



AS/Per (2017) PV 01
20 April 2017

Standing Committee

Minutes¹

**of the meeting held in Madrid (Spain)
on 10 March 2017**

¹ Approved by the Assembly on 24 April 2017.

1. OPENING OF THE MEETING

The meeting began at 9am with **Mr Agramunt**, President of the Parliamentary Assembly, in the Chair. It was the Standing Committee's third meeting in Madrid since Spain's accession to the Council of Europe 40 years earlier. The President thanked the Speaker of the Senate for his welcome and reminded those present that it was in the old Senate chamber that the Spanish Parliament had met for the first time in 1814, following the adoption of the country's first constitution in Cadiz in 1812. Forty years had passed since Spain had found its way back to democracy after several decades of dictatorship and had committed itself to the principles and values upheld by the Council of Europe. The country's democratic transition was cited as a model by other States. In order to show his country's deep commitment to the Council's values, the King of Spain, Felipe VI, would be receiving the members of the Committee at midday. A commemorative ceremony would be held the next day to mark European Day of Remembrance of Victims of Terrorism.

2. WELCOME ADDRESS BY MR PÍO GARCÍA-ESCUDERO, SPEAKER OF THE SPANISH SENATE

The Speaker welcomed the Standing Committee to Madrid and underlined the importance, in the context of Spain's return to democracy 40 years ago, of his country's accession to the Council of Europe, as an organisation promoting and conveying democratic values, human rights, fundamental freedoms and parliamentary democracy. That was still particularly true today in view of the challenges, difficulties and uncertainties confronting not only the European ideal but also the Parliamentary Assembly. In these circumstances, he warned against pessimism and mistrust and called for action against the isolationism and fragmentation to be observed in today's globalised and multipolar environment. European societies were free, open and pluralistic and must continue to be so in order to preserve their essential character and retain their place in the world. Democracy was based on hard and persistent work, something with which Spaniards were well familiar. He reiterated his desire for co-operation with the Council of Europe and wished the Standing Committee every success with its meeting.

3. EXAMINATION OF NEW CREDENTIALS

Doc. 14270

The Standing Committee **examined** the credentials of new members and substitutes, as set out in Doc.14270.

5. MODIFICATIONS IN THE COMPOSITION OF COMMITTEES

Commissions (2017) 03
and addendum

The Standing Committee **approved** the changes in the composition of Assembly committees, as set out in the document Commissions (2017) 03 and addendum 1.

6. REQUEST FOR A CURRENT AFFAIRS DEBATE

The President informed the Standing Committee that a request for a current affairs debate on "The escalation of the military conflict in the Donbass area" had been submitted by the Ukrainian delegation. The Bureau had approved it and had proposed that Mr Logvytskyi open the debate.

7. AGENDA

AS/Per (2017) OJ 01rev.

The revised draft agenda was **adopted**.

8. SECOND PART-SESSION OF THE PARLIAMENTARY ASSEMBLY (24-28 April 2017)

AS/Bur (2017) 28

As required by Rule 27.4 of the Assembly's Rules of Procedure, the Standing Committee **took note** of the draft agenda for the second part-session of 2017.

9. REFERENCES, TRANSMISSIONS AND MODIFICATIONS OF REFERENCES TO COMMITTEES

AS/Per (2017) 05

Mr Kox pointed out that the Bureau had modified the Presidential Committee's initial proposal not to act on the motion for a resolution on "The need to shed light on the background to the murder of Boris Nemtsov" and had proposed referring the motion to the Committee on Legal Affairs and Human Rights for report. He asked the Standing Committee to revert to the Presidential Committee's proposal.

Sir Roger Gale said he supported the Bureau's proposal. He also sounded a note of caution concerning the number of motions for resolutions on similar subjects.

Mr Xuclà reminded the meeting of the Presidential Committee's consultative role and pointed out that it was for the Bureau to make proposals. Two years had gone by since the murder of Boris Nemtsov. Moreover, the Assembly had already adopted a report on an individual case, that of Sergei Magnitsky.

Mr Arieu thought the investigation implemented over the last two years by the national judicial authorities did not constitute an obstacle to a report being drawn up by the Assembly. Light needed to be shed on a murder which had been carried out only 100 metres distant from the Kremlin.

Mr Fischer informed the meeting that, during a discussion within the Group of the European People's Party (EPP/CD), some members had been in favour of a report while others had been against. The Standing Committee should bear in mind that the rapporteur would be unable to travel to Russia.

The Standing Committee **decided** by 19 votes to 8 to refer the motion for a resolution to the Committee on Legal Affairs and Human Rights for report.

The Standing Committee **ratified** the references and transmissions to the committees, as set out in Appendix I.

10. EXCHANGE OF VIEWS WITH MR CHRISTIAN ÅHLUND, CHAIRPERSON OF THE EUROPEAN COMMISSION AGAINST RACISM AND INTOLERANCE (ECRI)

Mr Åhlund pointed out that the Commission's main activity was fighting discrimination on racial, ethnic, linguistic, religious or nationality grounds. In its reports, which concerned the 47 member States, the Commission identified issues associated with discrimination or intolerance and suggested concrete solutions to governments for resolving them. The Commission's General Policy Recommendations related to issues affecting all European countries.

In the present circumstances, issues such as hate speech and xenophobic populism, anti-terrorist measures, the integration of migrants and refugees, Islamophobia and anti-Semitism were on the Commission's agenda. Austerity measures combined with the migration crisis had led to the "them" and "us" dichotomy exploited by populist movements in Europe. General Policy Recommendation No. 15 on Combating Hate Speech, adopted in 2016, called on countries to introduce sanctions, including criminal penalties, to combat public expressions of intolerance.

In response to the terrorist attacks perpetrated in 2016, some States had adopted specific measures that included ethnic and racial profiling. Although measures aimed at protecting the population were no doubt necessary, they should comply with the principles of proportionality and non-discrimination, as pointed out in General Policy Recommendation No. 8: Combating racism while fighting terrorism. The #NoHateNoFear campaign called on everyone in society to condemn terrorist acts and not to give in to fear.

Following the reception of migrants, their integration had become a new priority for several countries in Europe and the Commission applauded their efforts. General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination called for specific measures relating to that group in order to enable them to access education and paediatric care.

Islamophobia was now part of the discourse of certain national political forces and also took the form of ethnic profiling. The Commission constantly drew States' attention to its General Policy Recommendation No. 5 on combating intolerance and discrimination against Muslims. Attacks on individuals wearing religious symbols and the desecration of Jewish cemeteries and institutions continued to take place in many member States. The Commission continually called on countries to implement General Policy Recommendation No. 9 on the fight against anti-Semitism.

There was close co-operation between the Parliamentary Assembly and the Commission. In 2016, the latter had participated in numerous events organised in connection with the #NoHateNoFear campaign and by the Committee on Equality and Non-Discrimination. Those involved, especially parliamentarians, should keep up their efforts to persuade the population of the need to defend the values of the Council of Europe.

Mr Kox asked what means the ECRI had at its disposal to bring to heel political parties with an openly Islamophobic discourse, such as the Dutch Party for Freedom.

Mr Destexhe regretted the fact that the term "Islamophobia" caused confusion between hatred towards Muslims and criticism of their religion and said he would prefer another term, as it should be possible to criticise all religions.

Mr Cilevičs wondered whether the Assembly should not become involved in the appointment of members of the ECRI along the same lines as the existing procedures for judges of the European Court of Human Rights or members of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

Mr Arieu pointed out that Mr Tolstoy, one of the representatives of the Russian parliamentary delegation, had recently made an anti-Semitic statement, which had been widely criticised in Russia, and asked Mr Åhlund to raise this matter during his bilateral meeting with the Russian delegation.

Mr García Hernández said the enemies of freedom and human rights wanted to destroy the system of representative democracy. Racism, xenophobia and anti-Semitism were among their methods. The Assembly had to use the political and democratic means available to fight steadfastly and uncompromisingly against racism, xenophobia and anti-Semitism, failing which it might become complicit in the end of democracy.

Ms Ævarsdóttir called for a ban on use of the word "illegal" when referring to migrants, as no human being could be described as such.

Mr Åhlund noted that the majority of contributions to the debate were about anti-Semitism and Islamophobia. While, despite certain incidents, anti-Semitism remained widely proscribed, including in law, Islamophobia was disseminated in political rhetoric on both sides of the Atlantic. However, it could be hoped that as a consequence of statements made across the Atlantic the popularity of parties like the Party for Freedom in the Netherlands would decrease. People with political responsibility should focus all their efforts on countering Islamophobia and ensure the legislation was applied. The use of the right terminology was crucial in the management of the migration crisis. The term "illegal immigrant" was incorrect and should be replaced by "migrant". The current procedure for selecting members of the ECRI enabled competent and conscientious individuals to be appointed.

The President thanked Mr Åhlund. The fight against populism and its corollary – the "us" and "them" dichotomy – was a focus of his activity. The migration crisis must be a Council of Europe priority. The Assembly would be devoting a day of debate to the subject during the June 2017 part-session. The rise in anti-Semitism and Islamophobia was deplorable.

11. LEGAL AFFAIRS AND HUMAN RIGHTS Securing the access of detainees to lawyers

Doc. 14267

*Rapporteur of the Committee on Legal Affairs and Human Rights:
Ms Marietta Karamanli (France, SOC)*

The Committee's Chairperson, **Mr Destexhe**, presented the conclusions of the report in the rapporteur's absence. Detainees' access to a lawyer safeguarded their right to a fair trial and was an effective way of preventing ill-treatment, but, as the report noted, it was not uncommon for it to be impeded. Lawyers were also threatened or intimidated. Recently, the question of access to a lawyer had been discussed at length in the contexts of combating terrorism, irregular migration and applications for asylum, as well as in connection with administrative detention. The report looked at the situation in Turkey, which was characterised by mass arrests and other forms of crackdown. Since the Committee's adoption of the report, the Turkish authorities had enacted legislative decrees which required that a suspect be allowed access to a lawyer after five days and reduced the maximum duration of police custody from thirty to seven days. The draft resolution called on States to guarantee effective access to a lawyer for detainees from the outset of their detention and on national parliaments to establish parliamentary scrutiny in a state of emergency which had an impact on

detainees' procedural rights. Rapid, effective and independent investigations should be carried out into all allegations of threats, intimidation or violence against lawyers, including allegations of murder.

Amendment No. 1 to paragraph 6.1 of the draft resolution, aimed at extending the right of access to a lawyer at all stages of criminal proceedings, as presented by **Mr Logvynskyi, was adopted unanimously**.

Amendment No. 2 to paragraph 6.1 of the draft resolution, calling on member States to ensure that sufficient and reasonable time is always allocated to allow a lawyer to arrive at the scene, as presented by **Mr Cilevičs** and opposed by Mr Heer, **was adopted**.

Amendment No. 3 to paragraph 6.1 of the draft resolution, calling on member States to abolish unjustified restrictions on the number of defence lawyers, as presented by **Mr Logvynskyi, was adopted unanimously**.

Amendment No. 4 to paragraph 6.6 of the draft resolution, concerning the addition of the word "investigator", as presented by **Mr Cilevičs** and opposed by Mr Heer, **was adopted**.

Amendment No. 5 to paragraph 9 of the draft resolution, aimed at reminding member States that, under the provisions of Article 15 of the European Convention on Human Rights, access to a lawyer may be limited only in cases of derogation, in time of emergency, as presented by **Mr Cilevičs, was adopted unanimously**.

The Standing Committee **adopted** the draft resolution with one vote against [Resolution 2154 (2017)].

12. EQUALITY AND NON-DISCRIMINATION

The political rights of persons with disabilities: a democratic issue

Doc. 14268

*Rapporteur of the Committee on Equality and Non-Discrimination
Ms Mechthild Rawert (Germany, SOC)*

The rapporteur said the report had been drawn up in the light of the replies to a questionnaire for national parliaments on the political participation of persons with disabilities, to which 42 countries had replied. The Committee had also held an expert hearing in October 2016. She herself had made a fact-finding visit to Austria, where she had met with experts, NGOs and parliamentarians. On 31 October 2016 she had also taken part in the conference held in Helsinki by the OSCE's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) on "Our right to participate – Promoting the participation of persons with disabilities in political and public life".

The right to vote and the right to stand for election were fundamental rights that not all people with disabilities could exercise owing to limitations that impeded their political involvement, which existed in a number of member States. It could be noted that 23% of the population suffered from some form of disability, but only a very small number of parliamentarians. The limitations were contrary to the United Nations Convention on the Rights of Persons with Disabilities. People with disabilities were discriminated against and stigmatised. Representative NGOs carried out campaigns to raise awareness of the issue. People with disabilities encountered many obstacles (accessibility of polling stations as well as of parliaments for disabled MPs). The political parties had an important role to play here, especially as far as election campaigns were concerned. It was necessary to ensure the participation, integration and inclusion of people with disabilities in our society.

Ms Wurm referred to the elimination of obstacles within parliaments and to the need to guarantee disabled parliamentarians access to buildings and participation in proceedings.

The committee Chairperson, **Ms Centemero**, pointed out that people with disabilities continued to face many difficulties in the exercise of their political rights because of inadequate infrastructure or due to political parties' lack of willingness to put these individuals on their electoral lists. Despite the fact that people with disabilities made up a significant proportion of the population, their participation in election campaigns and political debate remained very limited. The report contained practical recommendations to redress the situation.

The Standing Committee **adopted** the draft resolution with one vote against [Resolution 2155 (2017)].

13. EXCHANGE OF VIEWS WITH REPRESENTATIVES OF THE RUSSIAN PARLIAMENT ON MODALITIES OF CO-OPERATION BETWEEN THE PARLIAMENTARY ASSEMBLY AND THE RUSSIAN PARLIAMENT IN 2017

The President introduced the representatives of the Russian parliament: Mr Pyotr Tolstoy, Mr Leonid Slutsky, Mr Leonid Kalashnikov, Mr Konstantin Kosachev and Mr Vladimir Lukin. Today, at a time when Europe faced numerous challenges, it should not be overlooked that the Council of Europe constituted a common space dedicated to human rights, democracy and the rule of law, a space to which Russia had belonged since 1996. In 2016 and 2017 the Russian parliament had not sent a delegation to the Assembly. The exchange of views would enable a discussion on modalities of co-operation in 2017. It would raise difficult questions, but they should nonetheless be discussed openly as the desire to defend common values was stronger than the differences which might exist.

Mr Kosachev thanked the President and the Committee for the invitation to hold an exchange of views. The crisis in Ukraine had brought to light shortcomings in the way the Assembly operated. The Assembly's Rules of Procedure included provisions that ran counter to democratic principles and the parliamentary nature of the institution, such as the provisions concerning challenges to credentials on substantive grounds. A national parliamentary delegation's right to participate in the work of the Assembly remained valid for as long as the State was a member of the Council of Europe. If problems regarding a country needed to be discussed, that discussion should involve all of the Organisation's bodies. An analysis of voting on the two resolutions regarding the situation in south-east Ukraine adopted by the Assembly in October 2016 showed that out of 306 members of the Assembly only 102 and 104 respectively had been present at the time of voting, and 87 and 78 votes had actually been cast. That represented one-quarter of the Assembly's members. In addition, out of 46 delegations, 20 had not been present during the votes, 16 had been partially represented and only ten delegations had voted in full or almost so. Consequently, what were presented as Assembly decisions had actually been taken only by the majority of those present. The political breakdown of those who had taken part in the votes had been as follows: European People's Party – 24 members, the Socialist Group – 27 members, the Alliance of Liberals and Democrats for Europe Group – 17 members, the European Conservatives Group – 18 members, and the Group of the Unified European Left – 7 members. That composition could not be described as the European unity the Ukrainian colleagues made it out to be. The Russian Federation's parliamentary delegation would be delighted to resume the dialogue within the Assembly once the procedural issues relating to democratic representation had been resolved.

Mr Kox was pleased to see his former Russian colleagues again. The Assembly wanted all the national parliaments to be represented, as parliamentary diplomacy could then be used to promote human rights, democracy and the rule of law. Representation within the Council of Europe was not representation "à la carte". A State had a duty to be represented at the European Court of Human Rights, on the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, on the Venice Commission, at the Parliamentary Assembly and on other Council of Europe bodies. Some initiatives had been launched to change the current situation. As a State, Russia had an obligation to be represented in the biggest interparliamentary forum in Europe.

Mr Slutsky pointed out that the Russian parliamentary delegation had worked in the Assembly for 16 years, during which time the Assembly and the Russian delegation had been involved in the resolution of the conflict in the North Caucasus. A number of difficult situations had been addressed with a view to finding a common solution, thus enabling the Assembly to occupy a position of merit in the architecture of the European institutions. That position was currently jeopardised by the possibility of depriving a delegation of its fundamental rights. If there was a desire for a united Europe, then the Assembly's Rules of Procedure had to be amended, so as to ensure it was no longer possible to withdraw a delegation's rights. A roadmap to remedy the present situation should be drawn up as quickly as possible.

Mr Arieu regretted that the previous speakers had failed to mention the context in which the Russian parliamentary delegation's voting rights had been withdrawn. The Assembly's decision had in fact been a response to the annexation of Crimea in violation of international law, to Russian military aggression and to the deployment of Russian military forces in eastern Ukraine. There had been a recent escalation of military activity in the Donbass region. Russia must comply with international law, including respect for the territorial integrity of a sovereign country. The friendship between Ukraine and Russia had ended in 2014. The manner in which an amendment to the Assembly's Rules of Procedure was being called for amounted to blackmail. If Russia changed its attitude, decided to hand back Crimea and withdrew its troops from Ukraine, then negotiations would be possible. An amendment to the Rules of Procedure under such pressure would undermine the Assembly's credibility.

Mr Kalashnikov pointed out that he had been a member of the Group of the Unified European Left and of the Committee on Legal Affairs and Human Rights. In 2014, upon his return from Crimea, he had requested, during a discussion in the Committee on Legal Affairs and Human Rights, that the Venice Commission be asked to consider the question of the legality of the Ukraine parliament's decision to return to the 2004 Constitution. His request had been turned down with no explanations ever having been given. Despite this type of persistent obstacle, the Russian delegation had always participated in the Assembly's work because it had a duty to do so under the treaties signed by Russia. The newly composed Duma, elected in 2016, had begun its work by amending its rules of procedure. An amendment had been proposed by the minority parties and the majority had agreed in the interests of sound work organisation. The Duma's rules of procedure provided that an individual member could be deprived of his/her right to speak, but that could not apply to a parliamentary group, which is what had happened in the Assembly. It was astonishing that the Assembly called for differing views to be given a voice and at the same time deprived a delegation of the right to speak. Lastly, the majority of his fellow Duma members did not consider co-operation with the Assembly to be essential.

Mr Destexhe pointed out that the intervention of Russian military forces in Syria in support of Bashar al-Assad had changed the political situation and wondered what Syria's political future would hold. Moreover, what steps could Russia take to improve the human rights situation in Syria?

Mr Butkevicius expressed surprise at the tenor of the discussion and reminded the participants that the decision to withdraw from the Assembly had been taken by the Russian delegation itself. The Assembly resolution suspending the delegation's voting rights had been a response to Russia's violations of international law. According to a resolution adopted in October 2016 restoration of the rights was possible if Russia showed it was making serious progress in implementing the previous resolutions relating to its conflict with Ukraine, but no progress had been noted. Furthermore, the Russian authorities had declared they had no intention of implementing those resolutions. The Assembly's Rules of Procedure did not limit the possibility of dialogue.

Ms Maury-Pasquier thought that dialogue was necessary, especially in the case of a dispute or a thorny discussion. The Council of Europe was an organisation composed of several pillars, each of equal significance, which was why it was necessary to work with the parliamentary delegations of all member States. The resolutions adopted did not constitute an obstacle to the efforts to restore dialogue. For example, the co-rapporteurs of the Monitoring Committee could engage a dialogue with the Russian colleagues.

Mr Xuclà pointed out that the Assembly had accepted the different concepts and approaches. If radical views could be expressed in national parliaments, then the Assembly could not close its doors to them. Ukraine was the central focus of today's debate, but other conflict areas, such as Georgia, should not be forgotten. Dialogue made it possible to get to know the other side's views. The Council of Europe was an organisation based on commitments, and a variable approach with regard to conflict management could set a bad example. Could the Russian parliamentary delegation engage in regular communication with the Monitoring Committee? What reply should be given to those who questioned whether Russia was part of Europe?

Mr Nicoletti emphasised that shared problems, such as poverty and terrorism, could not be resolved without dialogue. The Assembly proposed holding a fourth summit of the heads of state and government of the 47 Council of Europe member States. Would Russia be prepared to take part? What importance did Russia attach to the protection system put in place by the European Court of Human Rights?

Mr Lukin welcomed this opportunity to speak once again before the Assembly. The Russian delegation and the Assembly had accompanied one another on the road towards the development of European co-operation. It was not desirable to call into question the role of the Council of Europe as a truly pan-European organisation. The European Convention on Human Rights, which Russia had signed, enabled justice system errors to be rectified in response to an individual application, and it would be irresponsible to put that mechanism at risk. The Council of Europe had played a major role in the resolution of the conflict in the North Caucasus. During the negotiations, all the parties had benefited from a platform for expression, including the "separatists". It was regrettable that the Council of Europe had not played the same role in the management of the conflict in Ukraine. During the drafting of the agreement on resolving the political crisis in Ukraine, signed on 21 February 2014, he had asked the drafters to refer to the standards of the Council of Europe, which were known and accepted by everyone, rather than to the instruments of the OSCE. The Council of Europe had not taken the lead until May 2014 during the negotiations on the release of the OSCE observers. He himself had actively contributed to the release of the hostages, including citizens of Ukraine. Negotiations had continued in Cyprus with no calls for the exclusion of Turkey. The Parliamentary Assembly must remain a pan-European forum.

Mr Rouquet referred to the colloquy “The defence of human rights in Europe, an out-dated idea? The Council of Europe more indispensable than ever” which he had organised in Paris on 12 September 2016. The Russian and Ukrainian ambassadors had been present. One regretted a missed opportunity to resume the dialogue. No one denied the existence of problems between Russia and Ukraine and the governments had made progress on these issues during the Minsk negotiations as well as in bilateral talks. The Assembly should remain an instrument of dialogue and parliamentary diplomacy, which would help to facilitate governmental diplomacy. Mr Arieu’s position was understandable but dialogue between parliamentarians was necessary.

Mr Slutsky pointed out that the situation in Syria and Ukraine was not the subject of the present exchange of views. The OSCE’s observation mission had acknowledged that the Russian army was absent from eastern Ukraine. Unfortunately, there was no time to reply to Mr Destexhe and deal more broadly with the current terrorism threat. There was a pressing need to establish a roadmap so as to enable the Russian delegation to participate fully in the work of the Assembly.

Mr Logvinskiy was surprised at the victim stance adopted by the Russian delegation, which claimed that the finger was unjustifiably being pointed at Russia, especially by the United States, the European Union and the European Court of Human Rights. It was strange to hear that no one was responsible for supporting the mercenaries in eastern Ukraine, for supplying them with weapons and for the fact that the Russian currency was in circulation in the occupied territories. The only way to remedy the situation was to find the right words, which the Assembly had done by referring to “the Russian aggression”. The Assembly would be in favour of dialogue if Russia had complied with resolutions 1990 (2014), 2132 (2016) and 2133 (2016), especially by releasing political prisoners, but the opposite was the case: criminal proceedings had been brought against the Crimean Tatars, and their assembly, the Medjelis, had been banned. Those who supported what Russia was doing needed to be reminded of the consequences of its action in Poland in 1919 and 1939, in Finland in 1939, in the Baltic States in 1940, in Hungary in 1956, in Czechoslovakia in 1968 and in Afghanistan in 1979, as well as in Azerbaijan, Transnistria, Georgia and, lastly, Ukraine. The establishment of dialogue should be preceded by genuine progress.

Mr Tolstoy pointed out that the Russian delegation had been invited to engage in an exchange of views and was not begging to return to the Assembly. The Assembly should decide itself if Russia was part of Europe or not. None of the delegations should be excluded from the Assembly’s work, and it was essential for the dialogue between delegations to take place on equal terms. Moreover, double standards must be avoided when dealing with the issues of the Crimea or Kosovo, Aleppo or Mossul. The Russian parliament would not reverse its decision on Crimea. The possibility that the United States or the European Union was wrong regarding Russia’s intentions could not be ruled out. An honest dialogue could take place only after amending the Rules of Procedure.

Mr Kosachev said he was pleased to have worked at the Assembly for eight years and to have espoused a culture of dialogue in that context. During the debates on Chechnya, all points of view had been represented and shared. In the discussions on Kosovo, representatives of Kosovo had been present alongside representatives of Belgrade. If a debate were today held on Donbass, like the forthcoming current affairs debate, or a debate on Crimea, those debates would take place in the absence of people living in those regions, including the Crimean Tatars, as well as the former inhabitants who had fled to Russia. Paradoxically, the Ukrainian authorities continued to describe Russia as an “occupying” power while more than a million refugees from Ukraine were currently living there.

The President thanked the guests and the committee members who had taken part in the debate. The Assembly’s strength lay in its pan-European vocation. The colleagues from the Russian parliament had made known their views on the Assembly’s Rules of Procedure, which permitted delegations to be deprived of certain rights. Views had also been expressed on the conflict in eastern Ukraine and Ukraine’s territorial integrity. It was essential to continue the dialogue. The next opportunity would present itself at the plenary session of the Assembly of the Commonwealth of Independent States, which would be held in St Petersburg on 27 March 2017.

14. CURRENT AFFAIRS DEBATE (UNDER RULE 53 OF THE RULES OF PROCEDURE)

Mr Logvynskiy opened the debate on “The escalation of the military conflict in the Donbass area”. He pointed out that Russia was still providing weapons, military hardware and fighters in order to maintain the Donbass conflict. In January 2017 substantial deliveries of arms from Russia had been observed. On 28 January 2017, the firing of rockets in the Avdiivka region – 2,300 fired over a period of 24 hours – had been considered a ceasefire violation by the OSCE. The intensity of the firing had been comparable to fighting in

the Second World War. The 17,000 inhabitants of Avdiivka had been deprived of water, electricity and heating. Since the beginning of the conflict, 1,800,000 people had been displaced. By way of comparison, Europe as a whole, excluding Turkey, had taken in 2,000,000 people since the migration crisis. The report by the UN High Commissioner for Human Rights published in December 2016 spoke of 10,000 deaths since the beginning of the conflict. In order to put an end to the conflict, the flow of funds to the combatants had to be stopped. Russia's role and support in sustaining the conflicts in Azerbaijan, Transnistria and, now, Ukraine were common knowledge. The European Court of Human Rights had ruled in a case concerning Transnistria that such support was the result of effective control of a territory.

Ms Mikko took the Chair.

Mr Butkevicius condemned the escalation of the violence and pointed out that it would persist for as long as Russia continued to supply arms and mercenaries. Russia was putting political pressure on Ukraine and had recognised documents issued by the self-declared Donetsk and Lugansk republics, where the Russian rouble was in circulation as the official currency. On 1 March 2017, the authorities of the self-declared republics had nationalised a number of Ukrainian companies, which was contrary to the spirit of the Minsk accords and ran counter to the reintegration of the occupied territories into Ukraine.

Mr Kox stressed that Ukraine was already plagued by endemic corruption and scant respect for the rule of law, a situation compounded by the recent violence. All the parties to the conflicts should assume their shares of responsibility and implement the Minsk agreements. The intervention of foreign powers in the conflict was a cause for concern. It was true that a finger could be pointed at Russia, but the United States Congress had decided to send lethal weapons to Ukraine and Canada had sent military personnel.

Mr Arieu regretted the Russian representatives' non-participation in the discussion after having set out their conditions during the exchange of views. Discussions on the escalation of violence in eastern Ukraine and Russian military aggression were regularly held within the OSCE Parliamentary Assembly in the presence of Russian MPs, but those discussions led nowhere as the latter in reality had no control over the situation. Russia continued to supply arms and military personnel. A drone launched from Russian territory had been intercepted by the Ukrainian army. Moreover, Russia had recently indicated its intention to maintain the military escalation by recognising passports issued by the self-declared republics. That recognition was a cynical act, as it had taken place during the "Normandy format" ministerial meeting. Ukraine had never obtained lethal weapons from a foreign power.

Mr Kox (*on a point of order*) pointed out that the proposal to invite the Russian parliamentarians to participate in the current affairs debate had been made by the Presidential Committee and approved by the Bureau the day before the debate. The persons concerned had been informed upon their arrival at the meeting without having any time to prepare, which explained their decision not to take part.

Mr Arieu (*on a point of order*) said he had been informed at the beginning of the meeting about the decision to allow two Russian and two Ukrainian MPs to speak in order to ensure balance, hence his surprise at the departure of the guests after the exchange of views.

Mr Kox (*on a point of order*) deplored the fact that Mr Arieu had accused the guests of having underhand intentions.

The debate **was closed**.

15. OTHER BUSINESS

Mr Heer asked what action the Bureau had taken in response to the requests from several delegations to hold an independent investigation into the allegations of corruption within the Assembly revealed by the media.

The Chairperson replied that, at its meeting the previous day, the Bureau had decided to continue the discussions on what action to take and to reach a decision at its next meeting in April 2017.

16. NEXT MEETING

The Standing Committee **decided** to hold its next meeting in Prague on 30 May 2017.

The sitting **was closed** at 5 p.m.

APPENDIX I

Decisions on documents tabled for references to committees

A. REFERENCES TO COMMITTEE

1. **The need to shed light on the background of the murder of Boris Nemtsov**
Motion for a resolution tabled by Ms Lundgren and other members of the Assembly
[Doc. 13967](#)

Reference to the Committee on Legal Affairs and Human Rights *for report*.

2. **Integration, empowerment and protection of migrant children through compulsory education**
Motion for a resolution tabled by Ms De Sutter and other members of the Assembly
[Doc. 14241](#)

Reference to the Committee on Migration, Refugees and Displaced persons *for report*.

3. **Creation of the position of "Internet Ombudsman" in charge of assessing the legal or illegal nature of internet contents through screening procedures**
Motion for a recommendation tabled by Mr Reichardt and other members of the Assembly
[Doc. 14243](#)

Reference to the Committee on Culture, Science, Education and Media *for report*.

4. **Recently arrived refugees and migrants at risk of radicalisation**
Motion for a resolution tabled by Ms Gafarova and other members of the Assembly
[Doc. 14244](#)

Reference to the Committee on Migration, Refugees and Displaced persons *for report*.

5. **Labour migration from Eastern Europe and its impact on socio-demographic processes in these countries**
Motion for a resolution tabled by Ms Johnsen and other members of the Assembly
[Doc. 14246](#)

Reference to the Committee on Migration, Refugees and Displaced persons *for report*.

6. **Family reunification in the Council of Europe member States**
Motion for a resolution tabled by Ms Gafarova and other members of the Assembly
[Doc. 14249](#)

Reference to the Committee on Migration, Refugees and Displaced persons *for report*.

7. **Election of the Judges to the European Court of Human Rights**
Motion for a resolution tabled by the Committee on the Election of Judges to the European Court of Human Rights
[Doc. 14250](#)

Reference to the Committee on the Election of Judges to the European Court of Human Rights *for report*.

8. **Promoting the rights of persons belonging to national minorities**
Motion for a resolution tabled by the Committee on Equality and Non-Discrimination
[Doc. 14251](#)

Reference to the Committee on Equality and Non-Discrimination *for report*.

9. **Alexander Adamescu and the abuse of the European Arrest Warrant (EAW)**
Motion for a resolution tabled by Lord Balfe and other members of the Assembly
[Doc. 14253](#)

No further action.

B. MODIFICATION OF REFERENCES

- 1. Integration of refugees in times of critical pressure: learning from recent experience and examples of best practice**
Motion for a recommendation tabled by Mr Voruz and other members of the Assembly
[Doc. 13903](#)
Ref. 4169 of 25 January 2016

Reference to the Committee on Migration, Refugees and Displaced persons *for report* and to the Committee on Culture, Science, Education and Media and to the Committee on Equality and Non-Discrimination *for opinion*.

- 2. Migration as an opportunity for European development**
Motion for a resolution tabled by Mr Rigoni and other members of the Assembly
[Doc. 13974](#)
Ref. 4196 of 22 April 2016

Reference to the Committee on Migration, Refugees and Displaced persons *for report* and to the Committee on Social Affairs, Health and Sustainable Development *for opinion*.

- 3. A comprehensive humanitarian and political response to the migration and refugee crisis in Europe**
Motion for a resolution tabled by the Committee on Migration, Refugees and Displaced persons
[Doc. 14005](#)
Ref. 4203 of 22 April 2016

Reference to the Committee on Migration, Refugees and Displaced persons *for report* and to the Committee on Political Affairs and Democracy *for opinion*.

- 4. Human rights implications of the European response to transit migration across the Mediterranean**
Motion for a resolution tabled by Ms Strik and other members of the Assembly
[Doc. 14168](#)
Ref. 4252 of 25 November 2016

Reference to the Committee on Migration, Refugees and Displaced persons *for report* and to the Committee on Legal Affairs and Human Rights *for opinion*.

APPENDIX II

List of participants

President of the Parliamentary Assembly / Président de l'Assemblée parlementaire

Mr Pedro AGRAMUNT Spain

Chairpersons of Political Groups / Président(e)s des groupes politiques

Mr Axel FISCHER Group of the European People's Party (EPP/CD) /
Groupe du Parti populaire européen (PPE/DC)

Mr Michele NICOLETTI Socialist Group (SOC) /
Groupe socialiste (SOC)

Mr Jordi XUCLÀ Alliance of Liberals and Democrats for Europe (ALDE) /
Alliance des démocrates et des libéraux pour l'Europe (ADLE)

Mr Ian LIDDELL-GRAINGER European Conservatives Group (EC) /
Groupe des conservateurs européens (CE)

Mr Tiny KOX Group of the Unified European Left (UEL) /
Groupe pour la gauche unitaire européenne (GUE)

Vice-Presidents of the Assembly / Vice-président(e)s de l'Assemblée

Sir Roger GALE United Kingdom

M. René ROUQUET France

Ms Ingjerd SCHOU Norway

Ms Hermine NAGHDALYAN Armenia

Ms Marianne MIKKO Estonia

Mr Antonio GUTIÉRREZ Spain

Mr Talip KÜÇÜKCAN Turkey

Mr Zsolt NÉMETH Hungary

Ms Adele GAMBARO Italy

Mr Axel FISCHER Germany

Mme Ana Catarina MENDES Portugal

Ms Aleksandra DJUROVIĆ Serbia

Mr Georgii LOGVYNSKYI Ukraine

Chairpersons of National Delegations / Président(e)s de délégations nationales

Ms Hermine NAGHDALYAN Armenia

Ms Gisela WURM Austria

Mr Samad SEYIDOV Azerbaijan

Mr Mato FRANKOVIĆ Croatia

Ms Stella KYRIAKIDES Cyprus

Ms Marianne MIKKO Estonia

Mr Michael Aastrup JENSEN Denmark

Ms Sirkka-Liisa ANTTILA Finland

M. René ROUQUET France

Mr Axel FISCHER Germany

Ms Tamar CHUGOSHVILI Georgia

Ms Ioanetta KAVVADIA Greece

Mr Zsolt NÉMETH Hungary

Ms Thorhildur Sunna ÆVARSDÓTTIR Iceland

Mr Joseph O'REILLY Ireland

Mr Algirdas BUTKEVIČIUS Lithuania

M. Yves CRUCHTEN Luxembourg

Mr Joseph DEBONO GRECH Malta

Mr Predrag SEKULIĆ Montenegro

Mr Nico SCHRIJVER Netherlands

Ms Ingjerd SCHOU Norway

Mr Włodzimierz BERNACKI Poland

Mme Ana Catarina MENDES Portugal

Ms Aleksandra DJUROVIĆ	Serbia
Ms Ksenija KORENJAK KRAMAR	Slovenia
Mr Pedro AGRAMUNT	Spain
Mr Alfred HEER	Switzerland
Mr Talip KÜÇÜKCAN	Turkey
Mr Volodymyr ARIEV	Ukraine
Sir Roger GALE	United Kingdom

**Chairperson of the Committee on Legal Affairs and Human Rights /
Président de la Commission des questions juridiques et des droits de l'homme**
M. Alain DESTEXHE Belgique

**Chairperson of the Committee Social Affairs, Health and Sustainable Development /
Présidente de la Commission des questions sociales, de la santé et du développement durable**
Ms Stella KYRIAKIDES Cyprus

**Chairperson of the Committee on Migration, Refugees and Displaced Persons /
Présidente de la Commission des migrations, des réfugiés et des personnes déplacées**
Ms Sahiba GAFAROVA Azerbaijan

**Chairperson of the Committee on Culture, Science, Education and Media /
Présidente de la Commission de la culture, de la science, de l'éducation et des médias**
Mr Volodymyr ARIEV Ukraine

**Chairperson of the Committee on Equality and Non-Discrimination /
Présidente de la Commission sur l'égalité et la non-discrimination**
Ms Elena CENTEMERO Italy

**Chairperson of Committee on the Honouring of Obligations and Commitments by Member States of the
Council of Europe (Monitoring Committee) / Président(e) de la Commission pour le respect des
obligations et engagements des Etats membres du Conseil de l'Europe (Commission de suivi)**
M. Cezar Florin PREDA Roumanie

**Chairperson of the Committee on Rules of Procedure, Immunities and Institutional Affairs /
Présidente de la Commission du règlement, des immunités et des affaires institutionnelles**
Mme Liliane MAURY PASQUIER Suisse

**Chairperson of the Committee on the Election of Judges to the European Court of Human Rights /
Président de la Commission sur l'élection des juges à la Cour européenne des droits de l'homme**
Mr Boriss CILEVIČS Latvia

**Rapporteurs (not members of the Standing Committee) /
Rapporteur(e)s (non-membres de la Commission permanente)**
Ms Mechtild RAWERT Germany

Members of the Parliamentary Assembly / Membres de l'Assemblée parlementaire
Mr Jokin BILDARRATZ Spain
Mr José CEPEDA Spain
Mr Xavier GARCÍA ALBIOL Spain
Mr José Ramón GARCÍA HERNÁNDEZ Spain
Mr Jordi ROCA Spain
Ms María Concepción de SANTA ANA Spain

Invited personalities / Personnalités invitées
Mr Pío GARCÍA-ESCUADERO Speaker of the Spanish Senate / Président du Sénat espagnol

Mr Christian ÅHLUND	Chairperson of the European Commission against Racism and Intolerance (ECRI) / Président de la Commission européenne contre le racisme et l'intolérance (ECRI)
Mr Pyotr TOLSTOY	Deputy Speaker of the Russian State Duma / Vice-président de la Douma d'Etat russe
Mr Leonid SLUTSKY	Chairman of the Committee on Foreign Affairs of the Russian State Duma / Président de la Commission des affaires étrangères de la Douma d'Etat russe
Mr Leonid KALASHNIKOV	Chairman of the Committee on the Commonwealth of Independent States, Eurasian Integration and Relations with Compatriots of the Russian State Duma / Président de la Commission sur la Communauté des États indépendants, l'intégration eurasiennne et les relations avec les compatriotes de la Douma d'Etat russe
Mr Konstantin KOSACHEV	Chairman of the Committee on Foreign Affairs of the Russian Federation Council / Président de la Commission des affaires étrangères du Conseil de la Fédération de Russie
Mr Vladimir LUKIN	Deputy Chairman of the Committee on Foreign Affairs of the Russian Federation Council / Vice-président de la Commission des affaires étrangères du Conseil de la Fédération de Russie

Delegation Secretaries / Secrétaires de délégations

Mr Victor BIYAGOV	Armenia
Mr Babak AGHAYEV	Azerbaijan
Ms Sonja LANGENHAECK	Belgium
Ms Veronika KRUPOVÁ	Czech Republic
Mr Radek MERKL	Czech Republic
Ms Liisi VAHTRAMÄE	Estonia
Ms Maria FAGERHOLM	Finland
M. Xavier PINON	France
Ms Lana CHKHARTISHVILI	Georgia
Mr Michael HILGER	Germany
Ms Voula SYRIGOS	Greece
Ms Judit GOTTSCHALL	Hungary
Mr Jörundur KRISTJÁNSSON	Iceland
Mr Martins OLEKŠS	Latvia
Ms Laura ŠUMSKIENĖ	Lithuania
Mr Bas NIEUWENHUIZEN	Netherlands
Ms Anita Helland KJUS	Norway
Ms Anna TRĘBACZKIEWICZ	Pologne
Ms Jelena SUDIMAC	Serbia
Ms Lucia NOVOSADOVÁ	Slovak Republic
Ms Alja ŠKIBIN	Slovenia
Mme Teresa GÓMEZ-BERNARDO	Spain
Mr Magnus NORDSTRÖM	Sweden
Mr Daniel ZEHNDER	Switzerland
Mr Nicholas WRIGHT	United Kingdom

Secretaries of Political Groups / Secrétaires des Groupes politiques

Ms Denise O'HARA	EPP/CD / PPE/DC
Mme Francesca ARBOGAST	SOC / SOC
Mr Tom VAN DIJCK	EC / CE
Ms Maria BIGDAY	ALDE / ADLE
Ms Anna KOLOTOVA	UEL / GUE

Secretariat of the Parliamentary Assembly / Secrétariat de l'Assemblée Parlementaire

Mr Wojciech SAWICKI	Secretary General / Secrétaire Général
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Mr Mário MARTINS	Director General / Directeur Général
Mr Mark NEVILLE	Head of the Private Office / Chef du Cabinet
Mr Alfred SIXTO	Head of the Table Office / Chef du Service de la Séance
Ms Angela GARABAGIU	Secretary of the Bureau / Secrétaire du Bureau
Mme Kateryna GAYEVSKA	Secretary of the Standing Committee / Secrétaire de la Commission permanente
Ms Micaela CATALANO	Head of the Communication Division / Chef de la Division de la Communication
Mr Francesc FERRER	Deputy to the Head of the Communication Division / Adjoint au Chef de la Division de la Communication
Ms Sally-Ann HONEYMAN	Administrative Assistant, Table Office / Assistante administrative du Service de la séance
Mme Annick SCHNEIDER	Assistant to the Secretary General / Assistante du Secrétaire Général
Mme Naouelle TEFIFEHA	Assistant of the Bureau / Assistante du Bureau
Mr Martin McMILLAN	Assistant of the Standing Committee / Assistant de la Commission permanente
Council of Europe / Conseil de l'Europe	
Ms Gabriella BATTAINI-DRAGONI	Deputy Secretary General / Secrétaire Générale Adjointe
Mr Bjorn BERGE	Secretary of the Committee of Ministers / Secrétaire du Comité des Ministres
Mr Alexandre GUESSEL	Director of Political Affairs / Directeur des Affaires politiques
Mr Markus ADELSBACH	Advisor to the Deputy Secretary General / Conseiller de la Secrétaire Générale Adjointe
Ms Michel AKIP	Executive Secretary of ECRI / Secrétaire exécutive de l'ECRI
Other participants / Autres participants	
Mr Luis Javier GIL CATALINA	Permanent Representative of Spain to the Council of Europe / Représentant Permanent de l'Espagne auprès du Conseil de l'Europe
Mr Kirill IGNATOV	First Secretary of the Embassy of the Russian Federation, Madrid/ Premier Secrétaire de l'Ambassade de la Fédération de Russie à Madrid
Mr Gleb RESHETNIKOV	Deputy to the Permanent Representative of the Russian Federation to the Council of Europe / Adjoint au Représentant Permanent de la Fédération de Russie auprès du Conseil de l'Europe
Ms Diana RADUKOVA	Spokesperson of the Committee on Foreign Affairs of the Russian State Duma / Porte-parole de la Commission des affaires étrangères de la Douma d'Etat russe
Mr Oleg KHODYREV	Senior Advisor of the Committee on Foreign Affairs of the Russian Federation Council / Conseiller principal de la Commission des affaires étrangères du Conseil de la Fédération de Russie
Mr Ilya GAMBASHIDZE	Advisor to Mr Pyotr Tolstoy, Deputy Speaker of the State Duma / Conseiller de M. Pyotr Tolstoy, Vice-président de la Douma d'Etat russe
Mr Jorge MESTRE	Senior Political Advisor to the President of the Assembly / Conseiller politique principal du Président de l'Assemblée