



## RUSSIA'S CHAIRMANSHIP OF THE COUNCIL OF EUROPE ST. PETERSBURG POLITICS

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## Analysis

### Poor Record. The Russian Chairmanship of the Council of Europe 2006

Olaf Melzer, Frankfurt am Main

#### Summary

In 2006, for the first time in history, the Russian Federation chaired the Council of Europe's Committee of Ministers, giving the country the opportunity to set the agenda in a European organization. Russia outlined an ambitious program for its six months chairmanship (May–November 2006). Observers are ambivalent about the results because Russia embarked on a hidden strategy: While outwardly claiming to abide by all legal and political obligations and commitments on the basis of common European values such as democracy, rule of law and human rights, Russia simultaneously thwarted these very aims through its obviously undemocratic policies and deteriorating human rights record. The value gap between Russia and Europe has become ever more manifest – despite all political assertions to the contrary during EU-Russia meetings. A mere disposition to discussion no longer suffices to achieve material changes in the understanding of values – a new quality of cooperation between the Council of Europe and the EU should be initiated now.

#### Russia in the Council of Europe

Russia basked in the glory of numerous international organizations during 2006. The Russian Federation not only simultaneously chaired two international institutions – the G8 and the Council of Europe – but also succeeded in reaching a groundbreaking agreement with the US, paving the way for World Trade Organization (WTO) accession. Thus, unsurprisingly Russia seems immune to any kind of European criticism in regard to its human rights policies or energy politics.

Unfortunately, this immunity also applies to critiques coming from within the Council of Europe, the only European organization Russia has been a member of since 1996. The Strasbourg-based Council of Europe, founded in 1949, is the oldest organization in the history of European integration. The Council is most famous for its European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR, Council of Europe Treaty Series No.:005), which established the unique European Court of Human Rights in Strasbourg. The ECHR, together with 200 other conventions (international treaties), such as the European Social Charter (revised 1996) and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CETS No.:126), constitute the common European legal space for a total of 46 member states and 800 million Europeans.

#### Russia's accession in 1996

Russia's accession to the Council of Europe in February 1996 was controversial. Russia fulfilled neither the political nor the legal preconditions to be-

come a member of the Council, formerly known as the "Club of Democracies." The decision for admittance was strictly political: Although the EU and NATO engaged in a dialogue with Russia, accession to either of those two organizations was not an option. It was the Council of Europe, which became the first European organization to open up for close co-operation with the countries of Central- and Eastern Europe and the former Soviet Union. As early as 1989 special co-operation measures like the "Special Guest Status" were initiated in order to provide formally for the creation of multi-level co-operation mechanisms and programs with the new independent countries of the East. The overriding aim was to facilitate the peaceful transformation of the young and fragile evolving Russian political system toward the consolidation of democracy, rule of law and human rights. The Council employed a country-specific multi-level approach by political, legal, cultural, regional, and local instruments of cooperation.

However, the accession process of the Russian Federation lasted for almost four years and was discontinued due to severe human rights violations by the Russian military in the Chechen war in 1995. It was only after avid affirmations by the Russian government to change its policy in the Caucasus that Russia was accepted as the 39th member of the Council of Europe on February 28, 1996.

Due to Russia's obvious deficits in regard to almost all standards of the Council of Europe, benchmarks were introduced for defining Russia's path toward consolidating its democracy. A long list of individual obligations and commitments were formulated in Opinion 193 (1996) of the Parliamentary Assembly of the Council of Europe (PACE). It was affirmed

that Russia “share(d) fully its understanding and interpretation of commitments (...) as spelt out in the (...) opinion.” In addition, monitoring mechanisms were introduced to supervise and assist the new member states in accomplishing the requested criteria for democracy, rule of law, and human rights. However, Russia’s progress did not exceed its setbacks. Therefore, monitoring procedures for Russia had to be extended on a regular basis since Russia has only very selectively complied with its obligations. None of the 45 other member states shares Russia’s interpretation of the obligations as only “political commitments” rather than legal obligations.

### Russia’s Chairmanship: A Fox in the Henhouse?

After ten years of membership in the Council of Europe (CoE), Russia still falls short of the three key CoE goals: democracy, rule of law and human rights. Thus, when Russia’s Foreign Minister Segei Lavrov took over the chair of the Committee of Ministers, heated discussion erupted. Human rights organizations, in particular, complained that the Council of Europe’s globally respected human rights standards should not be placed in the hands of the country with the highest number of cases pending before the European Court of Human Rights. Moreover, Russia has been one of the top five countries failing to comply with the judgments of the Court for years and fails to use peaceful means to settle conflicts, as seen in the Northern Caucasus.

Despite such protests and notwithstanding Russia’s miserable scores in the established democracy indices (Freedom House, Polity IV, Bertelsmann Transformation index), PACE President René van der Linden and Council Secretary General Terry Davis both supported the Russian chairmanship. In spring 2006 they argued that Russia’s progress justified the chair and moreover posed a unique chance for Russia to consolidate its European commitments within the Council of Europe.

### The Record of the Russian Chairmanship

At a first glance, the sheer amount of activity during the Russian chairmanship looks impressive. In the course of six months, Russia organized 30 events: conferences, high-level meetings of European judges and prosecutors, workshops, including a session of the Parliamentary Assembly, a Congress of Local and Regional Authorities gathering, and several committee sessions in Moscow, St. Petersburg and other Russian cities. The conferences dealt with democracy, cooperation among European judges, civil society, human

rights, NGOs and – a favorite Russian topic – the common fight against terrorism. These events were well covered in the Russian media.

However, it is necessary to look more carefully at the conferences, their content, and the Russian way of organizing them. Russia had chosen the following priorities for its chairmanship:

- “ (...) – *reinforcing national human rights protection mechanisms, development of human rights education and protection of rights of national minorities;*
- *creating a common European legal space to protect individuals from modern-day challenges;*
  - *improving access to social rights, protection of vulnerable groups;*
  - *developing efficient forms of democracy and civic participation, promoting good governance;*
  - *strengthening tolerance and mutual understanding through the development of dialogue, cooperation in the field of culture, education, science, youth and sports.”*

The largest number of events took place within the realm of the last priority which does not include controversial issues. However, Russia did not leave out any difficult issue during its chairmanship, even if one can argue about the tangible circumstances of many of the conferences.

- In most of the final reports, the results were formulated in an astonishingly imprecise manner – due to the massive intervention by the Russian hosts, as the author witnessed at the Council’s “Forum for the Future of Democracy” in Moscow in October. Serious bargaining on established Council of Europe standards occurred. The Russian organizers pushed aggressively to change the wording from “independent and free work of the media” to “... a climate ... in which the media can work freely”. At least, the Russians’ favored formulation calling for “responsible work of the media” was not accepted.
- During the same “Forum on the Future of Democracy,” members of the Russian Duma and experts were supplied with extensive Russian-language information material about the Council of Europe. This material (including translations of the key texts of the Conventions of the Council and Russian translations of core judgments of the European Court of Human Rights) should be provided to members of Russian civil society, not experts with easy and unlimited access to all kinds of Strasbourg material! Moreover, Russian authorities actively hinder the dissemination of Council of Europe information material through all Council of Europe information offices in the

Russian Federation. All of these offices are located in extremely inaccessible buildings, such as the Moscow State Institute of International Relations (MGIMO), which is under the guard of the Federal Security Service (FSB).

- Some local Russian NGOs and NGOs with international funding were not allowed to take part in the NGO conference under the Russian chair in Nizhny Novgorod in September. Despite the plea of the Council of Europe, the Russian authorities sent out the invitations to groups of their choosing and refused to make any changes.

### Pushing the Council away from Human Rights

The Russian approach subtly, but clearly aims to dilute the core competencies of the Council of Europe. Ostensibly, numerous Russian oral and written statements only seem to lack the necessary accuracy in regard to legal formulations and obligations. The common European legal space becomes a “common European space”, democratic principles of the Council of Europe are referred to as principals of “traditional democracy”. What appears to only be neglectful at first, in fact calls into question the basic principles of the Council of Europe.

The first priority of the Russian chair was reinforcing national human rights protection systems. This, no doubt, clearly is a European goal. However, the oft heard Russian complaints about the politicization of the European Court of Human Rights and the accusation of employing “double standards” against Russia pricks up one’s ears. The simultaneous Russian blockade of the budget increase for the Court – despite the agreement of May 2005 – clarifies the new dimension of Russian policies towards Europe.

Moreover, Russia remains the last of the 46 members of the Council which has not ratified the 14th additional Protocol of the European Convention of Human Rights. This does not come as an surprise since Russia has failed to comply with a judgment of the Court (*Ilascu vs Russia*) for more than two years, as the Secretary General of the Council of Europe noted on 9 December 2006. According to the general acceptance of the European Convention of Human Rights, the convention in combination with the judgments of the Court establish a constitutional order (“objective Grundordnung”) within the 46 member states of the Council of Europe which far transcends the normal scope of an international treaty. Even the Russian Federation is bound by that constitutional order, but opposes this order by state practice.

The Russian motion to refrain from sending CoE

and OSCE election observation missions, while assigning these tasks to the Venice Commission, shows in practice how Russia wanted to shift the core competencies and main tasks of the Council of Europe. The staff of the Council of Europe has long dealt with this problem. As early as May 2005, after the third CoE summit, Council staff experienced a conspicuous deviation by Russians in regard to the otherwise consensual interpretation of the final declaration of the summit by all other 45 member states. These differences gained momentum during the Russian chairmanship when the drafting of the “memorandum of understanding” between the EU and Council of Europe was delayed time and again. It does not come as a surprise that the Russian agenda caused cynical comments behind the scenes: The alleged aims were to

- block progress
- decelerate inevitability
- shift CoE core competencies away from human rights towards economic, social, and cultural issues.

One can find explicit indications for this agenda in the speech of Foreign Secretary Lavrov in his contentious performance in the Parliamentary Assembly on October 4, 2006. After responding elusively to some critical questions on Russian NGO legislation, on human rights in general, and on the dispatch of Russian parliamentarians to the “referendum” in Transnistria (a ballot recognized by no other countries), Lavrov found some inauspicious words to comment on the ongoing tensions between Russia and Georgia. The day before, the President of the Parliamentary Assembly had already called to order the Heads of the Georgian and the Russian delegations to the Council of Europe in regard to the use of “inflammatory speech”.

### Intensified Co-operation between the Council of Europe and EU as a Step Forward?

Thus, the record of the Russian Chair in the Council of Europe remains poor. While the discrepancy between Russian views and Council of Europe views on values and existing obligations is manifest and sad enough, Russia’s strategy to undermine Council of Europe positions could have alarming consequences.

The attitude of the European states is incomprehensible: In light of the differences between Russian assertions and de facto policies, it no longer suffices to swear allegiance to common values at EU-Russia meetings. Until now, the EU policy towards Russia neglected the Council of Europe – and did not achieve a common understanding of values in EU-Russia rela-

tions. In contrast, the “Russian way towards democracy” is not convincing, either.

There is an alternative: the Council of Europe, rather than the EU, presents an adequate forum for discussing common values on the basis of common Russian-European progress *and* common treaties. Better co-operation between the EU and CoE,

two old rivals, and a considerable reinvigoration of Strasbourg’s Council is urgently needed in order to foster sustainable developments in Russia. Only with the combined powers of the two European organizations is it possible to incorporate Russia into a serious dialogue on human rights and democracy.

*About the author:*

Olaf Melzer is Research Associate at the Peace Research Institute Frankfurt (PRIF). He is currently completing his PhD dissertation, which focuses on Council of Europe democracy promotion efforts in Russia.

*Further Reading:*

[www.coe.int](http://www.coe.int)

[www.echr.coe.int/echr](http://www.echr.coe.int/echr)

- Florence Benoit-Rohmer, Heinrich Klebes: Council of Europe law – Towards a pan-European legal area, Strasbourg 2005.
- Bruno Haller, Hans Christian Krüger, Herbert Petzold: Law in Greater Europe: Towards a Common Legal Area, Studies in Honour of Heinrich Klebes, Kluwer 2000.
- Uwe Holtz (Hg.): 50 Jahre Europarat, Schriften des Zentrum für Europäische Integrationsforschung. ZEI, Band 17, Baden-Baden 1999
- Denis Huber: A decade which made history: The Council of Europe 1989 – 1999, Strasbourg 2000.
- Olaf Melzer: Russland im Europarat: Demokratiexport durch den Europarat nach Rußland seit 1989, in: Integration und Ausgrenzung im Osten Europas, Forschungsstelle Osteuropa Bremen, Arbeitspapiere und Materialien, Nr. 70 – September 2005 , S. 25–30

## Documentation

### The Parliamentary Assembly of the Council of Europe on Russia’s Request for Membership

OPINION No. 193 (1996)1 of 25 January 1996

(excerpt)

10. The Parliamentary Assembly notes that the Russian Federation shares fully its understanding and interpretation of commitments entered into as spelt out in paragraph 7, and intends:
- to sign the European Convention on Human Rights at the moment of accession; to ratify the Convention and Protocols Nos. 1, 2, 4, 7 and 11 within a year; to recognise, pending the entry into force of Protocol No. 11, the right of individual application to the European Commission and the compulsory jurisdiction of the European Court (Articles 25 and 46 of the Convention);
  - to sign within one year and ratify within three years from the time of accession Protocol No. 6 to the European Convention on Human Rights on the abolition of the death penalty in time of peace, and to put into place a moratorium on executions with effect from the day of accession;
  - to sign and ratify within a year from the time of accession the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
  - to sign and ratify within a year from the time of accession the European Framework Convention for the Protection of National Minorities; to conduct its policy towards minorities on the principles set forth in Assembly Recommendation 1201 (1993), and to incorporate these principles into the legal and administrative system and practice of the country;



- v. to sign and ratify within a year from the time of accession the European Charter of Local Self-Government and the European Charter for Regional or Minority Languages; to study, with a view to ratification, the Council of Europe's Social Charter; and meanwhile to conduct its policy in accordance with the principles of these conventions;
- vi. to sign and ratify and meanwhile to apply the basic principles of other Council of Europe conventions – notably those on extradition; on mutual assistance in criminal matters; on the transfer of sentenced persons; and on the laundering, search, seizure and confiscation of the proceeds of crime;
- vii. to settle international as well as internal disputes by peaceful means (an obligation incumbent upon all member states of the Council of Europe), rejecting resolutely any forms of threats of force against its neighbours;
- viii. to settle outstanding international border disputes according to the principles of international law, abiding by the existing international treaties;
- ix. to ratify, within six months from the time of accession, the agreement of 21 October 1994 between the Russian and Moldovan Governments, and to continue the withdrawal of the 14th Army and its equipment from the territory of Moldova within a time-limit of three years from the date of signature of the agreement;
- x. to fulfil its obligations under the Treaty on Conventional Armed Forces in Europe (CFE);
- xi. to denounce as wrong the concept of two different categories of foreign countries, whereby some are treated as a zone of special influence called the „near abroad“;
- xii. to negotiate claims for the return of cultural property to other European countries on an ad hoc basis that differentiates between types of property (archives, works of art, buildings, etc.) and of ownership (public, private or institutional);
- xiii. to return without delay the property of religious institutions;
- xiv. to settle rapidly all issues related to the return of property claimed by Council of Europe member states, in particular the archives transferred to Moscow in 1945;
- xv. to cease to restrict – with immediate effect – international travel of persons aware of state secrets, with the exception of those restrictions which are generally accepted in Council of Europe member states, and to facilitate the consultation of archives kept in the Russian Federation;
- xvi. to ensure that the application of the CIS Convention on Human Rights does not in any way interfere with the procedure and guarantees of the European Convention on Human Rights;
- xvii. to revise the law on federal security services in order to bring it into line with Council of Europe principles and standards within one year from the time of accession: in particular, the right of the Federal Security Service (FSB) to possess and run pre-trial detention centres should be withdrawn;
- xviii. to adopt a law on alternative military service, as foreseen in Article 59 of the constitution;
- xix. to reduce, if not eliminate, incidents of ill-treatment and deaths in the armed forces outside military conflicts;
- xx. to pursue legal reform with a view to bringing all legislation in line with Council of Europe principles and standards: in particular, Presidential Decree No. 1226 should be revised without delay;
- xxi. to extend its international co-operation to prevent – and eliminate the ecological effects of – natural and technological disasters;
- xxii. to sign and ratify within a year from the time of accession the General Agreement on Privileges and Immunities of the Council of Europe and its additional protocols;
- xxiii. to co-operate fully in the implementation of Assembly Order No. 508 (1995) on the honouring of obligations and commitments by member states of the Council of Europe, as well as in monitoring processes established by virtue of the Committee of Ministers' Declaration of 10 November 1994 (95th session);
- xxiv. to respect strictly the provisions of international humanitarian law, including in cases of armed conflict on its territory;
- xxv. to co-operate in good faith with international humanitarian organisations and to enable them to carry on their activities on its territory in conformity with their mandates.

Source: <http://assembly.coe.int/Mainf.asp?link=http://assembly.coe.int/Documents/AdoptedText/ta96/EOP1193.htm>

## Parliamentary Assembly of the Council of Europe: Implementation of Judgments of the European Court of Human Rights

(Doc. 11020)

18 September 2006

Report

Committee on Legal Affairs and Human Rights

Rapporteur: Mr. Erik Jurgens, Netherlands, Socialist Group

### *Summary*

The Parliamentary Assembly stresses that the authority of the European Court of Human Rights depends on the effective execution of its judgments by member states. Although by virtue of Article 46 of the European Convention on Human Rights, the supervision of judgments is the responsibility of the Committee of Ministers, this report confirms that the Assembly and parliaments of member states can, and increasingly do, contribute substantially to the speedy and effective implementation of the Court's judgments.

The Assembly's Committee of Legal Affairs and Human Rights has now taken a more proactive approach by giving priority to the examination of cases which concern major structural problems and in which unacceptable delays of implementation have arisen, especially in five states: Italy, the Russian Federation, Turkey, Ukraine and the United Kingdom. Special *in situ* visits were paid by the Committee's rapporteur to these states to examine, with national decision-makers and parliaments, the urgent need to solve outstanding problems. Reasons for non-compliance and difficulties in execution of the Strasbourg Court's judgments in eight other states (Bulgaria, France, Germany, Greece, Latvia, Moldova, Poland and Romania) were also analysed on the basis of written replies received from parliamentary delegations of these states.

Although recognising positive developments in several states, including special domestic mechanisms put into place in Italy, Ukraine and the United Kingdom, the Committee is gravely concerned with the continuing existence of a number of major structural deficiencies and/or a lack of effective domestic mechanisms in several countries. The need to provide effective domestic mechanisms must, in specific instances, be co-ordinated at the highest political level.

There is an imperative need for member states to accelerate and fully execute judgments of the Strasbourg Court, and the Committee proposes that it continues to monitor the situation closely, especially in states in which major problems have been identified.

If the parliamentary delegations of these states do not show, within six months, concrete results or realistic action plans which have or will solve substantial and often longstanding issues of non-compliance with Strasbourg Court judgments, the Assembly should consider using Rule 8 of its Rules of Procedure (suspension of the right of national delegations to be represented in the Assembly).

The Committee also proposes that the Assembly recommends to the Committee of Ministers a number of measures to improve the effectiveness and visibility of the supervision of the execution of the Court's judgments.

Source: <http://assembly.coe.int/Main.asp?link=/Documents/WorkingDocs/Doc06/EDOC11020.htm>

## Chairmanship of Committee of Ministers: Russian Federation Presents its Priorities

Council of Europe Press Division

Press release – 293(2006)

Strasbourg, 19.05.2006 – Sergey Lavrov, Russia's Minister of Foreign Affairs, today presented in Strasbourg the programme of the Russian chairmanship of the Committee of Ministers. He underlined his country's approach to the Council of Europe as an important European cooperation mechanism aimed at building a Europe without dividing lines and the establishment of a single European legal and humanitarian space. He said the motto for his country's chairmanship would be: "Towards United Europe without dividing lines".

Russia's priorities will be based around five broad themes:

1. Reinforcing national human rights protection mechanisms, development of human rights education and protection of rights of national minorities:  
the Russian chairmanship will stress the importance of
  - preserving a single human rights protection space in Europe, including the protection of rights of national minorities;
  - developing and improving the activities of the Strasbourg Court and taking measures to avoid the deterioration of quality or the politicisation of its work;
  - reinforcing the legislative linkage between the Court's case-law and national practice as well as procedural interaction;
  - including human rights education and awareness-raising on relevant norms and standards and their application.
2. Creating a common European legal space to protect individuals from modern-day challenges:
  - Russia will continue work on rendering the key conventions truly pan-European, ensuring their uniform interpretation and full application;
  - Russia will aspire to create a common pan-European space in the development of direct cooperation between the supreme legal (judicial) bodies of member states;
  - Russia will promote the expansion of the thematic and geographical scope of activities of the Venice Commission as well as the activities of GRECO and the Pompidou Group.
3. Improving access to social rights, protection of vulnerable groups:
  - In developing the idea of building a more humane Europe accepted at the Council's Third Summit, Russia intends to make a specific contribution to the implementation of the ten-year plan to improve the life of people with disabilities in Europe;
  - As a follow-up to the Monaco Conference, Russia will strive to ensure that the Council's programme to protect children's rights produces specific results;
4. Developing efficient forms of democracy and civic participation, promoting good governance :
  - Russia will boost this process in cooperation with the Conference of INGOs of the Council of Europe;
  - Russia will advance the Congress initiative to set up a Centre on inter-regional and transborder cooperation.
5. Strengthening tolerance and mutual understanding through the development of dialogue, cooperation in the field of culture, education, science, youth and sports:
  - As a follow-up to the theme of intercultural dialogue, Russia will develop first and foremost on the basis of equality, mutual respect, and participants' desire to understand and adapt to each other;
  - Russia will pay particular attention to youth education and youth contacts.

The Russian chairmanship will end in November 2006. Seminars and conferences on the following themes will be organised :

- Conference of Prosecutors General of Europe (Moscow, July 2006);
- International forum on "Intercultural dialogue and interconfessional co-operation" (Nizny Novgorod, September 2006);
- Colloquy on cultural heritage in the framework (St Petersburg, September 2006);
- European Youth Forum on "All Different – All Equal" (St Petersburg, September 2006);
- Informal meeting of European Ministers responsible for Sport (Moscow, October 2006)

Source: <https://wcd.coe.int/ViewDoc.jsp?id=1002429&BackColorInternet=F5CA75&BackColorIntranet=F5CA75&BackColorLogged=A9BACE>

## “Russia Deserves to Lead the Council of Europe”

Terry Davis, *Secretary General of the Council of Europe*

*International Herald Tribune*, 24 May 2006 (excerpts)

Last Friday, Russia took over the chairmanship of the Council of Europe, the 46-nation organization – older and larger than the European Union – whose task is to extend human rights, promote democracy and uphold the rule of law in the whole of Europe.

There has been criticism in recent days that Russia does not deserve to take charge of an organization whose main focus is human rights, or that it may use its chairmanship to undermine the council's work. Neither charge holds water.



The chairmanship of the Committee of Ministers in the Council of Europe is determined alphabetically – and every member state has the right to its turn at the helm of the organization. For the critics, the real issue is therefore not whether Russia should be the chairman, but rather whether Russia should be a member of the Council of Europe at all.

Most of the controversy surrounding the Russian chairmanship is based on the misplaced notion that the Council of Europe is a place where West European countries should give lectures about human rights and democracy to their neighbors to the east. Well, this is not the way we do things; first, because the so-called „old“ democracies are not exactly immune to charges of human rights violations themselves, and second, because one-way lecturing, as any diplomat or teacher knows, does not usually get you very far.

[..]

Without Russian membership in the Council of Europe, we would have had an isolated Russia on one side and the rest of Europe, self-righteous but powerless, on the other. I challenge anyone to explain how this would have been better for Europe, for Russia and especially for the Russian people.

During Russia's chairmanship of the Council of Europe we have great expectations, not only in terms of what Europe can do for Russia, but also what Russia can do for Europe. There has been much speculation about the motives and priorities of the Russian chairmanship. But those suspecting hidden agendas and intrigues will be disappointed. Russia has prepared an ambitious program in line with the organization's aims.

The Council of Europe is guided by our statute and 200 conventions. Successive chairmen cannot change the ultimate destination or zigzag at their convenience – and there is no reason to believe that Russia will have any such ambitions.

Source: <http://www.iht.com/articles/2006/05/24/opinion/eddavis.php>

## Related Internet Links

Priorities of the Russian Chairmanship

<https://wcd.coe.int/ViewDoc.jsp?id=1002429&BackColorInternet=F5CA75&BackColorIntranet=F5CA75&BackColorLogged=A9BACE>

Program of the Russian Chairmanship

[http://www.coe.mid.ru/c2\\_en.htm](http://www.coe.mid.ru/c2_en.htm)

Final Report the Russian Chairmanship

[https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Inf\(2006\)47&Sector=secCM&Language=lanEnglish&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75](https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Inf(2006)47&Sector=secCM&Language=lanEnglish&Ver=original&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75)

Speech of Russia's Minister of Foreign Affairs, Sergei Lavrov on 04 October 2006

[http://www.coe.int/t/dc/files/pa\\_session/oct\\_2006/20061004\\_disc\\_lavrov\\_en.asp](http://www.coe.int/t/dc/files/pa_session/oct_2006/20061004_disc_lavrov_en.asp)

Verbatim Records of the speech

[http://assembly.coe.int/ASP/Doc/CRListingSession\\_E.asp?Session=2006-4](http://assembly.coe.int/ASP/Doc/CRListingSession_E.asp?Session=2006-4)

## Timeline

### Russia and the Council of Europe

- |      |   |
|------|---|
| 1989 | Mikhail Gorbachev addresses the Parliamentary Assembly of the Council of Europe. He is the first USSR head of state to deliver a speech in front of parliamentarians of Western countries. He presents a vision to promote the idea of a Common European Home including Russia. |
| 1991 | The Soviet Union joins the Council of Europe Cultural Convention.   |
| 1992 | Russia is assigned "Special Guest Status" with the Council of Europe.   |
| 1996 | Russia joins the Council of Europe.   |

- 1998 Russia, with the support of the Council of Europe, transfers supervision of prisons from the Ministry of Interior to the Ministry of Justice. Russia ratifies the Anti-Torture Convention. Since then, the Anti-Torture Commission has paid thirteen visits to Russia, including seven visits to the northern Caucasus. Russia has only allowed for the publication of one of the reports resulting from those visits.
- 2000–2003 Council of Europe experts support the Special Representative of the Russian President for Human Rights in Chechnya and follow up on accusations of violations of human rights and disappearances.
- 2005 The European Court of Human Rights gives the first judgment against Russia in a case related to Chechnya.
- 2005 After two visits to Russia, a report of the CoE Human Rights Commissioner raises concerns regarding: the behavior of the police, human rights in the army, freedom of the media, social and religious rights, and the rights of minorities.

### Activities of the European Council During the Russian Chairmanship

- May 2006 Russia takes over chairmanship of the Council of Europe Committee of Ministers
- 22–23 May 2006 Third European Conference of Electoral Management Bodies in Moscow
- 5–7 June 2006 Conference “Sustainable Development: Environment – Society – Man” in Moscow
- 22–24 June 2006 Workshop “Efficiency of local self-government authorities” in Veliky Novgorod, Russia
- 23–24 June 2006 Final conference for the project “Teaching history in a multicultural society” in St. Petersburg
- 28–30 June 2006 Conference “Impact of the European Convention for the Protection of Human Rights and Fundamental Freedoms on the development of Legal systems in European countries” in Yaroslavl, Russia
- 5–6 July 2006 Seventh Conference of Prosecutors General of Europe “The Role of Prosecution in the Protection of Individual Rights” in Moscow
- 1–11 September 2006 Presentation of Russian tourism potential at the European Fair in Strasbourg
- 7–9 September 2006 International forum “Cultural dialogue and interfaith cooperation” in Nizhny Novgorod, Russia
- 13–15 September 2006 European Conference of Non-Governmental Organizations in Kemerovo
- 14–15 September Workshop “Ensuring Child’s Rights – Ensuring the Development of Society” in Moscow
- 20–24 September 2006 European youth meeting “All Different – All Equal” in St. Petersburg
- 21–22 September 2006 Conference “Improving the Quality of Life of People with Disabilities in Europe: Availability, Effectiveness, New Approaches” (in cooperation with the Nordic Council) in St. Petersburg
- 21–22 September 2006 Workshop “Citizenship and Human Rights Education” in Moscow
- 21–23 September 2006 Opening of the European Heritage Days. Council of Europe colloquium on the value of cultural heritage and the St. Petersburg phenomenon in St. Petersburg
- 29–30 September 2006 Conference of ombudspersons from Council of Europe Member States in Athens
- 17 October 2006 Workshop “International Legal Guarantees for the Protection of National Minorities’ Rights” in Strasbourg
- 18–19 October 2006 Meeting of the Council of Europe Forum on the Future of Democracy dedicated to the role of political parties in a democratic society in Moscow
- 19–20 October 2006 Joint workshop of the Council of Europe and the OSCE on measures to counteract incitement to terrorist acts, recruitment and training of terrorists in Vienna
- 20–21 October 2006 Conference of European Ministers of Sport in Moscow
- 23–24 October 2006 Conference “Europe Against Counterfeit Medicines” in Moscow
- 25–29 October 2006 Conference “Common European Legal Space and Constitutional Justice Practice” in Moscow
- 30 October 2006 Workshop “Ethnic Background and the Evolution of the Human Rights Concept in a Multicultural Society” in Strasbourg
- 1–10 November 2006 Conference on improving European cooperation in the criminal and legal field in Moscow
- 2–3 November 2006 Workshop “Creating a European Higher Education Space: Students’ Role” in Moscow

Sources: <http://www.coe.int/T/d/Com/Dossiers/Ministerkomitee/Vorsitz/Rusland/Coe-Ru.asp> (until May 2006),  
[http://www.coe.mid.ru/c2\\_en.htm](http://www.coe.mid.ru/c2_en.htm) (May until November 2006)

Compilation: Boris Queckbörner, Heiko Pleines, Tobias Schulz

## Regional Report

### St. Petersburg Politics. Putin Backs Matvienko for a Second Term

Daniel Tsygankov, St. Petersburg and Moscow

#### Summary

With an eye to the 2007 parliamentary and 2008 presidential elections, President Vladimir Putin recently appointed Valentina Matvienko as governor of St. Petersburg for a second term. Depending on her future actions, Matvienko will have an important impact on the fate of Russia's two competing parties of power, United Russia and Just Russia. During her first term, she concentrated on establishing control over the city's political resources, attracting wealthy tax payers to fill city coffers, and bringing in foreign investors.

#### High Stakes in City's March 2007 Elections

The election season began December 6 in St. Petersburg. On the same day that President Vladimir Putin signed a new law on elections, removing the minimum turnout requirements for elections to be valid and banning the use of negative campaigning in broadcast advertising, the Petersburg city council voted to hold its next round of elections on March 11, 2007. That evening, Governor Valentina Matvienko, who until now had not joined the other governors in asking Putin to appoint her to office, finally asked the president to nominate her for a new term with ten months left before her current mandate expires. Putin agreed to support her on the following day. There is no question that the city council will now vote to ratify Putin's choice. There is also little suspense over whether Matvienko will shake up her cabinet because she is only likely to replace a few second-level figures. The main question now is whether she will agree to join the United Russia party and head its list in the upcoming elections.

So far Matvienko has not joined United Russia, apparently because she has promised Federation Council Speaker Sergei Mironov that she would support his new party, Just Russia. Mironov is the representative of the St. Petersburg legislature in the upper chamber of the national parliament. The March elections are already taking on a national character since their outcome will be an indicator of what will happen in the December 2007 State Duma elections. Mironov and Vladimir Zhirinovskiy have already announced that they will head their party lists.

Nevertheless, the main battle will be between the "two legs" of the "party of power," United Russia and Just Russia, since these competing parties both have Kremlin backing. Whichever party wins the legislative election will be able to appoint the body's representative to the Federation Council. Mironov's position as chairman of the Federation Council is Just Russia's

main political resource and if he were to lose the seat, the party would likely die even before the State Duma campaign season began.

#### Matvienko's Three-Year Term

Putin's decision to reappoint Matvienko provides a good opportunity to appraise her tenure in office. Since coming to power in the fall of 2003, she has focused on concentrating power in her hands, bringing large tax payers to the city, and attracting foreign investment.

Matvienko's tenure began with a shaky start since she just barely won enough votes to take office despite Putin's strong support. However, step by step, with the tenaciousness of a Komsomol apparatchik, Matvienko grasped all levers of political and managerial power. While in the beginning of 2004 she had to use all of her resources to beat back the combined attack of Presidential Envoy Ilya Klebanov and the city's electoral commission, a year later she emerged victorious over the city's charter court, securing the resignation of its chairman Nikolai Kropachev with the backing of then presidential chief of staff Dmitry Medvedev. The city legislature did not intervene in this dispute, partly because Matvienko had the ability to maneuver above party affiliations. The deputies listened to the governor's annual address to the city council with undivided attention in 2006, a contrast to 2004 and 2005 when the legislators whispered among themselves, strolled in and out of the auditorium, and read the newspaper in the back rows.

Above all, many city residents viewed the decision to move the Russian Constitutional Court to St. Petersburg at the beginning of 2008 as a sign that the city would restore some of its functions as a capital. The court will be housed in the historic buildings of the Senate and Synod, just across from the Bronze Horseman. Currently, 19 homes are being built for the justices on the elite Krestovskiy Island, where other top officials live. The liberal opposition, mainly

Moscow politicians who came to prominence during the Yeltsin era, worries that the court will lose its independence. Chairman of the Court Valery Zorkin has also warned that such a move could interrupt the work activity of the court. However, it seems that Putin has based this decision on the German example, where the various branches of government are located in different parts of the country, reducing the concentration of power in the capital. Thus, the Constitutional Court is located in Karlsruhe rather than Berlin.

### **Bringing Major Tax Payers to Petersburg**

Upon coming to power at the end of 2003, Matvienko and her team concluded that within 2–3 years growth rates in all sectors of the economy would slow considerably. This across the board drop off would affect food processing, including alcohol production, construction, machine-building, metallurgy, and other sectors. To address this problem, Matvienko and her team decided to reregister major tax payers from other parts of the country in order to fill the coffers of the city budget, if not exactly to boost the real output of the city's economy.

Since fall 2004, a wave of firms have arrived; some of the most prominent include the following companies. Launching this trend, Rosneft registered its subsidiary Rosneft-trade, an export company. In March 2005 the shipping company Sovkomflot moved its headquarters to St. Petersburg. In October 2005 VTB bank moved its head office to the city. In December 2005 Gazprom reregistered the petrochemical company Sibur there. The airline Transaero arrived in January 2006 and Transnefteprodukt in February 2006. During March the city celebrated the transfer of Sibneft (now Gazproneft) from Omsk to Petersburg. This company's arrival was secured with enormous tax concessions. Every year, the company will receive 2.5 billion rubles from its tax payments to construct a 300-meter office building in the Krasnogvardei Raion, Matvienko's homebase since the Soviet era when she was active in the Komsomol.

While focused on securing tax revenue, the city has not completely given up on developing the local economy. Part of this process is decriminalizing local business. The level of criminality affects whether Moscow will provide funding for city projects. The federal government only offers money if the city can guarantee that no criminal groups are involved in the project. If it is impossible to remove the criminal groups, the government recommends that the city withdraw from these projects. For example, in 2005 the city sold a variety of stakes in local hotels because it was deemed senseless to try to remove the criminal

element, even though it had already "legalized" itself.

In contrast, the city devoted considerable energy to cleaning up the banking sector and the port. Measures taken included the use of law enforcement agencies and refusing to renew rental agreements at the port with stevedore and container shipping companies with dubious reputations. The city also invited a strategic investor to the port, the Novolipetsk Metallurgical Combine (NLMK). The city sold its stake in the port to this company and the former owner of a controlling stake in the port, the Luxembourg off-shore company First Quantum, was advised to sell part of its stake to NLMK as well. After the murder of Kostya the Grave, a leader of the Petersburg crime world, and the imprisonment of Mikhail Khodorkovsky, the businessmen who made their wealth in the 1990s realized that the government was willing to play tough when it sought to secure control of strategically important sites.

### **Attracting Foreign Investors**

The third main strategy of the Matvienko administration has been to attract foreign investment. Most attention has focused on the efforts of the Japanese car makers and the ambitious Chinese Baltic Pearl project sponsored by the party leadership of Shanghai.

Japan's main interest in Russia is raw materials. However, automobile manufacturing is now a strong second, a policy strongly supported by the Japanese government. The stagnation of the Japanese economy seems to be coming to an end and the government is seeking 2.2 percent GNP during the next 10 years.

The most visible projects are the efforts of Toyota and Nissan to build assembly plants in Shushary, just south of Petersburg. However, these plants are only the beginning. The companies working in Russia have discovered that they cannot always find suppliers able to produce the parts they need to assemble their cars. In the future, the foreign investors are expected to build new plants that will be able to produce the necessary components. Such investors are expected to bring a new wave of money into St. Petersburg.

In September 2006, Bridgestone, the Japanese tire company, announced plans to begin construction on a new factory in Kamenka, one of the Petersburg suburbs. The project is expected to be worth \$70 million.

Mitsubishi, which had earlier announced its interest in working in the region, had not begun negotiating with the city administration for a plot of land by the end of September 2006. Most likely, the company is seeking to get the best deal possible from the city. The Japanese are very concerned about competition from China and Korea and therefore are focused on making lots of foreign investments.

### Chinese Corruption Scandal Blocks Project

The Chinese project that looked so promising in May 2005 has now all but collapsed. In this case, the agreement between the two sides was based on the personal contacts between Russian leaders and the first secretary of the Shanghai Communist Party Committee Chen Liangyu. In fact, Chen's interest was so personal that he did not hesitate to contact Russian officials of any rank, from the heads of neighborhood committees to various department heads within the city government.

However, in September 2006 the Chinese government launched a prominent anti-corruption campaign against the so-called "Shanghai faction" of the Chinese leadership and Chen was fired from his job and removed from the Chinese Communist Party Politburo. Observers believe that the new Chinese leader Hu Jintao, under the flag of an anti-corruption campaign, sought to reduce the influence of his predecessor Jiang Zemin within the party. Whatever the outcome of the case against him, Chen will not likely be able to restore his previous influence. His experience will be a lesson for other party leaders who might want to support ambitious investment projects. As is well known, Hu is seeking to reduce China's torrid economic growth to prevent the overheating of the Chinese economy and "harmonize" relations with the 800 million poor Chinese peasants.

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Much of the motivation for these events in China is tied to the unofficial status of Shanghai. In many ways, Shanghai is very similar to Petersburg. All liberal reforms in China are developed first in Shanghai. The Shanghai leadership is considered the most independent and pro-western. Some Chinese observers argue that Chen sought to become the supreme leader, just as his patron Jiang Zemin came to power in 1989 from the post of first secretary of the Shanghai Communist Party city committee. Any project of the "Shanghai faction" will now be discredited.

How will these events affect the Baltic Pearl project? Until the middle of November 2006, the Shanghai Industrial-Investment Company, which had been running the project, was not a target of investigation. However, now its accounts are blocked and Beijing investigators are seeking its financial records. Perhaps the investigators were not able to find problems with Chen's activities and are now seeking to investigate the companies connected to him. Ultimately, however, how the changes in Chinese politics will affect the Petersburg project remain unclear.

In contrast, despite the problems with the Chinese project, Matvienko's position is currently stable. She will easily be able to continue ruling the city until the presidential elections in 2008.



## About the Russian Analytical Digest

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The Research Centre possesses a unique collection of alternative culture and independent writings from the former socialist countries in its archive. In addition to extensive individual research on dissidence and society in socialist societies, in January 2007, a group of international research institutes will be assembled for a collaborative project on the theme "The other Eastern Europe – the 1960s to the 1980s, dissidence in politics and society, alternatives in culture. Contributions to comparative contemporary history" which will be funded by the Volkswagen Foundation.

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