

To the attention of the
Members of the Parliamentary Assembly
of the Council of Europe (PACE)

12.06.2019

Dear Sir or Madam

On 24 June the resolution "Strengthening the decision-making process of the Parliamentary Assembly concerning credentials and voting" of the Committee on Rules of Procedure (3.6.2019) will be put to the vote in Strasbourg. The intention of this resolution is to have the attempts of the Committee of Ministers to keep Russia in the Council of Europe (A shared responsibility for democratic security in Europe, Helsinki 17.5.2019) approved by the Parliamentary Assembly.

We support the efforts to enable Russia to remain in the Council of Europe. Membership of the Council of Europe offers Russian citizens the opportunity to file complaints before the ECHR and has numerous important and positive effects in many areas of law and society. However, Russia's membership of the Council of Europe will only be meaningful and beneficial if the Council of Europe can sanction non-compliance with its basic rules. We see this option threatened by the draft resolution.

The draft resolution provides for an amendment of the Rules of Procedure (§ 10), according to which PACE would largely lose the possibility of sanctioning members who violate the principles of the Council of Europe. PACE would thus no longer be able to fulfil its obligation to monitor compliance with the principles of the Council of Europe. The functioning and credibility of the Council of Europe would be seriously damaged. In the Council of Europe, the Council of Ministers would become empowered in favour of PACE, which would continue far beyond the current conflict over the Russian Federation.

In 2014, the Parliamentary Assembly of the Council of Europe adopted Resolution No. 1990 by a large majority, thus not excluding the Russian delegation from the Council of Europe, but depriving it of its voting rights and its right to elect the Secretary General and judges of the European Court of Human Rights until Russian troops have been withdrawn from Eastern Ukraine. Since then, there have been no positive developments in the Minsk process. On the contrary - due to further military aggression in the Sea of Azov, ongoing human rights violations in Crimea, the illegal arrest of over 100 Ukrainian prisoners, and the distribution of Russian passports in Eastern Ukraine, the government of the Russian Federation is further escalating the conflict and has not yet made any serious attempts to fulfil the requirements

of the PACE Resolution 1990. Russia is now threatening to leave the Council of Europe to pre-empt its exclusion and is using the non-payment of its membership dues as a tool to exert pressure.

We are convinced that such a far-reaching limitation of future PACE sanctions, as provided for in the draft resolution, would in this situation undermine the credibility of the Council of Europe and permanently damage the reputation and competences of PACE.

We call on you to

- vote against the planned amendment of § 10 of the Rules of Procedure and thus to maintain the functionality and independence of PACE from the executive branch (Committee of Ministers)
- enable the Russian Federation to remain in the Council of Europe by waiving the strict application of § 9 of the Statutes of the Council of Europe (the exclusion of a member state for non-payment of contributions) in its 1994 version ('Declaration of Compliance') in this case
- work to ensure that the budget bottlenecks caused by the Russian Federation's failure to make payments are offset by contributions from third parties and that the Council of Europe's ability to function fully is maintained despite the lack of Russian contributions.

Yours sincerely,

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