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At its June part-Session, the Parliamentary Assembly of the Council of Europe (further PACE) will vote on lifting the sanctions imposed on Russia after the illegal annexation of Crimea. The fact that the vote is taking place at all represents a significant and worrying change of Council of Europe (further CoE) policy towards Russia, as until this year the CoE adopted a principled stance on the necessity for all member states to adhere strictly to safeguarding the principles of rule of law, human rights and fundamental freedoms set out in the European Convention on Human Rights (ECHR) and the CoE statute.

However, in May 2019 a joint declaration issued after the CoE Committee of Ministers meeting in Helsinki stated that while CoE member states must accept CoE principles and values "all member States shall be entitled to participate on an equal basis". In June, Ms Petra De Sutter, CoE Rapporteur of the Committee on Rules of Procedure, Immunities and Institutional Affairs, recommended a derogation allowing CoE member states which are not represented by a delegation at the Assembly to appoint representatives to attend. She also recommended clarifying which sanctions should be applicable to members that had been excluded from participating in the activities of the CoE Assembly.¹

Since its establishment in 1949 the CoE has been a driving force for human rights and democratic values, and when Russia applied for CoE membership in 1995 PACE noted² Russia's stated willingness to respect these values urged it "to settle international as well as internal disputes by peaceful means, rejecting any forms of threats of force against its neighbours".³

Russia's ratification of the ECHR in 1998 had a marked impact on legal standards in the areas of justice, human rights and minority rights in the country. However, from the mid 2000s the ECHR system failed to ensure that Russia addressed systemic violations committed on its territory that had been identified by the European Court of Human Rights (further ECtHR). Such breaches included: human rights violations by the security forces (including in Chechnya); effectiveness of investigations; illegal detention; secret surveillance; freedom of assembly etc.

Russia also committed violations against the citizens of neighbouring states, most notably Ukraine, Georgia and Moldova, including:

- the mass expulsion of thousands of ethnic Georgians from Russia in 2006 after the diplomatic row between Russia and Georgia;
- condoning killings, torture and enforced expulsion of ethnic Georgians from South Ossetia during the armed conflict between Russia and Georgia in 2008 in which hundreds of civilians died and over 22,000 ethnic Georgians were permanently displaced;
- Illegal annexation of Crimea in 2014 which led to mass human rights violations. Russia's aggression in the east of Ukraine which led to killings, torture, enforced disappearances and enforced displacement in the conflict in eastern Ukraine. The civilian death toll now exceeds 3,300 persons and over 1.5 million Ukrainians have been displaced;

1 See the text of the report here: <http://assembly.coe.int/nw/xml/XRef/Xref-DocDetails-EN.asp?fileid=27725&lang=2>

2 Opinion 193 (1996) Application by Russia for membership of Council of Europe

3 Paras. 10.7, 10.8, and 10.24, of the Opinion 193