Salisbury case. The Russian Federation continues to interfere in elections, as has happened in Germany, France and the United States, and it is waging a hybrid war throughout the world.

We have been told that the Council of Europe could not survive without contributions from the Russian Federation. Ukraine, despite the economic crisis we face and despite our modest budget, has agreed to give an additional \$400 000 to the Council of Europe's budget. Ukraine is a country that values principles above its pockets. The Ukraine delegation is strongly against the idea of weakening the rights and authority of the Assembly. We will vote against the resolution and we call upon all of you not to betray the Assembly's principles.

Ms KALMARI (*Finland*) – Every effort made to strengthen our values and the functioning of democracy must be greeted with joy. I warmly welcome this open and carefully handled process, which aims to clarify and strengthen the role of the Parliamentary Assembly and democracy. The task of legitimising our resolutions and recommendations is not always that simple. Decisions and suggestions made far away from the place where actual events occur are often difficult to implement in practice. It takes skills to explain and legitimise resolutions of the Parliamentary Assembly of the Council of Europe in our countries of origin. A reminder of our common heritage helps but the uncertainty of our common future is also present, even if we do not want to see it.

Democracy is about acceptance and allowing all countries to be heard, even if we have to admit that there are rules of play that must be accepted. The Council of Europe must have the skills and the will to act for democratic security in Europe.

The Council of Europe needs unity and a powerful joint message. The Parliamentary Assembly is "obliged to establish the effective means of promoting the aims of the Council of Europe." That is my understanding of the aim of the Rules Committee in this balanced draft resolution. The text of the report confirms our own democratic ground. I hope that this resolution will help us to have a common European future with all European countries.

Mr KANDELAKI (*Georgia*) – When the Russian Federation joined this Organisation in 1998, the key question in this Chamber was, “Will the Council of Europe change the Russian Federation, or will the Russian Federation change the Council of Europe?” In my view, the unethical and aggressive way in which our Secretary General tried to intervene and influence the debate demonstrates how much the Russian Federation succeeded in changing the Council of Europe.

It is very regrettable that the Secretary General of the Organisation that Winston Churchill established is embracing false arguments that an aggressor has put before us. For example, on the European Court of Human Rights and the election of judges, the argument is that at some point, more than half the judges will have been elected without the involvement of Russian parliamentarians. In 1998, however, when the Russian Federation joined, none of the judges was elected by Russian parliamentarians, and that was okay. The Secretary General also forgets that the Russian constitutional court can overturn any judgment from the European Court of Human Rights and has done so already. The argument on money is also false and fake, because the amount in question is not that great. If we redistributed the amount per member State, it would be less than €1 million. Even for a poor country such as Georgia, that would be okay.

Irritation is a common reaction when people like me draw historical parallels. People say, “How can we compare modern Russia with the Soviet Union?” Of course, they are two different countries and the dark days of Stalinism are over, but the logic of Russian foreign policy has not changed. The parallels are inescapable. For example, when the Soviet Union invaded Finland, the League of Nations did not change its rules; it expelled the Soviet Union. I was glad to hear the very good quote by Winston Churchill about appeasement, the war and honour. There is another great quote that applies perfectly to this debate. An appeaser, Winston Churchill said, is one who tries to feed a crocodile, hoping to be eaten last.

I appeal to colleagues who want to vote for this report in good faith, hoping that once the Russian members – who represent a Parliament that is not democratic, because the Duma is not democratically elected – are back here, somehow it will be okay and it will work. Colleagues, it will not be okay. Making an exception for the Russian Federation, who invades her neighbours and does all those things, including in my country and including ethnic cleansing that is recognised by this body, will tear this Organisation apart – make no mistake. When you sit down at the end of the debate and vote for or against the report, remember the political context. A vote cast in favour of this report in this political context would amount to legitimising all the actions that the Russian Federation has carried out and intends to carry out in future.

Mr HERKEL (*Estonia*) – I agree with those speakers who said that there is only one reason for this attempt to change our rules: to get the Russian Federation back without any reasonable conditions. Today's vote is not only a vote about our Rules of Procedure. It is much bigger; it is a vote about our relevance and credibility.

The text we have is full of contradictions. Paragraph 3 says that “Rules of Procedure should not be changed in an attempt to resolve a purely political problem.” It is obvious that we are trying to resolve a political problem. The explanatory memorandum points out that the “reintegration of the Russian Federation in the Parliamentary Assembly” has nothing to do with this report. That is highly hypocritical. With those kinds of sentences, we are going to weaken our decision-making capacity and our parliamentary mandate.

I remind the Assembly that during its long 70-year history it has only twice not ratified a delegation's credentials on substantive grounds – in 1980, after a military coup in Turkey, and in 2000, after Russian atrocities during the war in Chechnya – while voting rights were suspended on substantive grounds in 2014 following the Russian annexation of Crimea. This shows that the tool we have is extremely difficult to use even when a simple majority is required. If we vote to change our rules so as to require a two-thirds majority, the procedure would simply not work anymore. I ask members not to destroy our parliamentary dignity – please vote against the amendment to our rules.

Mr KOPŘIVA (*Czech Republic*) – Dear Parliamentary Assembly, ladies and gentlemen, friends from all across Europe, especially Ukraine, I am confused by the draft resolution. The title of the report refers to “strengthening the decision-making process”, but paragraphs 6.2.1 and 6.2.2 imply a paralysation of the decision-making process.

The first President of Czechoslovakia, Tomáš Garrigue Masaryk, used to say that democracy was a discussion. I believe this to be true, and so I agree that we should open up the debate, but we need functioning decision-making mechanisms. Yet unfortunately the draft resolution is an attempt to limit our ability to challenge the credentials of a nation's delegation. Of course, the statutory documents of the Parliamentary Assembly are not – and should not be – rigid, but the resolution would allow the Russian Federation to bypass the rules to get back its voting rights in the Parliamentary Assembly of the Council of

Europe, despite the fact that the Russian Government has ignored numerous resolutions on the annexation of Crimea, the war in eastern Ukraine, violations of the human rights of its own citizens and the destruction of civic society at home and abroad, and so forth.

It should be noted that we do not diminish the rights of the Russian delegation to participate, debate, share information and propose solutions, but the current sanctions against the voting rights of the Russian delegation are the only instrument we have to tell the world that the Parliamentary Assembly of the Council of Europe will not turn a blind eye to injustice. That is why I will vote against the draft resolution and recommendations. I ask members not to let the Parliamentary Assembly of the Council of Europe be blackmailed by the Russian Federation and its refusal to pay its membership fees and not to allow the Assembly to discredit itself. A weak Council of Europe will lose its authority and influence in the parts of Europe where they are most needed.

Mr LOMBARDI (*Switzerland*)* – Dear colleagues, a parliament is not just a place for talking, but a place where one can vote and be elected to some function or delegation. To remove one of these principal rights is a grave decision full of consequence. As said, the proposal does not amount to exclusion or expulsion, but it is pretty close. Who among us would go every day to a parliament only to be at the bottom of a list of speakers and be denied the right to vote or be elected to any function?

Such an important decision can only be a last resort. Even within a national parliament, we would consider such a thing impossible, but we are an assembly of an international Organisation that has ambitious objectives to transfer values to its members – even those at the beginning of the path to the level of human rights, democracy and transparency that others have attained. We want the Assembly to be able to take measures against those who seriously breach its principles, but how are we to balance the need for those sanctions with the fundamental rights of parliamentarians?

The Rules Committee's proposal is the compromise we need and would resolve the dilemma in the manner the Swiss delegation suggested to the Ad Hoc Committee. It would provide a procedure for voting rights that maintains the Assembly's right to adopt measures, including suspending voting rights, against delegations that seriously breach certain principles while excluding sanctions for actions outside the activity of the Assembly – for instance, elections to other organs of the Council of Europe, including judges, the Secretary General, the Commissioner for Human Rights and so on. In such elections, the Assembly is only an instrument rendering a service to member States, and member States must be allowed to participate in those elections.

In an assembly of 300 parliamentarians, it is reasonable, in the case of graver decisions, to require 50 rather than 30 members to challenge credentials. It is also right that a two-thirds majority be needed to remove two of the three fundamental rights of parliamentarians. For those reasons, I support that compromise in the report and resolution.

The PRESIDENT* – Mr Gatti will be the last speaker this morning. The debate on Ms De Sutter's report will continue this afternoon, at 4.30 p.m., after the address by the Tunisian Foreign Affairs Minister. We will vote around 4.45 p.m.

Mr GATTI* (*San Marino*) – I thank our colleague, Ms De Sutter, whose report has enabled us to react to the proposals that have emerged in the context of the Ad Hoc Committee of the Presidency, set up to look into the role and mission of the Parliamentary Assembly. On that subject, the national delegation of San Marino has formally put forward a number of considerations, which I will now attempt to summarise briefly in order to respect my speaking time.

We have expressed our opposition to the idea of reducing the number of members of a delegation. For micro-States such as the Republic of San Marino, reducing the number of members of a delegation would prevent us from participating fully in the work of the Assembly. Only having four members – both full and substitute – it is already not possible for us to participate in the work of the six committees, obliging us to make choices between them on an ad hoc basis. The participation of States in the work of the Council of Europe only makes sense if they are enabled to fully participate in the Organisation's work. To contain costs without prejudicing the work of delegations, we believe that reducing plenary sessions by a day might be one solution, considering the constant drop-off in the number of delegates attending Friday debates. To raise awareness of the importance of participating, we could consider introducing qualified majority voting in respect of certain important decisions.

However, we are left wondering about the changes under which one sixth of Assembly members, belonging to at least five national delegations, could challenge the credentials of a national delegation.

That seems to us a tiny number, compared with the total number of national delegations, and would be open to abuse. In spite of the fact that our colleague Ms De Sutter has said in the report that the Assembly's Rules of Procedure should not be used as a means to an end and procedure should not be changed in an attempt to resolve a purely political problem, the feeling is that the issue of the Russian Federation's participation in the Parliamentary Assembly continues to influence any possible solutions, depending on what objectives are being pursued.

In our opinion, the dialogue between States and countries, which should serve as a basis for both our values and our deeds, is severely hampered. Unfortunately, it is not so much States that suffer the consequences of that absence of dialogue, but citizens, who no longer have access to the machinery of human rights defence. If we put an end to the dialogue between the Parliamentary Assembly and a country, the citizens of that country no longer have access to the European Court of Human Rights, although they may well be those who most need international protection. Ensuring implementation of resolutions of the Parliamentary Assembly is an issue, but any solution should not imply curtailing access to human rights defence mechanisms.

The PRESIDENT* – The voting for the election of judges to the European Court of Human Rights is now suspended. It will re-open at 3.30 p.m. and will close at 5 p.m.

3. Next public business

The PRESIDENT* – The Assembly will hold its next public sitting this afternoon at 3.30 p.m. with the agenda that was approved on Monday.

The sitting is closed.

(The sitting was closed at 1 p.m.)

CONTENTS

1. Election of judges to the European Court of Human Rights in respect of Albania and Norway
2. Strengthening the decision-making process of the Parliamentary Assembly concerning credentials and voting

Presentation by Ms De Sutter of the report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, Document 14621

Speakers: Mr Schwabe, Sir Edward Leigh, Mr van de Ven, Mr Kox, Mr Pociiej, Ms Durantou, Mr Rustamyan, Mr Nick, Ms Chugoshvili, Mr Becht, Sir Roger Gale, Mr Vareikis, Mr Cepeda, Mr Zingeris, Mr Wasserman, Mr Loucaides, Lord Anderson, Mr Seyidov, Ms Smith, Mr Arieu, Mr Huseynov, Mr Wilson, Mr Németh, Ms Fataliyeva, Ms Mikko, Mr Zavoli, Mr Golub, Ms Ævarsdóttir, Ms Trisse, Mr Simms, Ms Christoffersen, Ms Sotnyk, Mr Hunko, Mr Goncharenko, Mr Masiulis, Mr Sobolev, Ms Anttila, Mr Nissinen, Ms Schou, Mr Fournier, Ms Gerashchenko, Ms Kalmari, Mr Kandelaki, Mr Herkel, Mr Kopřiva, Mr Lombardi, Mr Gatti

3. Next public business

Appendix I / Annexe I

Representatives or Substitutes who signed the register of attendance in accordance with Rule 12.2 of the Rules of Procedure. The names of members substituted follow (in brackets) the names of participating members.

Liste des représentants ou suppléants ayant signé le registre de présence, conformément à l'article 12.2 du Règlement. Le nom des personnes remplacées suit celui des Membres remplaçant, entre parenthèses.

ÅBERG, Boriana [Ms]
 ÆVARSDÓTTIR, Thorhildur Sunna [Ms]
 AMON, Werner [Mr]
 AMTSBERG, Luise [Ms]
 ANAGNOSTOPOULOU, Athanasia [Ms]
 ANDERSON, Donald [Lord] (*BARDELL, Hannah [Ms]*)
 ANTL, Miroslav [M.] (*KYTYR, Jaroslav [Mr]*)
 ANTTILA, Sirkka-Liisa [Ms]
 APOSTOL, Ion [Mr] (*GHIMPUR, Mihai [Mr]*)
 ARENT, Iwona [Ms]
 ARIEV, Volodymyr [Mr]
 AST, Marek [Mr] (*BAKUN, Wojciech [Mr]*)
 BADEA, Viorel Riceard [M.] (*PLEȘOIANU, Liviu Ioan Adrian [Mr]*)
 BADIA, José [M.]
 BAKOYANNIS, Theodora [Ms]
 BALIĆ, Marijana [Ms]
 BARNETT, Doris [Ms]
 BATRINCEA, Vlad [Mr]
 BAYR, Petra [Ms] (*BURES, Doris [Ms]*)
 BECHT, Olivier [M.]
 BEREZA, Boryslav [Mr]
 BERNACKI, Włodzimierz [Mr]
 BEUS RICHEMBERGH, Goran [Mr]
 BILDARRATZ, Jokin [Mr]
 BILLI, Simone [Mr]
 BLONDIN, Maryvonne [Mme]
 BOGDANOV, Krasimir [Mr]
 BÖKE, Selin Sayek [Ms]
 BOSCHI, Maria Elena [Ms]
 BRANDT, Michel [Mr] (*WERNER, Katrin [Ms]*)
 BRUIJN-WEZEMAN, Reina de [Ms] (*MULDER, Anne [Mr]*)
 BRYNJÓLFSDÓTTIR, Rósa Björk [Ms]
 BUDNER, Margareta [Ms]
 BUSHATI, Ervin [Mr]
 BUSHKA, Klotilda [Ms]
 BUTKEVIČIUS, Algirdas [Mr]
 ÇELİK, Sena Nur [Ms]
 CEPEDA, José [Mr]
 ÇEVİKÖZ, Ahmet Ünal [Mr]
 CHOPE, Christopher [Sir] (*GILLAN, Cheryl [Dame]*)
 CHRISTENSEN, Jette [Ms] (*MEHL, Emilie Enger [Ms]*)
 CHRISTODOULOPOULOU, Anastasia [Ms]
 CHRISTOFFERSEN, Lise [Ms]
 CHUGOSHVILI, Tamar [Ms]
 COMTE, Raphaël [M.] (*FIALA, Doris [Mme]*)
 COURSON, Yolaine de [Mme] (*LOUIS, Alexandra [Mme]*)
 COZMANCIUC, Corneliu Mugurel [Mr] (*ȘTEFAN, Corneliu [Mr]*)
 CSENGER-ZALÁN, Zsolt [Mr]
 CSÖBÖR, Katalin [Mme]
 DALLOZ, Marie-Christine [Mme]
 DAMYANOVA, Milena [Mme]
 DE TEMMERMAN, Jennifer [Mme]
 DONALDSON, Jeffrey [Sir]
 DUMITRESCU, Cristian-Sorin [M.] (*BRĂILOIU, Tit-Liviu [Mr]*)
 DURANTON, Nicole [Mme]
 DZHEMILIEV, Mustafa [Mr]
 EBERLE-STRUB, Susanne [Ms]
 EIDE, Espen Barth [Mr]
 EMRE, Yunus [Mr]
 ESSL, Franz Leonhard [Mr]
 ESTRELA, Edite [Mme]
 EVANS, Nigel [Mr]
 FASSINO, Piero [Mr] (*FLORIS, Emilio [Mr]*)
 FATALIYEVA, Sevinj [Ms] (*AGHAYEVA, Ulviyye [Ms]*)
 FIDANZA, Carlo [Mr]
 FILIPOVSKI, Dubravka [Ms] (*OBRADOVIĆ, Marija [Ms]*)
 FOULKES, George [Lord] (*SHARMA, Virendra [Mr]*)
 FOURNIER, Bernard [M.]
 GAFAROVA, Sahiba [Ms]
 GALE, Roger [Sir]
 GATTI, Marco [M.]
 GAVAN, Paul [Mr]
 GERASHCHENKO, Iryna [Mme]
 GHILETCHI, Valeriu [Mr]
 GOGUADZE, Nino [Ms] (*PRUIDZE, Irina [Ms]*)
 GOLUB, Vladyslav [Mr] (*YEMETS, Leonid [Mr]*)
 GONÇALVES, Carlos Alberto [M.]
 GONCHARENKO, Oleksii [Mr]
 GORROTXATEGUI, Miren Edurne [Mme] (*BUSTINDUY, Pablo [Mr]*)
 GOUTTEFARDE, Fabien [M.]
 GRECH, Etienne [Mr] (*CUTAJAR, Rosianne [Ms]*)
 GRIN, Jean-Pierre [M.] (*MÜLLER, Thomas [Mr]*)
 GUNNARSSON, Jonas [Mr]
 GURMAI, Zita [Mme]
 GUZENINA, Maria [Ms]
 HAJDUKOVIĆ, Domagoj [Mr]
 HAJIYEV, Sabir [Mr]
 HALICKI, Andrzej [Mr]
 HARDT, Jürgen [Mr] (*MOTSCHMANN, Elisabeth [Ms]*)
 HEER, Alfred [Mr]
 HEINRICH, Frank [Mr] (*VOGEL, Volkmar [Mr]*)
 HEINRICH, Gabriela [Ms]
 HERKEL, Andres [Mr] (*TERIK, Tiit [Mr]*)
 HOWELL, John [Mr]
 HRISTOV, Plamen [Mr]
 HUNKO, Andrej [Mr]
 HUSEYNOV, Rafael [Mr]
 IBRYAMOV, Dzheyhan [Mr] (*HAMID, Hamid [Mr]*)
 JABLIANOV, Valeri [Mr]
 JANIK, Grzegorz [Mr] (*WOJTYŁA, Andrzej [Mr]*)
 JENIŠTA, Luděk [Mr]
 JENSEN, Michael Aastrup [Mr]
 JONES, Susan Elan [Ms]
 JUHÁSZ, Hajnalka [Ms] (*VEJKEY, Imre [Mr]*)
 KALMARI, Anne [Ms]
 KANDELAKI, Giorgi [Mr] (*BAKRADZE, David [Mr]*)
 KASSEGGGER, Axel [Mr] (*HAIDER, Roman [Mr]*)
 KATSARAVA, Sofio [Ms]

KAVVADIA, Ioanneta [Ms]
KERN, Claude [M.] (*GOY-CHAVENT, Sylvie [Mme]*)
KILIÇ, Akif Çağatay [Mr]
KIRILOV, Danail [Mr] (*GROZDANOVA, Dzhema [Ms]*)
KITEV, Betian [Mr]
KNEŽEVIĆ, Milan [Mr]
KOÇ, Haluk [M.]
KOPŘIVA, František [Mr]
KOVÁCS, Elvira [Ms]
KOX, Tiny [Mr]
KUHLE, Konstantin [Mr]
KVATCHANTIRADZE, Zviad [Mr]
KYRIAKIDES, Stella [Ms]
LABAZIUK, Serhiy [Mr] (*BILOVOL, Oleksandr [Mr]*)
LANGBALLE, Christian [Mr] (*HENRIKSEN, Martin [Mr]*)
LEIGH, Edward [Sir]
LEITE RAMOS, Luis [M.]
LEŚNIAK, Józef [M.] (*MILEWSKI, Daniel [Mr]*)
LEYTE, Carmen [Ms]
LIASHKO, Oleh [Mr]
LOGVYNSKYI, Georgii [Mr]
LOMBARDI, Filippo [M.]
LOUCAIDES, George [Mr]
LOVOCHKINA, Yuliya [Ms]
LUNDGREN, Kerstin [Ms] (*SVENSSON, Michael [Mr]*)
LUPU, Marian [Mr]
MADSEN, Rasmus Vestergaard [Mr]
MANIERO, Alvise [Mr]
MARQUES, Duarte [Mr]
MASIULIS, Kęstutis [Mr] (*TAMAŠUNIENĖ, Rita [Ms]*)
MASSEY, Doreen [Baroness]
McCARTHY, Kerry [Ms]
MEIMARAKIS, Evangelos [Mr]
MIKKO, Marianne [Ms]
MILADINOVIĆ, Stefana [Ms] (*OBRAĐOVIĆ, Žarko [Mr]*)
MONTILLA, José [Mr] (*GUTIÉRREZ, Antonio [Mr]*)
MULLEN, Rónán [Mr] (*COWEN, Barry [Mr]*)
MUNYAMA, Killion [Mr] (*POMASKA, Agnieszka [Ms]*)
NAUDI ZAMORA, Víctor [M.]
NĚMCOVÁ, Miroslava [Ms]
NÉMETH, Zsolt [Mr]
NENUTIL, Miroslav [Mr]
NICK, Andreas [Mr]
NISSINEN, Johan [Mr]
OEHME, Ulrich [Mr] (*KLEINWAECHTER, Norbert [Mr]*)
OHLSSON, Carina [Ms]
OOMEN-RUIJTEN, Ria [Ms]
O'REILLY, Joseph [Mr]
ORLANDO, Andrea [Mr]
ÖZSOY, Hişyar [Mr]
PACKALÉN, Tom [Mr]
PANTIĆ PILJA, Biljana [Ms]
PASHAYEVA, Ganira [Ms]
PAVIĆEVIĆ, Sanja [Ms] (*ČATOVIĆ, Marija Maja [Ms]*)
POCIEJ, Aleksander [M.] (*KLICH, Bogdan [Mr]*)
POPA, Ion [M.] (*GORGHIU, Alina Ștefania [Ms]*)
PRESCOTT, John [Mr]
PUTICA, Sanja [Ms]
RAMPI, Roberto [Mr]
RAUCH, Isabelle [Mme] (*GAILLOT, Albane [Mme]*)
REICHARDT, André [M.] (*GROSDIDIER, François [M.]*)
REISS, Frédéric [M.] (*ABAD, Damien [M.]*)
RIBERAYGUA, Patricia [Mme]

ROJHAN GUSTAFSSON, Azadeh [Ms] (*KARLSSON, Niklas [Mr]*)
RUSTAMYAN, Armen [M.]
ŞAHİN, Ali [Mr]
SANDBÆK, Ulla [Ms] (*KRARUP, Marie [Ms]*)
SCHÄFER, Axel [Mr]
SCHENNACH, Stefan [Mr]
SCHMIDT, Frithjof [Mr]
SCHNEIDER-SCHNEITER, Elisabeth [Mme] (*FRIDEZ, Pierre-Alain [M.]*)
SCHOU, Ingjerd [Ms]
SCHWABE, Frank [Mr]
SEKULIĆ, Predrag [Mr]
ŠEŠELJ, Aleksandar [Mr]
SEYIDOV, Samad [Mr]
SIDALI, Zeki Hakan [Mr]
SILVA, Adão [M.]
SIRAKAYA, Zafer [Mr]
ŠIRCELJ, Andrej [Mr]
SMITH, Angela [Ms]
SOBOLEV, Serhiy [Mr]
SOLEIM, Vette Wang [Mr] (*WOLD, Morten [Mr]*)
SORRE, Bertrand [M.]
SOTNYK, Olena [Ms]
STELLINI, David [Mr]
STIENEN, Petra [Ms]
STIER, Davor Ivo [Mr]
STRIK, Tineke [Ms]
ŞUPAC, Inna [Ms]
SUTTER, Petra De [Ms] (*BLANCHART, Philippe [M.]*)
TARCZYŃSKI, Dominik [Mr]
TOMIĆ, Aleksandra [Ms]
TOMIĆ, Violeta [Ms] (*ŠKOBERNE, Jan [Mr]*)
TORNARE, Manuel [M.] (*MAURY PASQUIER, Liliane [Mme]*)
TRISSE, Nicole [Mme]
TRUSKOLASKI, Krzysztof [Mr]
TÜRKEŞ, Yıldırım Tuğrul [Mr]
TZAVARAS, Konstantinos [M.]
UCA, Felekna [Ms]
VALENTA, Jiří [Mr] (*STANĚK, Pavel [Mr]*)
VALLINI, André [M.] (*CAZEAU, Bernard [M.]*)
VAREIKIS, Egidijus [Mr]
VEN, Mart van de [Mr]
VESCOVI, Manuel [Mr]
VOGT, Günter [Mr] (*WENAWESER, Christoph [Mr]*)
WALLINHEIMO, Sinuhe [Mr] (*PELKONEN, Jaana Maarit [Ms]*)
WASERMAN, Sylvain [M.]
WHITFIELD, Martin [Mr] (*MURRAY, Ian [Mr]*)
WILSON, Phil [Mr]
YAŞAR, Serap [Mme]
ZAVOLI, Roger [Mr] (*D'AMBROSIO, Vanessa [Ms]*)
ZINGERIS, Emanuelis [Mr]
ZRINZO AZZOPARDI, Stefan [Mr] (*MALLIA, Emanuel [Mr]*)
ZSIGMOND, Barna Pál [Mr]

Also signed the register / Ont également signé le registre

**Representatives or Substitutes not authorised to vote /
Représentants ou suppléants non autorisés à voter**

AGHAYEVA, Ulviyye [Ms]
BALFE, Richard [Lord]
BESELIA, Eka [Ms]
CORREIA, Telmo [M.]
DOUBLE, Steve [Mr]

EFSTATHIOU, Constantinos [Mr]
 FIALA, Doris [Mme]
 GOODWILL, Robert [Mr]
 KATSIKIS, Konstantinos [Mr]
 LOPUSHANSKYI, Andrii [Mr]
 LOUHELAINEN, Anne [Ms]
 MADISON, Jaak [Mr]
 MAKHMUDYAN, Rustam [Mr]
 MANNINGER, Jenő [Mr]
 NACSA, Lőrinc [Mr]
 PALLARÉS, Judith [Ms]
 PSYCHOGIOS, Georgios [Mr]
 RUSSELL, Simon [Lord]
 SHEPPARD, Tommy [Mr]
 TOUHIG, Don [Lord]
 URPILAINEN, Jutta [Ms]
 VARVITSIOTIS, Miltiadis [Mr]
 VENIZELOS, Evangelos [M.]
 VICKERS, Martin [Mr]
 WIECHEL, Markus [Mr]

Observers / Observateurs

DAVIES, Don [Mr]
 GALVEZ, Rosa [Ms]

SIMMS, Scott [Mr]
 WHALEN, Nick [Mr]

Partners for democracy / Partenaires pour la démocratie

ALAZZAM, Riad [Mr]
 ALQAWASMI, Sahar [Ms]
 AMRAOUI, Allal [M.]
 ATMOUN, El Mehdi [Mr]
 BOUANOU, Abdellah [M.]
 CHAGAF, Aziza [Mme]
 HAMIDINE, Abdelali [M.]
 LEBBAR, Abdesselam [M.]
 NYSHANOV, Saidulla [Mr]
 SABELLA, Bernard [Mr]

Representatives of the Turkish Cypriot Community (In accordance to Resolution 1376 (2004) of the Parliamentary Assembly)/ Représentants de la communauté chypriote turque (Conformément à la Résolution 1376 (2004) de l'Assemblée parlementaire)

CANDAN Armağan
 SANER Hamza Ersan

Appendix II /Annexe II

Representatives or Substitutes who took part in the ballot for the election of a Judge to the European Court of Human Rights in respect of Albania and Norway / *Représentants ou suppléants qui ont participé au vote pour l'élection d'un juge à la Cour européenne des droits de l'homme au titre de l'Albanie et de la Norvège*

ALTUNYALDIZ, Ziya [Mr]
 AMON, Werner [Mr]
 ANTTILA, Sirkka-Liisa [Ms]
 BAKOYANNIS, Theodora [Ms]
 BARDELL, Hannah [Ms] / ANDERSON, Donald [Lord]
 BARNETT, Doris [Ms]
 BARREIRO, José Manuel [Mr] / MUÑOZ, Esther [Ms]
 BATRINCEA, Vlad [Mr]
 BECHT, Olivier [M.]
 BEUS RICHEMBERGH, Goran [Mr]
 BEYER, Peter [Mr]
 BILLI, Simone [Mr]
 BLONDIN, Maryvonne [Mme]
 BÖKE, Selin Sayek [Ms]
 BOSCHI, Maria Elena [Ms]
 BRĂILOIU, Tit-Liviu [Mr] / DUMITRESCU, Cristian-Sorin [M.]
 BRYNJÓLFSDÓTTIR, Rósa Björk [Ms]
 BUCCARELLA, Maurizio [Mr]
 BUDNER, Margareta [Ms]
 BUSHATI, Ervin [Mr]
 BUSHKA, Klotilda [Ms]
 BUTKEVIČIUS, Algirdas [Mr]
 CAZEAU, Bernard [M.] / VALLINI, André [M.]
 CEPEDA, José [Mr]
 ÇEVİKÖZ, Ahmet Unal [Mr]
 CHRISTOFFERSEN, Lise [Ms]
 CUTAJAR, Rosianne [Ms] / GRECH, Etienne [Mr]
 DALLOZ, Marie-Christine [Mme]
 D'AMBROSIO, Vanessa [Ms] / ZAVOLI, Roger [Mr]
 DAMYANOVA, Milena [Mme]
 DE CARLO, Sabrina [Ms]
 DE TEMMERMAN, Jennifer [Mme]
 DURANTON, Nicole [Mme]
 EBERLE-STRUB, Susanne [Ms]
 ECCLES, Diana [Lady]
 EIDE, Espen Barth [Mr]
 EMRE, Yunus [Mr]
 ESSL, Franz Leonhard [Mr]
 ESTRELA, Edite [Mme]
 FLORIS, Emilio [Mr] / FASSINO, Piero [Mr]
 FOURNIER, Bernard [M.]
 FRIDEZ, Pierre-Alain [M.] / SCHNEIDER-SCHNEITER, Elisabeth [Mme]
 GALE, Roger [Sir]
 GATTI, Marco [M.]
 GAVAN, Paul [Mr]
 GHILETCHI, Valeriu [Mr]
 GILLAN, Cheryl [Dame] / CHOPE, Christopher [Sir]
 GONZÁLEZ TABOADA, Jaime [M.]
 GOUTTEFARDE, Fabien [M.]
 GOY-CHAVENT, Sylvie [Mme] / KERN, Claude [M.]
 GROSDIDIER, François [M.] / REICHARDT, André [M.]
 GROZDANOVA, Dzhema [Ms] / KIRILOV, Danail [Mr]
 GUNNARSSON, Jonas [Mr]
 GUTIÉRREZ, Antonio [Mr] / MONTILLA, José [Mr]
 GUZENINA, Maria [Ms]
 HAJDUKOVIĆ, Domagoj [Mr]
 HALICKI, Andrzej [Mr]
 HAMID, Hamid [Mr] / IBRYAMOV, Dzheyhan [Mr]
 HEINRICH, Gabriela [Ms]
 HENRIKSEN, Martin [Mr] / LANGBALLE, Christian [Mr]
 HOWELL, John [Mr]
 HRISTOV, Plamen [Mr]
 HUNKO, Andrej [Mr]
 JABLIANOV, Valeri [Mr]
 JENIŠTA, Luděk [Mr]
 KARLSSON, Niklas [Mr] / ROJHAN GUSTAFSSON, Azadeh [Ms]
 KAVVADIA, Ioanneta [Ms]
 KILIÇ, Akif Çağatay [Mr]
 KITEV, Betian [Mr]
 KLEINWAECHTER, Norbert [Mr] / OEHME, Ulrich [Mr]
 KLICH, Bogdan [Mr] / POCIEJ, Aleksander [M.]
 KOÇ, Haluk [M.]
 KOPŘIVA, František [Mr]
 KOVÁCS, Elvira [Ms]
 KOX, Tiny [Mr]
 KRARUP, Marie [Ms] / SANDBÆK, Ulla [Ms]
 KUHLE, Konstantin [Mr]
 KYTYR, Jaroslav [Mr] / ANTL, Miroslav [M.]
 LEIGH, Edward [Sir]
 LEITE RAMOS, Luís [M.]
 LEYTE, Carmen [Ms]
 LIDDELL-GRAINGER, Ian [Mr]
 LOMBARDI, Filippo [M.]
 LOUIS, Alexandra [Mme] / COURSON, Yolaine de [Mme]
 LOVOCHKINA, Yuliya [Ms]
 LUPU, Marian [Mr]
 MAEIJER, Vicky [Ms] / OVERBEEK, Henk [Mr]
 MALLIA, Emanuel [Mr] / ZRINZO AZZOPARDI, Stefan [Mr]
 MANIERO, Alvise [Mr]
 MARQUES, Duarte [Mr]
 McCARTHY, Kerry [Ms]
 MEHL, Emilie Enger [Ms] / CHRISTENSEN, Jette [Ms]
 MOTSCHMANN, Elisabeth [Ms] / HARDT, Jürgen [Mr]
 MÜLLER, Thomas [Mr] / GRIN, Jean-Pierre [M.]
 NAUDI ZAMORA, Víctor [M.]
 NĚMCOVÁ, Miroslava [Ms]
 NĚMETH, Zsolt [Mr]
 NENUTIL, Miroslav [Mr]
 NICK, Andreas [Mr]
 NISSINEN, Johan [Mr]
 OBRADOVIĆ, Marija [Ms] / FILIPOVSKI, Dubravka [Ms]
 OHLSSON, Carina [Ms]
 OOMEN-RUIJTEN, Ria [Ms]
 O'REILLY, Joseph [Mr]
 ORLANDO, Andrea [Mr]
 PANTIĆ PILJA, Biljana [Ms]
 PLEȘOIANU, Liviu Ioan Adrian [Mr] / BADEA, Viorel Riceard [M.]
 POMASKA, Agnieszka [Ms] / MUNYAMA, Killion [Mr]
 RAMPI, Roberto [Mr]
 RIBERAYGUA, Patricia [Mme]
 RODRÍGUEZ HERNÁNDEZ, Melisa [Ms]
 ŞAHİN, Ali [Mr]
 SCERRA, Filippo [Mr]

SCHÄFER, Axel [Mr]
SCHENNACH, Stefan [Mr]
SCHMIDT, Frithjof [Mr]
SCHOU, Ingjerd [Ms]
SCHWABE, Frank [Mr]
SEKULIĆ, Predrag [Mr]
SHEHU, Tritan [Mr]
SIDALI, Zeki Hakan [Mr]
SILVA, Adão [M.]
ŠIRCELJ, Andrej [Mr]
ŠKOBERNE, Jan [Mr] / TOMIĆ, Violeta [Ms]
SORRE, Bertrand [M.]
SOTNYK, Olena [Ms]
STELLINI, David [Mr]
STIENEN, Petra [Ms]
STRIK, Tineke [Ms]
ŞUPAC, Inna [Ms]

TAMAŠUNIENĖ, Rita [Ms] / MASIULIS, Kęstutis [Mr]
TOMIĆ, Aleksandra [Ms]
TRISSE, Nicole [Mme]
TRUSKOLASKI, Krzysztof [Mr]
TÜRKEŞ, Yıldırım Tuğrul [Mr]
VAREIKIS, Egidijus [Mr]
VEN, Mart van de [Mr]
VESCOVI, Manuel [Mr]
VOGEL, Volkmar [Mr] / HEINRICH, Frank [Mr]
WASERMAN, Sylvain [M.]
WENAWESER, Christoph [Mr] / VOGT, Günter [Mr]
WERNER, Katrin [Ms] / BRANDT, Michel [Mr]
WILSON, Phil [Mr]
YAŞAR, Serap [Mme]
YENEROĞLU, Mustafa [Mr]
ZINGERIS, Emanuelis [Mr]