

Parliamentary Assembly
Assemblée parlementaire

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COUNCIL OF EUROPE CONSEIL DE L'EUROPE

AACR4

AS (2006) CR 4
Provisional edition

2006 ORDINARY SESSION

(First part)

REPORT

Fourth sitting

Wednesday 25 January 2006 at 10 a.m.

In this report:

1. Speeches in English are reported in full.
2. Speeches in other languages are summarised.
3. Speeches in German and Italian are reproduced in full in a separate document.
4. Corrections should be handed in at Room 1059A not later than 24 hours after the report has been circulated.

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

Mr van der Linden, President of the Assembly, took the Chair at 10.05 a.m.

THE PRESIDENT. – The sitting is open.

1. Minutes of proceedings

THE PRESIDENT. – The minutes of proceedings of the second sitting have been distributed.

Are these minutes agreed to?

The minutes are agreed to.

2. Organisation of debates

THE PRESIDENT. – This morning we have the current affairs debate on the report on human rights violations in the Chechen Republic: the Committee of Ministers' responsibility vis-à-vis the Assembly's concerns, for which there are 22 speakers on the list and 18 amendments and five sub-amendments to consider, followed by an address by Mr Traian Băsescu, President of Romania.

In order to ensure that we are finished in time to hear Mr Băsescu at 12 noon, we will have to interrupt the list of speakers at 11.15 a.m.

I remind you that the Assembly has already agreed that speeches today be limited to four minutes.

Are these arrangements agreed to?

They are agreed.

3. Human rights violations in the Chechen Republic

THE PRESIDENT. – The first item of business this morning is the debate on the report on human rights violations in the Chechen Republic: the Committee of Ministers' responsibility vis-à-vis the Assembly's concerns presented by Mr Jurgens on behalf of Mr Bindig, Rapporteur of the Committee on Legal Affairs and Human Rights, Document 10774.

The list of speakers closed at 6.30 p.m. yesterday: 21 names are on the list, and 18 amendments and five sub-amendments have been tabled.

I call Mr Jurgens. He has eight minutes.

Mr JURGENS (*Netherlands*). – It is an honour to replace Rudolf Bindig, who was made an honorary member of the Assembly on Monday. We are all very proud that that is the case. Our Russian friends have always been willing to accept that Rudolf Bindig was trying to do the Assembly's work for the benefit of both the Assembly and the Russian people. That makes it easier for me to take his place and defend his report. In any country where there are armed insurgents, civil war and acts of terrorism there are serious problems. Such problems have confronted Spain, the United Kingdom and Turkey recently. When writing a report on human rights violations in such circumstances we are well aware of those tremendous problems, including the difficulties experienced by the Russian authorities in maintaining law and order in part of their country. That is what the Council of Europe is for. If we see that human rights violations are being perpetrated while the authorities are trying to restore law and order it is for us to stand up and say so.

Political dialogue is necessary, but condemnation of human rights violations is only part of the solution and we must start to repair the damage caused by such problems. If people are trying to restore law and order but are violating human rights, there is only a small chance that that law and order will be based on human rights. We must therefore all work together to help our Russian friends to resolve this terrible situation. The way in which we should help the Russian people to solve the problems in Chechnya is the subject of a separate debate that is under way. The rapporteur on those matters is Andreas Gross who, I believe, will speak today. We should be grateful for the work of non-governmental organisations in

Chechnya, especially Memorial and Human Rights Watch. Many other NGOs are active in the field, and are trying to make us and the Russian people aware of what is happening on both sides.

It is good that the report contains clear lists of the things that are going on. If one reads the report, one can see that a letter was sent to the Prosecutor General, Mr Ustinov, who has answered that letter. That is very good because it means that there is a dialogue. However, that does not mean that there have been no violations. Things are going on which have created a climate of impunity, and that climate will continue until the people who have committed those crimes are brought before a judge and punished if they are guilty.

Yesterday, in a different debate, Mr Grebennikov said that people who commit such crimes should appear before a judge, and I agree with him. That point applies not only to yesterday's debate about detention centres, but to the situation in Chechnya. It is important that we manage to convince the Russian authorities that they must take more action to ensure that no crimes are committed without those responsible being brought before a judge.

The report's central aim is to engage with the Committee of Ministers, which has let the matter simmer for a number of years without doing anything about it. The last monitoring presence in Chechnya left in 2002, and the Committee of Ministers has apparently done nothing since. We are not allowed to attend debates in the Committee of Ministers, although they are allowed to attend our debates. The draft resolution, which asks for monitoring to be reinstated in Chechnya with the help of the Committee of Ministers, is important. I ask colleagues to support the report not only because it is good, but because it is important for Chechnya and because it is a last homage to our former colleague, Rudolf Bindig.

THE PRESIDENT. – Thank you. I call Mr Pourgourides, who will speak on behalf of the Group of the European People's Party.

Mr POURGOURIDES (*Cyprus*). – I begin by congratulating my friend, Rudolf Bindig, on his unrelenting work over many years in the defence of human rights in Chechnya. When Bruno Haller writes the second volume of his book, I am sure that Rudolf Bindig will go down in the Council of Europe's history as a fearless fighter for justice who saved the honour of this Assembly in the eyes of the world by convincing us with carefully researched facts and figures and solid legal analysis to speak up loudly and clearly on the human rights violations committed in this region in a climate of impunity.

Alas, in this report, which is the last that he has prepared for us, Rudolf Bindig was yet again obliged to conclude that serious violations are continuing on a massive scale, and that the efforts of the authorities to hold perpetrators responsible are, at best, timid and largely unsuccessful. The replies provided by the Prosecutor General of the Russian Federation to Mr Bindig's pertinent questions speak for themselves. I am grateful that that most interesting document has been made public as an appendix to the report, because it will allow victims' lawyers and other human rights activists to continue to put pressure on the Prosecutor General's office to elucidate the cases and hold the perpetrators responsible. The situation is simply unacceptable, and it should be unacceptable to the Russian federal authorities and the Duma, too. In so many cases involving murder, disappearance, torture and other serious human rights violations, a criminal case is opened, suspended and then quickly closed again, even when preliminary investigations show that, for example, a person who died in custody carried signs of physical abuse, which is a point expressly mentioned in the Prosecutor General's reply.

As a sincere friend of Russia and her people, I can only repeat Rudolf Bindig's appeal to the Russian authorities finally to put an end to such crimes by enforcing the law against terrorists, whose heinous crimes cannot be excused, and members of the security forces who have committed crimes. The very fact, which our Russian friends hold so dearly, that the Chechen Republic is legally part of the Russian Federation makes the federal authorities responsible for human rights violations committed there, which includes violations committed by local forces commanded by local strong men such as Ramzan Kadyrov.

In the draft resolution and recommendation, we must send a clear message to not only the Russian authorities, but the governments of our countries, who are represented in the Committee of Ministers. The committee must stop soft-peddling for fear of annoying Moscow. If a consensus cannot be reached, it should have the courage to take a vote as the Statute of the Council of Europe allows. The Council's credibility as Europe's top human rights watchdog, which is how it has been frequently described thanks to the recent activities of our colleague, Dick Marty, depends on its executive organ doing its job and calling a spade a spade.

THE PRESIDENT. – Will you finish, because we have so many speakers?

Mr POURGOURIDES (*Cyprus*). – The Assembly must not fail to muster the necessary two-thirds majority required to pass a recommendation to the Committee of Ministers.

THE PRESIDENT. – Please finish. We have so many speakers on the list, so I appeal to members to keep their speeches within four minutes. I call Mrs Tevdoradze, who speaks on behalf of the Alliance of Liberals and Democrats for Europe.

Mrs TEVDORADZE (*Georgia*) thanked Mr Bindig for his report, which reflected the labour-intensive, and possibly dangerous, work that he had done. It was with emotion that she observed that the violation of human rights continued against the proud Chechen people. It was the aim of the Russian Federation to combat terrorism and she recalled that the relatives of the victims of Beslan were still waiting for the truth. However, fighting lawlessness with lawlessness would have only a negative effect.

The Council of Europe and the European Parliament had closely followed the situation in Chechnya for some years. It was time to end the excesses of violence and bring those hidden by masks to justice. It had been reported that 27 civilians had been killed and 45 had disappeared, of whom eight had been women, and many were still being held without trial. The Chechen security forces committed acts of atrocity to which people closed their eyes. The Russian Federation had tried to hide the facts, but non-governmental organisations had appealed to the world to pay attention to the continued acts which violated human rights. The recent elections in Chechnya had not improved the situation.

Her group supported the report and appealed to the Committee of Ministers to review its monitoring of the human rights situation in Chechnya. She appealed to the Russian Federation to help. The situation in Chechnya threatened to undermine the credibility of the Council of Europe and a failure to act would undermine its prestige further.

THE PRESIDENT. – Thank you. I call Mr Chope from the United Kingdom, who speaks on behalf of the European Democratic Group.

Mr CHOPE (*United Kingdom*). – I am glad that we are discussing this subject. Chechnya continues to be the single largest human rights crisis in Europe. Civilians are killed and disappeared on an horrifically frequent and regular basis. Some people will have seen the latest report from Amnesty suggesting that even so far this year there have been reports of three disappearances or abductions.

I congratulate Mr Bindig on his formidable work over many years in campaigning for improvements in human rights in Chechnya. The detail in the report and the full response that it has engendered from the Russian Federation shows the respect in which his work is held. The Secretary General, Terry Davis, was right to emphasise the common ground on this subject between this Council and the Committee of Ministers. What is important, as the rapporteur said, is the need for transparency. We cannot know what is going on unless we get proper reports. I therefore strongly support the recommendation for the reinstatement of monitoring by the Council of Ministers and for open reports.

Chechnya is the worst example of an increasing challenge facing all members of the Council of Europe – how to combat terrorism effectively without compromising human rights. Even in the United Kingdom, we recently had an incident in which a completely innocent Brazilian national was shot dead by police who suspected him of being a terrorist. Wider powers to intercept communications and to detain without charge for long periods are being sought even by the United Kingdom Government to “help the fight against terrorism”. Terrorism, wherever it raises its ugly head, must not be used as a justification for breaches of human rights.

What is happening in Chechnya is obviously at the extreme end of the spectrum and should command our attention, our condemnation and our offer to help in any way that we can. But let us not ignore the insidious developments in our own countries, where terrorism or the threat of terrorism is being used by the state authorities as a justification not for enhancing but for undermining human rights.

THE PRESIDENT. – Thank you. I call Mr Christodoulides from Cyprus, who speaks on behalf of the Group of the Unified European Left.

Mr CHRISTODOULIDES (*Cyprus*). – Undoubtedly, human rights violations in any country are unacceptable and have no excuse. The protection and constant improvement of human rights is a task of paramount importance not only to all Council of Europe member states but to all states worldwide.

The situation in the Chechen Republic is a sad one. Killings, disappearances and many other forms of violations occur in the republic, usually opening an endless circle of bloodshed and violence. Sadly, the guilty party is rarely brought to justice. Many cases close without bringing the perpetrators to account for their acts. Human rights violations in this troublesome republic, no matter where they originate from, usually remain unpunished.

We therefore warmly welcome the fact that a number of criminal cases were opened and the perpetrators were brought to justice to account for their crimes. However, much more needs to be done. The prosecutor's office needs to do more in order for justice finally to prevail and for the people who committed such crimes to pay for their deeds. The Russian Federation has recently made substantial progress in its efforts to combat such acts as far as possible by being obliged to take into account its security, the protection of its sovereignty, democratic principles and the safety of its citizens. On many recent occasions, we have witnessed massive terrorist attacks on the Russian Federation and we are all aware of the great difficulties that that country faces in trying to combat terrorism and protect itself against such acts, which, I am sure, we all condemn most strongly.

Surely the means and mechanisms to combat any violation of human rights must be effected so that we successfully combat that phenomenon, which leads to human suffering and loss of life. Many people suffer such violations and the Council of Europe undoubtedly has much to offer in assisting all parties involved to stop that unacceptable phenomenon.

It is therefore of paramount importance that all parties, federally and regionally, sincerely co-operate to improve human rights in the Chechen Republic and to give all necessary support in bringing human rights conditions up to the desired standard, in accordance with international law, rules and regulations and fully respecting the European Convention for the Protection of Human Rights and Fundamental Freedoms.

No one has the right to fool around with human rights. People have the undeniable right to enjoy human rights equally, irrespective of their ethnicity, race and colour. That applies to the Chechen people, too.

Mutual respect between the parties involved is necessary so that we can reach the point where we can say that human rights in Chechnya are, indeed, respected. To that end, the situation must begin to improve first in the republic. Surely when that is achieved, Russia, the other countries involved and international organisations can contribute more constructively so that human rights in the republic are fully respected according to international rules, regulations and the rule of law.

THE PRESIDENT. – Thank you, Mr Christodoulides. I call Mr Gross, who will speak on behalf of the Socialist Group.

Mr GROSS (*Switzerland*) said that for ten years Rudolf Bindig had been an advocate of human rights in Chechnya. Mr Bindig had made several visits to Chechnya and was very informed on the situation there. For that he paid tribute, and thanked him: Mr Bindig was a source of pride to them all.

He wished to make two points. First, the report did not reduce everything to the terms of terrorism as the British Conservatives had done. The conflict in Chechnya had been raging for 250 years. Secondly, the report also avoided the mistake of apportioning blame. He had visited Chechnya and talked to civilians on the streets. A woman had told him that the situation was as bad now as in the days of Stalin. People were more afraid of the masked men in street gangs – the “Kadyrovtsy” – than they were of the Russian Federation security forces. However, not all the masked men wanted to commit human rights atrocities, and it was important that the Assembly provided a round table for those who wished to find a solution.

There was a willingness in Moscow to offer a proper political solution. The Russian Federation's borders needed to be respected, but a political solution would need compromises from both sides. They needed to create institutions to ensure that impunity for human rights abuses came to an end. The Council of Europe should ensure that the reasonable people on both sides were able to come together to achieve greater understanding and an eventual solution. This was a good time to seek a solution as both sides recognised that it was necessary.

(Mr Gardetto, Vice-President of the Assembly, took the Chair in place of Mr Van der Linden.)

THE PRESIDENT (Translation). – Thank you, Mr Gross. I call Mr Slutsky.

Mr SLUTSKY (*Russian Federation*) said that, prior to the report, the Council of Europe had relied on press releases and the word of non-governmental organisations. However, the Council of Europe now outstripped other organisations in the depth of its understanding of the Chechen situation. The Russian Federation had co-operated with the Assembly and had helped to bring the various sides together at round tables. Mr Bindig had talked to the Chechen people, their leaders and the electoral commission and he had raised no objections at the time to the election process. It was a paradox therefore that the report sought to redefine "human rights". In the section on the right to vote, there was no mention of the Chechen elections. The majority view of the electoral observers had been that the elections conformed to international standards.

The report had not been objective. The difference between Chechnya in previous years and Chechnya now was like night and day. Tensions had decreased, as had terrorist acts. Building work was taking place all over Grozny and there was greater employment. The report sought to dramatise the situation, and that could only lead to increasing tensions on the streets. It was clear that terrorism had decreased and that the security work of law enforcement structures was increasing, which was increasing stability in Chechnya. He questioned the mythical cruelty of the security forces depicted in the report. The Chechen Parliament was now both elected and active. Civic progress was taking place, but that had been ignored in the report. Although the report had moved away from a constructive approach, he thanked Mr Bindig for his co-operation and he thanked other colleagues for their hard work.

THE PRESIDENT (Translation). – Thank you, Mr Slutsky. I call Mr Ivanov.

Mr IVANOV (*Bulgaria*) congratulated Mr Bindig on his report for its comprehensiveness, fairness and impressiveness: he should be proud of it. The Assembly should have a clear and solemn position as its core purpose was the protection of human rights. However, the Assembly's previous recommendations had not been followed up by the Committee of Ministers, and in the mean time the situation in Chechnya had not improved. The Committee of Ministers had not shown courage and had not insisted that the Russian Federation put a stop to human rights abuses. The Committee of Ministers had also failed to react to the contravention of paragraph 4 of the 1994 decision on compliance with commitments. It was incomprehensible that the Committee of Ministers had failed to act: the situation in Chechnya was the greatest human rights crisis in a member state today. The Committee's passive attitude was a serious threat to the credibility to the Council of Europe. The Assembly must oppose that passive stance and support the draft resolution and recommendation.

THE PRESIDENT (Translation). – Thank you, Mr Ivanov. I call Mr Vareikis.

Mr VAREIKIS (*Lithuania*). – Thank you, Mr President.

On Monday we spoke about human rights for terrorists. We talked about possible secret detention camps in Europe, and said that even people who may be guilty of terrorist acts have human rights. Now, we are discussing the Chechen problem.

I cannot say how many terrorists there are in that country. I agree with the Russians that probably there are some, but there is a human rights problem. If we are obliging countries in central and continental Europe to apply and uphold the same standards, we must speak out strongly about the fact that people who are not committing crimes are suffering. So I could never say that there are no human rights violations in Chechnya. If there are such violations we have an obligation to report on them and that has been done. We can criticise; we can say that things might be better or worse, but it is important that we discuss the report.

I do not like the way we use the word "progress" in the Council of Europe. Often we use that word inappropriately: we sometimes say that there is a little progress in a certain country on a particular issue and thus there is no need for us to write a report. The opposite is the case. If there is only a little progress we must write a strong report saying that many things need to be done.

The report has come at the right time. Many things need to be done. If we said that there was progress, nothing would be done. At the Council of Europe we have to have the truth and if there is a problem it must be reported. I congratulate the authors of the report. Many people could say worse things about Chechnya, but the report is balanced and in the spirit of the Council of Europe. I hope that we shall approve it and take into account the amendments.

I wish Russia to take seriously into account the report's suggestions about what the leadership has to do. It does not oblige Russia as such, but Russia is a member of the Council of Europe so it should take those things into account.

Finally, I urge my colleagues to support the report, to consider the amendments and to encourage our Russian colleagues to support those ideas in their own country.

THE PRESIDENT (Translation). – Thank you, Mr Vareikis. I call Mr Kosachev.

Mr KOSACHEV (*Russian Federation*) said that the fact that the Chechen Republic was always a topic at meetings of the Council of Europe could only be welcomed. Without doubt there were human rights violations in the Chechen Republic. Russia knew that better than anyone else. He did not agree with Mr Jurgens that there was a civil war in the region. Instead, the main problem was terrorism, which had acquired a mass factor. He did not agree that the human rights situation in the Chechen Republic was static; it had improved significantly since the 1990s. Now, it was terrorism that was causing human rights violations. In addition, the economic climate of the area caused problems for its residents. Some 60% of the population were not employed. The federal authorities were concentrating on creating normal social and economic conditions, including the basic right to work. Russia had spent €2 billion on reconstruction in the region.

There was a problem concerning the representation of Chechen citizens in their authorities. The Chechen Republic had only just established a parliament last November. It was necessary to wait for that parliament to develop and he expected that it would improve the situation greatly. There was also a new court and a new panel of judges, who decided on violations committed by Chechen citizens. The problem of ordinary criminality, for example abductions, should not be neglected. Here too, improvement had been seen. The number of abductions had halved, although it was still high. Those improvements were not great, but they did demonstrate that the situation was not static.

The response from the Prosecutor General had not been reflected in the report. The report had been prepared prematurely. It had not included evidence from the recent elections, and Mr Bindig had not visited Moscow or the Chechen Republic when writing his report. Furthermore, he did not meet with the representative for human rights in the Chechen Republic. The report put forward only one point of view and again it was unbalanced. It ignored the efforts of the Chechen authorities to introduce the rule of law. Indeed, the report seemed focused towards those who wished to destabilise the area even more.

THE PRESIDENT (Translation). – Thank you, Mr Kosachev. I call Mrs Laloy.

Mrs LALOY (*Belgium*) said that the international community had shown timidity and even indifference towards the Chechen Republic and had thrown a cloak of invisibility over its residents. Disappearances, torture and the action of the militia under Mr Kadyrov were the day-to-day experience of this martyred people. It was true that the military situation had become more stable. However, that was not the case for human rights. The fight against terrorism had caused terror in the population, who felt abandonment and despair. The Council of Europe needed to reaffirm the respect and dignity of the human person to which each Chechen was entitled. The Committee of Ministers needed to make a firm commitment to act and to raise awareness.

THE PRESIDENT (Translation). – Thank you, I call Mr Mihkelson.

Mr MIHKELSON (*Estonia*). – Thank you, Mr President. Dear colleagues, first, I would like to join my colleagues in thanking Mr Rudolf Bindig for the excellent work that he had done not only on this report but throughout his career in the Parliamentary Assembly. He is known as an uncompromising defender of the high values and standards that are shared throughout the Council of Europe member states.

The report that we are discussing is of the utmost importance while the human rights situation in Chechnya stays very critical. As the rapporteur argues, there has been no improvement regarding human rights since the last report was adopted here in 2004. As a member of the Council of Europe Parliamentary Assembly fact-finding mission to Chechnya in November last year, I can confirm that the overall situation in Chechnya can be described as full of terror and that it is carried out with impunity. My understanding is based not only on those facts which we found out on the ground during our short mission; I must tell you that I worked as a war correspondent in Chechnya in the mid-1990s, and by comparing then and now, I can conclude that the situation has been dramatically worsened.

People in Chechnya told us that they live under constant threat of being kidnapped or killed. Such things are carried out with impunity and are so widespread that we did not meet anyone during our trip to Chechnya who had not suffered personally or whose relatives had not suffered from terrorism. We all know that people who live under constant terror cannot form a sustainable society, the result of which is ongoing crisis and conflict.

It is very important to understand, as the report also points out, that the problem of such events happening with impunity has started to spread out from Chechnya to neighbouring regions. I do not know whether that could mean that, one day, the very same problem will become apparent throughout Russia, but I am sure that the only way to treat this dangerous disease is to put the principles of the rule of law and human rights into first place to combat it.

Russia and all the member states of the Council of Europe are equally responsible in making changes. That is, if I may say so, one of the most important tasks of the Council of Europe. We are one of the few international forums left that is dealing with the situation in Chechnya. In this case, it is enormously important to continue this work both through reports and through round-table discussions led by our distinguished colleague, Mr Andreas Gross. That will help to restore peace and the respect of human rights in Chechnya, and that could be one of the biggest success stories of the Council of Europe. Thank you.

THE PRESIDENT (Translation). – Thank you very much. I call Mr Herkel.

Mr HERKEL (*Estonia*). – Ladies and gentlemen, I must follow my countryman, Mr Mihkelson, in thanking Rudolf Bindig for his work. He has been one of the greatest pillars of democracy here in the Council of Europe. I would also like to mention – some colleagues may remember this – that for many, many years, Rudolf Bindig has been the rapporteur on Estonia, and I must say that his very valuable recommendations and assistance helped us to achieve membership not only of the Council of Europe, which we achieved long ago, but of the European Union.

The suppression of human rights in Chechnya is the most difficult problem on the agenda of the Council of Europe. I would like to emphasise the fact that this report is especially valuable, because it has been very strongly emphasised that the Committee of Ministers' responsibility is that of our governments. The governments of our member states have sometimes been silent when there was a need to be outspoken and to point out the real problems that are happening in Chechnya.

The second advantage of this report is, of course, the very scrupulous work which shows concrete cases of human rights violations. It forms some sort of very sad compendium, showing what has happened in recent times. Of course, some people have applied to the European Court of Human Rights. After the years of wanting some decisions to be made in that respect, there are still problems because there have been reprisals against those people's relatives because of those applications. That is something that we absolutely cannot accept, and we must emphasise that the climate of impunity – the term used many times by Mr Bindig – is still valid. There is unbelievable cruelty, torture and a lack of rights.

We are today dealing with human rights, but it is the right time to emphasise also that all the steps towards a political settlement of this question have been insufficient, inadequate and sometimes even counter-productive. Of course, this is a question not only for the Russian Federation, but for our Assembly and the Council of Europe. We cannot continue with such simple rhetorical discussions, such as that in which Mr Kosachev was involved when he said that this is only a matter of fighting terrorists. There is an unjustified and disproportionate use of force, and that has always been so on the side of the Russian authorities in Chechnya. Thank you very much.

THE PRESIDENT (Translation). – Thank you very much. I call Mr Zavgayev.

Mr ZAVGAYEV (*Russian Federation*) thanked the Assembly for five years of close co-operation and said that real progress had been made on the issue of the Chechen Republic. The parliamentary elections that had taken place had seen active participation. There had been a large decrease in human rights violations and abductions. The issue of insecurity was fifth on the priority list of local Chechens. Citizens were far more concerned with issues such as education, health and housing.

He expressed deep concern that the rapporteur had adopted a simplified approach especially when he called the terrorists the "armed opposition". He asked whether the rapporteur was sympathetic to the terrorists.

In the Chechen Republic over the past five years, 502 fighters from 42 countries had participated in violence, clearly showing that the republic was a hotbed of international terrorism. He agreed that the human rights of citizens had to be protected. The Chechen parliamentary session had affirmed that, regardless of the status of the offender, offenders had to be brought to justice. The same would apply to terrorists, generals or members of the security forces.

He fully supported the issues raised in the draft resolution. The Committee of Ministers needed to help the republic by concentrating on the education system and the reconstruction of schools, hospitals and housing. It was essential that the draft resolution highlighted where the Committee of Ministers could help the rehabilitation of social institutions. He stressed that the Russian authorities would continue to fight terrorism and not sympathise with it.

THE PRESIDENT (Translation). – Thank you, Mr Zavgayev. I call Ms Konečná.

Ms KONEČNÁ (*Czech Republic*). – Dear colleagues, may I begin by welcoming the fact that the Assembly is discussing the issue of Chechnya? It is crucial that we take every opportunity to do everything possible to prevent human rights breaches. War necessarily leads to such breaches, and the moral standards in the Geneva and Hague Conventions are only a list of norms about not killing people.

We all know the background to the armed conflict in Chechnya, which is a fight between pro-federalist forces and separatists. Some of the separatist factions are calling for the installation of a regime based on medieval Islamic law and an expansion that would lead to the creation of a Caucasian caliphate. The separatists have delayed and even stopped the cultural development of this area, and their regime has increased the Chechen diaspora both in other republics of the Russian Federation and abroad. In many regards, the conflict has taken on the aspect of a bloody civil war. In that fight, innocents have died on both sides and pointless violence has been employed. Even though the situation has improved greatly in the republic, it has yet to reach a level that ensures that people enjoy dignity and civilised life.

I would therefore like to call for the adoption of the following measures. In the light of our discussion about the situation in Chechnya, the Council of Europe should strongly oppose the use of force to break up existing states. It should call on all participants in the conflict to stop using pointless violence. The Council should call for the preparation of a programme by the Committee of Ministers, the European Commission and other international organisations and governments to extend economic and social support to the Chechen population. With the help of local and central agencies in the Russian Federation, that could help to consolidate the situation and create conditions to improve the democratic process of governing the republic. In connection with discussions on Chechnya we must start a debate about the similar situation in Kosovo and Iraq.

THE PRESIDENT (Translation). – Thank you, Ms Konečná. I call Mr Zhirinovskiy.

Mr ZHIRINOVSKY (*Russian Federation*) insisted that the rapporteur on specialist issues should be a specialist on that issue. The Chechens were mountain people, whereas in Germany there were no mountains. If Georgia could keep its own house in order, the Russian Federation would keep its business to itself.

It was not the Russian Federation that was instigating an international conflict. In the Chechen Republic there were fighters from many countries, including Afghanistan, Turkey and Iran. Arms and drugs were reaching the republic from many different countries. Why did the Chechen authorities not stop those people crossing the border? Did they think they were travelling there as tourists?

Pointing a finger at the Russian Federation was wrong as there were forces in the republic that were under Chechen control. He called on the Chechens to deal with the issues themselves. The problems had existed for dozens of years, mainly because of the geography of the region. The Russian Federation had been losing soldiers trying to help the Chechen people.

Another of the main issues was that the Chechen people had no roots, unlike Slovak and Roma peoples. Terror had been going on for hundreds of years and would continue for dozens more. The Chechen people could not develop while they lived in the mountains but would not relocate to the valleys. When there were no Russians in Chechnya, they still fought. He suggested that the world over, it was the mountainous regions that were the problem. If there were no mountains, there would be no bin Laden.

He challenged the Council of Europe to provide a magic recipe that would avoid the use of violence.

THE PRESIDENT (Translation). – Thank you. I call Mr Grebennikov.

Mr GREBENNIKOV (*Russian Federation*) said that the report was not always impartial. He suggested that the real problem was a different interpretation of the available solutions. The Russian Federation had centralised its approach to the Chechen Republic, attempted to improve local areas and reduce criminality by introducing an amnesty. All those measures had been dismissed by the international community.

There needed to be consensus. The Russian Federation should no longer be treated as a little boy being taught a lesson, but be treated as a full partner. Great Britain and Northern Ireland had fought for many years but had found peace. There needed to be comradely friendly support and a way would be found. The Russian Federation should not be looked upon as an evil, and not just a topic of discussion. As long as the Russian Federation remained misunderstood in the minds of some, it would be difficult to solve the problems. He called on the Assembly to stop making an example of the Russian Federation and to work together.

THE PRESIDENT (Translation). – I must now interrupt the list of speakers. The speeches of members on the speakers' list who have been present during the debate but who have not been able to speak may be given to the Table Office for publication in the official report.

I call Mr Jurgens.

Mr JURGENS (*Netherlands*). – It is difficult to reply to all the points in four minutes. I understand from Mr Zhirinovskiy that because I come from a completely flat country – my house is below sea level – my intellectual capabilities are seriously impaired, if I want to analyse the human rights situation in Chechnya. That point of view is new, and perhaps it should be given over to academic discussion. Knowing Rudolf Bindig, I am sure that his intellectual capabilities have not been impaired by living on the Bodensee.

The situation is terrible, because the population of Chechnya is being terrorised by political bandits, both pro-Russian and separatist, who commit terrible crimes and violations of human rights. As has been said, the government cannot restore law and order, and sometimes the security forces commit violations of human rights in a climate of impunity. We are not pointing the finger at Russia; we are, as Mr Grebennikov has said, trying to support our Russian colleagues, who are confronted by a terrible situation. If such a situation were to occur in any of our countries, we would be glad of our colleagues' help.

We are trying to solve the matter together, but in the first instance, the situation is the responsibility of the Russian Federation, although if the Council of Europe can help, it is a good thing. Although we recognise that the Russian Government is in a difficult situation, we must ensure that we denounce human rights violations and try to do something about them. The most important point is contained in the report's title – "Human rights violations in the Chechen Republic: the Committee of Ministers' responsibility vis-à-vis the Assembly's concerns". Mr Bindig's mandate did not allow him to consider the political situation in Chechnya. As Mr Slutsky has said, elections have taken place in Chechnya, and although Mr Vareikis does not want me to use the word, "progress", that is what it is. As Andreas Gross has said, finding a political solution is key.

Mr Mikhelson said that he went to Chechnya years ago as a journalist, and that he felt on his return from investigating the situation as part of Mr Gross's committee that there was a climate of terror and impunity and that something terrible is still going on. I hope that the report galvanises not only the Russian Federation, but Council of Europe member states and causes them to stand together to solve the terrible problem in Chechnya.

THE PRESIDENT (Translation). – Does the Chairperson of the Committee on Legal Affairs and Human Rights, Mr Marty, wish to speak?

Mr MARTY (*Switzerland*) said that the report provided a clear, unambiguous message to the Committee of Ministers. It was beyond any doubt that the most worrying problems in the Chechen Republic were related to human rights abuses. He could not understand the passivity of the Committee of Ministers on this issue.

THE PRESIDENT (Translation). – The debate is closed.

The Committee on Legal Affairs and Human Rights has presented a draft resolution to which 13 amendments and three sub-amendments have been tabled. They will be taken in the following order: Nos. 1, 2, 8, 9, 10, 3, 4 and 11, and sub-amendment, Nos. 5 and 12, and sub-amendment, and Nos. 6, 13 and 14, and sub-amendment.

I remind you that speeches on amendments are limited to one minute.

We come to Amendment No. 1, tabled by Mr Valery Grebennikov, Mr Anatoliy Korobeynikov, Mr Vladimir Mokry, Mr Victor Kolesnikov, Mr Valery Fedorov, Mr Yuri Sharandin, Mr Leonid Slutsky, Mr Tigran Torosyan, Mr Petr Lachnit and Mrs Hermine Naghdalyan, which is, in the draft resolution, paragraph 2, delete the words "in a climate of impunity".

I call Mr Grebennikov to support Amendment No. 1.

Mr GREBENNIKOV (*Russian Federation*) said it was unfortunate that the word "impunity" was used as it was incorrect. In fact, the focus should be on the immediate and irreversible punishment for any type of crime, rather than simply stating that there was a climate of impunity in Chechnya.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Jurgens.

Mr JURGENS (*Netherlands*). – As was made clear in the debate, the general feeling of all those who have been to Chechnya and reported on it is that there is a climate of impunity there – not, as Mr Grebennikov suggests, in the whole of Russia. The text concerns Chechnya. As that has been stated not just by the rapporteur but by many members of the Assembly, I think that it should remain in the text.

THE PRESIDENT. – What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is against the amendment.

THE PRESIDENT. – The vote is open.

Amendment No. 1 is rejected.

We come to Amendment No. 2, tabled by Mr Leonid Slutsky, Mr Valery Grebennikov, Mr Anatoliy Korobeynikov, Mr Vladimir Mokry, Mr Victor Kolesnikov, Mr Valery Fedorov, Mr Yuri Sharandin, Mr Tigran Torosyan, Mr Petr Lachnit and Mrs Hermine Naghdalyan, which is, in the draft resolution, paragraph 4, replace the words "the lack of substantial" with the following word: "insufficient".

I call Mr Slutsky to support Amendment No. 2.

Mr SLUTSKY (*Russian Federation*) said that it was important to be precise in the resolution. The Russians had submitted a document to the committee that highlighted the progress that had been made in Chechnya. He supported the speech made by Mr Kosachev on that matter. The amendment was an insult to the workers of the Prosecutor General's office who had been killed or injured in the course of their duties. Their work might be insufficient but it was unfair to say it was insubstantial.

THE PRESIDENT. – Does anyone wish to speak against the amendment? That is not the case.

What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour of the amendment.

THE PRESIDENT. – The vote is open.

Amendment No. 2 is adopted.

We come to Amendment No. 8, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Walter Riestler, Mrs Herta Däubler-Gmelin and Mrs Tana de Zulueta, which is, in the draft resolution, paragraph 4, after the words "Prosecutor General's office in elucidating", insert the following words:

"and achieving successful prosecution of".

I call Mr Pourgourides to support Amendment No. 8.

Mr POURGOURIDES (*Cyprus*). – Elucidating human rights violations is not enough – we must successfully prosecute those who are responsible for them. This amendment deals with exactly that point.

THE PRESIDENT. – Does anyone wish to speak against the amendment? I call Mr Zhirinovsky.

Mr ZHIRINOVSKY (*Russian Federation*) said that members were unaware of the situation in Chechnya. Successful prosecutions were sometimes impossible to achieve even in a city such as Strasbourg. In the mountainous regions of Chechnya it was difficult to observe proper procedures and sometimes difficult to persuade witnesses to give evidence as they were frightened of being killed. European standards of criminal prosecution were sometimes impossible to apply in Chechnya.

THE PRESIDENT. – What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour of the amendment.

THE PRESIDENT. – The vote is open.

Amendment No. 8 is adopted.

We come to Amendment No. 9, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Walter Riester, Mrs Herta Däubler-Gmelin and Mrs Tana De Zulueta, which is, in the draft resolution, paragraph 5, replace the words “continue to” with the following word: “effectively”.

I call Mr Pourgourides to support Amendment No. 9.

Mr POURGOURIDES (*Cyprus*). – If this amendment is adopted, the paragraph would state that both federal and regional law enforcement authorities must effectively investigate non-specific violations. It is useless to continue investigating without an effective investigation.

THE PRESIDENT (Translation). – Does anyone wish to speak against the amendment? I call Mr Zhirinovsky.

Mr ZHIRINOVSKY (*Russian Federation*) said that his objection was a continuation of his previous position on successful prosecutions. The words “continued to” were sufficient as “effectively” would be difficult to achieve in the mountainous regions of Chechnya. Drug smugglers and terrorists had been notoriously hard to track in their mountain hideaways. European lawyers should not try to find a European solution for a region that was still in the dark ages.

THE PRESIDENT (Translation). – What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour of the amendment.

THE PRESIDENT. – The vote is open.

Amendment No. 9 is adopted.

We come to Amendment No. 10, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Boriss Cilevičs, Mr Walter Riester, Mrs Herta Däubler-Gmelin and Mrs Tana de Zulueta, which is, in the draft resolution, at the end of paragraph 5, add the following sentence:

“Moreover, the authorities should authorize the publication of the reports of all CPT visits and publish plans and steps taken to implement CPT recommendations.”

I call Mr Pourgourides to support Amendment No. 10.

Mr POURGOURIDES (*Cyprus*). – The CPT has been doing an important job for many years in Russia. It has published many reports on the situation in Russian prisons. To be made public, the reports have to be authorised by the authorities of the Russian Federation. It is important to make those reports public so that the people of Russia know what the situation is. The amendment therefore proposes not only that the CPT’s reports should be made public but that the authorities should make public their plans and the steps that they take to implement the CPT’s proposals.

THE PRESIDENT (Translation). – Does anyone wish to speak against the amendment?

I call Mr Zhirinovsky.

Mr ZHIRINOVSKY (*Russian Federation*) said that for the amendment to be fair they should apply the same standard to all subjects covered by any committees of the Assembly. To limit the amendment to reports on Chechnya might lead to a distorted perception of the situation. The delicate situation in Chechnya meant that any information, such as that published in the report, could be used against citizens in Chechnya.

THE PRESIDENT (Translation). – What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour of the amendment.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 10 adopted.

We come to Amendment No. 3, tabled by Mr Leonid Slutsky, Mr Valery Grebennikov, Mr Anatoliy Korobeynikov, Mr Vladimir Mokry, Mr Victor Kolesnikov, Mr Valery Fedorov, Mr Yuri Sharandin, Mr Tigran Torosyan, Mr Petr Lachnit and Mrs Hermine Naghdalyan, which is, in the draft resolution, paragraph 6, second sentence, delete the following words: “and remain unpunished”.

I call Mr Slutsky to support Amendment No. 3.

Mr SLUTSKY (*Russian Federation*) said that the issue had already provoked a strong reaction in the Russian Federation Parliament. Crimes were punished by the court.

THE PRESIDENT (Translation). – Does anyone wish to speak against the amendment?

I call Mr Jurgens.

Mr JURGENS (*Netherlands*). – There are seven examples in the report of thugs visiting the houses of people who have lodged a complaint with the Court in Strasbourg, beating them up and going even further. Mr Slutsky says that that is not the case, but the information that we received from non-governmental organisations states that it is. It is therefore a matter of disagreement. It is clear to me as the rapporteur that those people have not been punished. I am therefore against the amendment.

THE PRESIDENT (Translation). – What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is against the amendment.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 3 is rejected.

We come to Amendment No. 4, tabled by Mr Valery Grebennikov, Mr Anatoliy Korobeynikov, Mr Vladimir Mokry, Mr Victor Kolesnikov, Mr Valery Fedorov, Mr Yuri Sharandin, Mr Leonid Slutsky, Mr Tigran Torosyan, Mr Petr Lachnit and Mrs Hermine Naghdalyan, which is, in the draft resolution, delete paragraph 7.

If Amendment No. 4 is adopted, the sub-amendment to Amendment No. 11 falls, because it is no longer necessary.

I call Mr Grebennikov to support Amendment No. 4.

Mr GREBENNIKOV (*Russian Federation*) said that the inaccuracies in the text had been discussed in committee yesterday, and he drew them to the attention of the Assembly. Without amendment, the text of the resolution would contradict recent Russian Federation legislation.

THE PRESIDENT (Translation). – Does anyone wish to speak against the amendment?

I call Mr Jurgens.

Mr JURGENS (*Netherlands*). – We would not like to delete the paragraph completely, but new information that we received yesterday from Mr Grebennikov inclines me to change the text so that the paragraph would read: “The Assembly welcomes the new Russian law governing the setting up of committees of inquiry and urges the Russian delegation” and so on. We would retain the rest of the text. The amendment would thus at least accommodate the fact that the current text does not mention the new law.

THE PRESIDENT (Translation). – We will examine the oral amendment later. What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is against the amendment and in favour of the oral amendment.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 4 is rejected.

I have received an oral amendment from Mr Jurgens, on behalf of the Committee on Legal Affairs and Human Rights, which reads as follows:

“In paragraph 7, after ‘the Assembly’, add ‘welcomes the recent adoption of a law making it possible to set up inquiry committees and’.”

I remind the Assembly of Rule 34, which enables the President to accept an oral amendment or sub-amendment on the grounds of promoting clarity, accuracy or conciliation and if there is not opposition from 10 or more members to its being debated.

In my opinion, and having consulted the committee, the oral amendment meets the criteria of Rule 34.6. Is there any opposition to the amendment being debated?

That is not the case.

I call Mr Jurgens to support the oral amendment.

Mr JURGENS (*Netherlands*). – My remarks will be brief. We owe it to the Russian delegation to be as accurate as possible. We think that a commission of inquiry should be instituted, and now we know that there is a law that makes that possible.

THE PRESIDENT (Translation). – Does anyone wish to speak against the oral amendment?

I call Mr Grebennikov.

Mr GREBENNIKOV (*Russian Federation*) said that this amendment related to parliamentary inquiries. Parliamentary committees should not be asked to decide the guilt or innocence of an individual. This was contrary to Russian legislation and therefore it would in any case be impossible to implement.

THE PRESIDENT (Translation). – The committee is in favour, as Mr Marty said earlier.

The vote is open.

The oral amendment is adopted.

Mr WALTER (*United Kingdom*). – On a point of order, Mr President.

I have become increasingly frustrated in this debate because the camera positions, which are not even occupied at present, prevent my seeing the proposers of the motions. Surely it is not in order for the view of members of the Assembly to be so obstructed. Will you rule that the cameramen restrict themselves to the rear of the Chamber or the public gallery and that they do not mingle among members of the Assembly, thus obstructing their view?

THE PRESIDENT (Translation). – I note your point of order and ask the cameramen to move so that you can see.

We come to Amendment No. 11, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Walter Riestler, Mrs Herta Däubler-Gmelin and Mrs Tana de Zulueta, which is, in the draft resolution, at the end of paragraph 7, add the following sentence:

"Moreover, the Russian authorities must take practical steps to address the issue of missing persons and 'disappeared' persons, particularly through introducing effective systems for identification and recording of bodies found and to make this information public."

I call Mr Pourgourides to support Amendment No. 11.

Mr POURGOURIDES (*Cyprus*). – Last summer in Cyprus we organised a hearing on missing persons. There are missing persons not only in the Chechen Republic but in many other parts of Europe. We heard some horrifying stories about missing persons in Chechnya, so we propose the amendment to call on the Russian authorities to take practical steps to address the important matter of missing persons, and particularly to introduce effective systems for the identification and recording of bodies found and to make that information public. I urge all members to support this important amendment.

THE PRESIDENT (Translation). – We come to Sub-Amendment No. 1 to Amendment No. 11, tabled by Mr Erik Jurgens, on behalf of the Committee on Legal Affairs and Human Rights, which is, in Amendment No. 11, replace the words "at the end of paragraph 7, add the following sentence" with the following words: "after paragraph 7, add the following new paragraph".

I call Mr Jurgens to support the sub-amendment.

Mr JURGENS (*Netherlands*). – The sub-amendment is purely a matter of changing the numbering of the separate paragraphs.

THE PRESIDENT (Translation). – What is the opinion of the mover of the amendment?

Mr POURGOURIDES (*Cyprus*). – It is a technical point.

THE PRESIDENT (Translation). – The vote is open.

The sub-amendment is adopted.

Does anyone wish to speak against Amendment No. 11, as amended?

I call Mr Zhirinovskiy.

Mr ZHIRINOVSKY (*Russian Federation*) said that this amendment was not possible to implement because it was impossible to increase the number of soldiers. He also asked why the procedures required consideration of a sub-amendment before an amendment and why no one had been invited to speak against the amendment. This seemed crazy. He added that there was a lack of understanding of the situation in which people disappeared. Many bodies from the Second World War had still not been found. Who should be charged with finding the bodies? Would it be the police, soldiers or civilians? What if these people died while the search was being conducted for the bodies? If the places where people were killed were identified, relatives would be filled with a lust for revenge.

THE PRESIDENT (Translation). – What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 11, as amended, is adopted.

We come to Amendment No. 5, tabled by Mr Leonid Slutsky, Mr Valery Grebennikov, Mr Anatoliy Korobeynikov, Mr Vladimir Mokry, Mr Victor Kolesnikov, Mr Valery Fedorov, Mr Yuri Sharandin, Mr Tigran Torosyan, Mr Petr Lachnit and Mrs Hermine Naghdalyan, which is, in the draft resolution, paragraph 10, second sentence, delete the words "whose legal status is still unclear".

I call Mr Slutsky to support Amendment No. 5.

Mr SLUTSKY (*Russian Federation*) said that this was an amendment of principle. If his colleagues were honest, they would admit that the legal status of Kadyrov's forces had not been clear. But since September these forces had been re-organised and their legal status was now crystal clear. The Council of Europe and the Parliamentary Assembly should not close its eyes to this fact. He therefore suggested that the words "whose legal status is still unclear" be deleted.

THE PRESIDENT (Translation). – Does anyone wish to speak against the amendment? That is not the case.

What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour of the amendment.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 5 is adopted.

We come to Amendment No. 12, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Walter Riester, Mrs Herta Däubler-Gmelin and Mrs Tana de Zulueta, which is, in the draft resolution, paragraph 11, to replace the second and third sentences with the following sentences:

"The Assembly expresses concern that the recently adopted law on the legal status of civil society organisations falls short of the standards of the Council of Europe. The Assembly is also concerned about reports on administrative and judicial harassment of some non-governmental organisations, including in particular the Russian-Chechen Friendship Society."

If Amendment No. 12 is agreed to, Amendment No. 6 falls. I call Mr Pourgourides to support Amendment No. 12.

Mr POURGOURIDES (*Cyprus*). – This amendment concerns the civil society, NGOs and other organisations in Russia. The Russian authorities recently adopted a law on those organisations, the provisions of which fall short of the standards of the Council of Europe. Therefore, we are very much concerned about this legislation and the amendment expresses that concern, as well as our concern about reliable reports of administrative and judicial harassment of some NGOs – including, in particular, the Russian-Chechen Friendship Society, which is a very respectable NGO that is doing excellent work in Chechnya.

THE PRESIDENT (Translation). – We come to Sub-Amendment No. 1 to Amendment No. 12, tabled by Mr Erik Jurgens, on behalf of the Committee on Legal Affairs and Human Rights, which is, in Amendment No. 12, to delete the words "including in particular the Russian-Chechen Friendship society".

I call Mr Jurgens to support the sub-amendment.

Mr JURGENS (*Netherlands*). – Our Russian friends pointed out in the committee that any harassment of the Russian-Chechen Friendship Society has been covered by a court order. We did not want to haggle about such points in committee, so we decided to remove the last words, particularly the reference to the Russian-Chechen Friendship Society. Thank you, Mr President.

THE PRESIDENT (Translation). – Thank you, Mr Jurgens. Does anyone wish to speak against the sub-amendment?

I call Mr Grebennikov.

Mr GREBENNIKOV (*Russian Federation*) said that in the committee meeting yesterday, they had agreed to delete this whole sentence. He was astonished that members had not taken this position today.

THE PRESIDENT (Translation). – What is the opinion of the mover of the amendment?

Mr POURGOURIDES (*Cyprus*). – I want to be as constructive as possible – just to create the right climate in the Assembly – so I am in favour of the sub-amendment proposed by Mr Jurgens.

THE PRESIDENT (Translation). – Thank you. What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour of the sub-amendment. I confirm that we have voted on the sub-amendment as tabled today.

THE PRESIDENT (Translation). – The vote is open.

The sub-amendment is adopted.

Does anyone wish to speak against Amendment No. 12, as amended?

I call Mr Gross.

Mr GROSS (*Switzerland*). – I have voted hitherto for all the amendments proposed by Mr Pourgourides, but we must now be careful because our Russian colleagues are very sensitive to formal issues, and we undermine the legitimacy of our correct critique when we do not respect the formal points. This amendment puts into the report the conclusions reached today about the law in respect of Russian NGOs. Mr Bērziņš tabled a motion that we make our own report on the NGO law, thus opening serious discussions and allowing us to reach the right conclusion. With respect, I ask you not to make this amendment.

THE PRESIDENT (Translation). – Thank you. What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 12, as amended, is adopted.

Consequently, Amendment No. 6 falls.

We come to Amendment No. 13, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Walter Riester, Mrs Herta Däubler-Gmelin and Mrs Tana de Zulueta, which is in the draft resolution, at the end of paragraph 11, to add the following words: "and – in line with resolution 1455 – reiterates its call on the Russian government to give NGOs the possibility to do their important work by creating administrative, fiscal and political conditions for the normal functioning of Russian civil society".

I call Mr Pourgourides to support Amendment No. 13.

Mr POURGOURIDES (*Cyprus*). – The Russian Government should allow the NGOs to do their important work in creating the administrative, fiscal and political conditions necessary for the normal functioning of Russian civil society. The NGOs are doing a very important job in Russia and have given very reliable information on many issues. Therefore, I regard this amendment as a continuation of the previous amendment, and I call on members to support it.

THE PRESIDENT (Translation). – Does anyone wish to speak against the amendment?

I call Mr Zhirinovskiy.

Mr ZHIRINOVSKY (*Russian Federation*) said that the Russian Federation was not against the activities of non-governmental organisations. Hundreds of thousands of NGOs in the Russian Federation did significant work. But when NGOs started giving information to foreign governments, for example, as happened in the British embassy recently, this constituted espionage. Countries had a right to protect themselves from spying. NGOs were welcome to do humanitarian work, but were not permitted to threaten state security. It was unacceptable for foreign secret services to pay them for information.

THE PRESIDENT (Translation). – What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour of the amendment.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 13 is adopted.

We come to Amendment No. 14, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Boriss Cilevičs, Mr Walter Riester, Mrs Herta Däubler-Gmelin and Mrs Tana de Zulueta, which is, in the draft resolution, after paragraph 11, to insert the following paragraph:

"The Assembly urges the Russian Government to fully implement all recommendations made by the bodies and mechanisms of the Council of Europe including the Parliamentary Assembly, the Commissioner for Human Rights, the Committee for the Prevention of Torture (CPT), the Venice Commission and the European Commission against Racism and Intolerance (ECRI) as well as those of the UN, including the Human Rights Committee, the Committee Against Torture, the Committee on the Elimination of Discrimination Against Women, the Committee on the Rights of the Child and the Representative of the Secretary General on Internally Displaced Persons."

I call Mr Pourgourides to support Amendment No. 14.

Mr POURGOURIDES (*Cyprus*). – To save time, I state now that I support the sub-amendment because it deletes the names mentioned in the original wording. As for the amendment itself, we urge the Russian Government fully to implement all the recommendations made by the bodies of the Council of Europe including the Assembly, the CPT and so on. It goes without saying that the Russian Government should do so, because all those organisations have issued recommendations that it must implement.

THE PRESIDENT (Translation). – We come to Sub-Amendment No. 1 to Amendment No. 14, tabled by Mr Erik Jurgens, on behalf of the Committee on Legal Affairs and Human Rights, which is, in Amendment No. 14, to delete the words: "including the Parliamentary Assembly, the Commissioner for Human Rights, the Committee for the Prevention of Torture (CPT), the Venice Commission and the European Commission against Racism and Intolerance (ECRI)" and the words: "including the Human Rights Committee, the Committee against Torture, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Representative of the Secretary General on Internally Displaced Persons".

I call Mr Jurgens to support the sub-amendment.

Mr JURGENS (*Netherlands*). – It is overkill to cite all those organisations, so my sub-amendment would amend the text to "The Assembly urges the Russian Government to fully implement all recommendations made by the bodies and mechanisms of the Council of Europe as well as those of the UN".

THE PRESIDENT (Translation). – Does anyone wish to speak against the sub-amendment? That is not the case.

The committee is in favour.

The vote is open.

The sub-amendment is adopted.

Does anyone wish to speak against Amendment No. 14, as amended?

I call Mr Zhirinovskiy.

Mr ZHIRINOVSKY (*Russian Federation*) said that this amendment was contradictory and was not enforceable within Chechen society.

THE PRESIDENT (Translation). – What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour of the amendment.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 14, as amended, is adopted.

We will now proceed to vote on the whole of the draft resolution contained in Document 10774, as amended.

The vote is open.

The draft resolution in Document 10774, as amended, is adopted.

The Committee on Legal Affairs and Human Rights has also presented a draft recommendation, to which five amendments and two sub-amendments have been tabled. They will be taken in the following order: No. 7, and sub-amendment, and Nos. 15 to 17, 18, and sub-amendment.

We come to Amendment No. 7, tabled by Mr Valery Grebennikov, Mr Anatoliy Korobeynikov, Mr Vladimir Mokry, Mr Victor Kolesnikov, Mr Valery Fedorov, Mr Yuri Sharandin, Mr Leonid Slutsky, Mr Tigran Torosyan, Mr Petr Lachnit and Mrs Hermine Naghdalyan, which is, in the draft recommendation, paragraph 2, to replace the words "the Council's executive body" with the following words: "this Council's body".

I call Mr Grebennikov to support Amendment No. 7.

Mr GREBENNIKOV (*Russian Federation*) sought to withdraw the amendment in the light of Mr Jurgens's sub-amendment.

THE PRESIDENT (Translation). – Does anyone wish to take on the amendment?

Mr JURGENS (*Netherlands*). – On a point of order, Mr President. I think you are right not to vote on the sub-amendment, but our Russian colleagues would want us to do so, because that is the text that they would like. Mr Grebennikov may have made a mistake by seeking to withdraw his amendment. If he kept it we could make a sub-amendment. Would you mind, Mr President, asking Mr Grebennikov if I am right?

THE PRESIDENT (Translation). – What is your position, Mr Grebennikov?

Mr GREBENNIKOV (*Russian Federation*) said he had agreed in committee with Mr Jurgens to withdraw the amendment in place of his sub-amendment.

THE PRESIDENT (Translation). – We will therefore examine Sub-Amendment No. 1 to Amendment No. 7, tabled by Mr Erik Jurgens, on behalf of the Committee on Legal Affairs and Human Rights, which is, in Amendment No. 7, to replace the words "this Council's body" with the following words: "the Council's decision-making body".

I call Mr Jurgens to support the sub-amendment.

Mr JURGENS (*Netherlands*). – We would love a resolution by the Assembly to include an affirmation that it is the role of the Committee of Ministers to execute our decisions, but the document does not say that. The wording was false and my colleague, Mr Grebennikov, was right to try to change it. However, his proposal was not framed in correct English so we decided to use the words, "decision-making body".

THE PRESIDENT (Translation). – Does anyone wish to speak against the sub-amendment? That is not the case.

The vote is open.

The sub-amendment is adopted.

Does anyone wish to speak against Amendment No. 7, as amended? That is not the case.

What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 7, as amended, is adopted.

We come to Amendment No. 15, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Boriss Cilevičs, Mr Walter Riester, Mrs Herta Däubler-Gmelin and Mrs Tana de Zulueta, which is, in the draft recommendation, at the end of paragraph 5.1, to add the following words: "and making monitoring reports and findings public".

I call Mr Pourgourides to support amendment No. 15.

Mr POURGOURIDES (*Cyprus*). – Paragraph 5.1 recommends the return to the Committee of Ministers of the moratorium on the human rights situation in the Chechen Republic. The amendment proposes that any monitoring reports and findings should be made public once that is done. If such reports are made public, the Russian public will be able to learn about the matter and take the appropriate political decisions.

THE PRESIDENT (Translation). – Does anyone wish to speak against the amendment?

I call Mr Jurgens.

Mr JURGENS (*Netherlands*). – In the committee meeting, it was understood that Mr Pourgourides would withdraw the amendment, because of objections from our Russian friends. I am against the amendment.

THE PRESIDENT (Translation). – What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee was not in a position to make a decision because the amendment was withdrawn at the committee meeting.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 15 is rejected.

We come to Amendment No. 16, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Boriss Cilevičs, Mr Walter Riester, Mrs Herta Däubler-Gmelin and Mrs Tana de Zulueta, which is, in the draft recommendation, at the end of paragraph 5.3, to add the following words: " , and to urge the Russian authorities to authorize, without delay, the publication of all reports of visits to the region by the Council of Europe's Committee for the Prevention of Torture (CPT)".

I call Mr Pourgourides to support Amendment No. 16.

Mr POURGOURIDES (*Cyprus*). – This amendment speaks for itself, and we have already adopted it by a large majority in the draft resolution. It has also been recommended for inclusion in the draft recommendation.

THE PRESIDENT (Translation). – Does anyone wish to speak against the amendment? That is not the case.

What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour of the amendment.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 16 is adopted.

We come to Amendment No. 17, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Walter Riester, Mrs Herta Däubler-Gmelin and Mrs Tana de Zulueta, which is, in the draft recommendation, after paragraph 5.3, to insert the following sub-paragraph:

"calls on the Committee of Ministers to ensure that the Council of Europe supports the authorities in the Russian Federation in taking practical steps to address the issue of missing persons and 'disappeared' persons in Chechnya, particularly through introducing effective systems for identification and recording of bodies found, and improvement of the forensic facilities in Chechnya."

I call Mr Pourgourides to support Amendment No. 17.

Mr POURGOURIDES (*Cyprus*). – The amendment speaks for itself. We adopted a similar provision in the draft resolution, and I think it important that we include such a provision in the draft recommendation.

THE PRESIDENT (Translation). – Does anyone wish to speak against the amendment? That is not the case.

What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour of the amendment.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 17 is adopted.

We come to Amendment No. 18, tabled by Mr Christos Pourgourides, Mrs Lydie Err, Mr Walter Riestler, Mrs Herta Däubler-Gmelin and Mrs Tana de Zulueta, which is, in the draft recommendation, after paragraph 5.3, to insert the following sub-paragraph:

“continue to bring appropriate pressure to bear upon the Russian authorities to implement the individual and general measures in relation to all European Court of Human Rights judgments, in particular those relating to violations committed in the course of the armed conflict in Chechnya.”

I call Mr Pourgourides to support Amendment No. 18.

Mr POURGOURIDES (*Cyprus*). – There is a sub-amendment, and I am in favour of it. On the amendment, many judgments of the court have not been implemented.

THE PRESIDENT (Translation). – We come to Sub-Amendment No. 1 to Amendment No. 18, tabled by Mr Erik Jurgens, on behalf of the Committee on Legal Affairs and Human Rights, which is, in Amendment No. 18, to replace the words “to bring appropriate pressure to bear upon the Russian authorities” with the following words: “to urge the Russian authorities”.

I call Mr Jurgens to support the sub-amendment.

Mr JURGENS (*Netherlands*). – In the course of history, many countries have noticed that putting pressure on the Russian bear can be counter-productive, but it is always fair to urge it to do things. With that in mind, the sub-amendment is appropriate.

THE PRESIDENT (Translation). – Does anyone wish to speak against the sub-amendment? That is not the case.

The committee is in favour.

The vote is open.

The sub-amendment is adopted.

THE PRESIDENT (Translation). – Does anyone wish to speak against Amendment No. 18, as amended? That is not the case.

What is the opinion of the committee?

Mr MARTY (*Switzerland*) (Translation). – The committee is in favour.

THE PRESIDENT (Translation). – The vote is open.

Amendment No. 18, as amended, is adopted.

We will now proceed to vote on the whole of the draft recommendation contained in Document 10774, as amended. I remind you that a two-thirds majority is required for the adoption of a recommendation.

The draft recommendation in Document 10774, as amended, is adopted.

(Mr van der Linden, President of the Assembly, took the Chair in place of Mr Gardetto.)

4. Address by Mr Băsescu, President of Romania

THE PRESIDENT. – First, I apologise for the debate and votes on Chechnya taking longer than expected. I hope that we can continue after 1 o'clock.

We now have the honour of hearing an address by Mr Traian Băsescu, President of Romania. After his address Mr Băsescu has kindly agreed to take questions from the floor.

This is not the first time that we have met, Mr Băsescu. We have held discussions on several occasions, and you played an important role at the Warsaw Summit. In addition to a remarkable career in the navy, you have had a distinguished political career. You have served as Minister for Transport on several occasions; you have been a member of parliament; you have been Mayor of Bucharest; and you have held several other important political positions.

Thirteen years have passed since Romania became a Council of Europe member state. You have come a long way since then, and we in the Council of Europe have walked alongside your country on its road to becoming a modern, liberal, democratic and open society. The target date for Romania to join the European Union is fast approaching, and you will need to show courage and determination in the short time left to prove that Romania is on the road to becoming a consolidated democracy. The challenges include the fights against terrorism, against high-level corruption and against the trafficking of human beings. You must also strengthen your control of your borders, administration and courts.

During its thirteen years of membership of the Council of Europe, Romania has proved that it has the capacity to tackle serious challenges. We in the Parliamentary Assembly are optimistic that you will steer Romania successfully to membership of the European Union in 2007.

Mr President, you have the floor.

MR BĂSESCU (*President of Romania*). – Thank you very much, Mr President. Given that we have the presidency of the Committee of Ministers and that a translation from the Romanian language into the English and French languages is available, please allow me to use the Romanian language in my main speech. I will use the English language when I answer questions.

(The speaker continued in Romanian)

He said that it was a particular pleasure for him to address the Assembly and he thanked Mr van der Linden for the invitation. He had the honour of attending the summit of the Council of Europe in Warsaw in May 2005. He paid tribute to the Council of Europe in its service to democracy, human rights and the rule of law. It was the first completely open organisation to take into account the respect for human rights, freedom and democracy. It had played a major part in the unification of Europe. He referred to the words by Mr van der Linden "We will not find any better, or more cost-effective, instrument to strengthen the unity of Europe based on common values, than the Council of Europe."

In 1993, the Council of Europe had been the first organisation to recognise post-revolution Romania. In the last twelve years, the Assembly had witnessed the progress of democracy in Romania. As a result, Romania had a profound sense of attachment and duty to the Council of Europe. Both Romania and the Council of Europe had developed together and shared the European values of equal opportunities, democracy, human rights and the rule of law. Those values were the foundations of Romanian politics. He felt a moral duty, as President, to future generations to continue the long history of co-operation with the Council of Europe.

Since Romania had become a member, the government, parliament, local authorities and civil society had acted with a democratic logic to integrate the standards of the Council of Europe. They had created democratic reflexes which functioned within Romanian society. Romania had ratified 85 Council of Europe conventions and signed 21 others. That consolidation of the standards and principles of the Council of Europe had helped in the process of accession to the European Union.

The Romanian model for recognising its minorities was recognised by others as very democratic. There were now 19 national minorities represented in the Romanian Parliament, including a Magyar

representative. Romania's neighbours Serbia, Ukraine and Hungary had not yet managed to achieve a similar recognition of their minorities. He thanked the Council of Europe for its support on the issue of schools in Transnistria where Romanian teachers and pupils were still subjected to discrimination. The issue still needed greater attention from the Council of Europe. Romanian orphanages had been the subject of great concern to various European bodies. With the assistance of the Council of Europe and other parties, the Romanian Government had now taken full responsibility for the status of children in the orphanages. The children in the orphanages were now given a chance to develop within family units. The reform of local government and the judiciary was under way, as was the integration of the Roma people. Those were all lines of action that had taken place as a result of the co-operation of the Council of Europe, as part of Romania's ambition to achieve accession to the European Union.

The Council of Europe was indeed a school for democracy. The democratic *acquis* of the Council of Europe should be amended to include the Euro-Atlantic community. The problems of ethnic intolerance and exclusion had marked the recent conflicts in the Caucasus and the Balkans. The Council of Europe had once again confirmed its unique status by assisting countries in that region. Romania would hold the chairmanship of the Committee of Ministers and would aim for the implementation of the decisions of the Warsaw Summit. Romania counted on the support not only of all member states, but of their parliaments, governments and citizens.

Progress in Moldova, in the adoption of democratic stability and regional security, was a priority for Romania. However, the conflict in Transnistria was an obstacle to achieving progress. Transnistria held enclaves of crime and was home to oligarchs who made their own rules. He noted the ruling of the International Court of Human Rights that the Romanian prisoners Ilie Ilaşcu, Adrei Ivanoc and Tudor Petrov-Popa had been detained arbitrarily and said that they must be released in the near future. There was a great readiness to transform the Black Sea area under the principles of partnership and democracy and he was keen to help Moldova achieve that. The basis of the democratic *acquis* should be a road map for Moldova similar to that created by the European Parliament for the west Balkan region.

A "security area" should be created around the Black Sea to create a region of co-operation with the support of the Council of Europe, to help the democratisation of the area. Further reforms were needed at the domestic level, but there were serious challenges from the persistent conflicts in an area where international standards of law did not apply. Romania was supportive of the CLRAE's project to create a European region of the Black Sea. During its chairmanship of the Committee of Ministers, Romania would host the launch of the project, in March. Romania had invited governments, both local and regional, officials, civil society and regional and international organisations to the launch. There should be a political declaration expressing a permanent commitment to the consolidation and promotion of democracy and good governance.

Progress in the western Balkans was all part and parcel of the Euro-Atlantic integration project. Romania would work towards a dynamic and active policy in that field. Sustainable stability had to be based on tolerant societies. Romania's experience would be added value for European organisations during the decision-making process on the union of Serbia and Montenegro and the future of Kosovo. Reforms had to be strengthened and the rule of law and freedom of the media established. Romania recognised the role of the Council of Europe in aiming to establish democracy in Kosovo.

Southern-Eastern Europe had democratic capital to extend to its neighbouring countries. Romania intended to include its neighbouring countries in its proposals for the future. Romania's European perspective had been a catalyst for reform to ensure that Romania could join the European family. He pleaded with all organisations to create a European perspective for the Black Sea area, to create a region united by democratic principles. There was a difference in terms of geographical coverage and function between the institutions of Romania and those of the European Union, but they were pursuing the same objectives. Romania's accession to the European Union would mark the end of its transition towards democracy and the conclusion of a grand historical project. That had been made possible by the Council of Europe.

Romania had striven to accede to the European Union. It had followed the calendar drawn up for that process. Romania was now closer than ever to its objectives, not just because it had met the deadlines, but because it had shown a genuine commitment to the process. Romania had launched an unprecedented fight against corruption. The police, justice system and home affairs department had made great strides under efficient and competent leaders. The reform process had sped up because Romania had no inhibitions and was open to new ideas. Accession would be achieved by bringing together a number of historical, political and legal institutions.

He concluded by delivering a personal message of thanks to the members of the Parliamentary Assembly for their help. Many had been of great assistance with the ratification of Romania's accession treaty. He appealed to politicians from countries where the treaty had not yet been ratified for their support. The Council of Europe had been a longstanding partner of Romania and had greatly supported its transition to democracy. He was counting on this solidarity to reach future objectives. He hoped that he would soon address the Assembly as the head of state of a member country of the European Union. He thanked the members and President and invited questions.

THE PRESIDENT (Translation). – Thank you very much, Mr Băsescu, for your most interesting address. Members of the Assembly have expressed a wish to put questions to you.

I remind them that questions and supplementary questions must be limited to thirty seconds and no more. Colleagues should ask questions and not make speeches.

I will allow supplementary questions only at the end and only if time permits. We will have to interrupt the questions at about 1 p.m.

The first question is by Mrs Becerril on behalf of the Group of the European People's Party.

Mrs BECERRIL (*Spain*) said that she appreciated the efforts made by Romania towards democratic reform. She asked whether the President believed that the fight against corruption in his country and the efforts to increase transparency were sufficient to meet the requirements of the European Union.

Mr BĂSESCU. – Thank you for your question.

Any politician will try to convince you with words that things are going well in a country such as Romania, but I will not argue with words. I ask you to check the joint report of the European Bank for Reconstruction and Development and the World Bank of October 2005. It analysed 26 countries, some of them EU member states, others applicant countries. The report clearly states that in 2005 the business environment in Romania was very much improved and the level of corruption was very much diminished.

The figures in the EBRD/World Bank report show that Romania has less corruption in business compared to some member states and the document will convince you that corruption in Romania has diminished because of the government's actions. The report compares the situation in Romania in 2002, when there was a high level of corruption in the business environment, to that in 2005 when, as the report shows, good progress was made by the Romanian authorities and the business community.

In addition, I guarantee that as President of Romania, together with the government and relevant politicians, we are really fighting against corruption. Last year, when we succeeded in giving justice an independent position as regards politicians and state structures our success in the fight against corruption became evident. I invite you to visit Romania so that you can be much better informed.

THE PRESIDENT. – Thank you. The next speaker is Mr Bender, who will speak on behalf of the European Democratic Group.

Mr BENDER (*Poland*). – Your Excellency, your country, Romania, intends to join the European Union. Yesterday I asked this question of the Bulgarian Prime Minister so now I ask you: is the so-called European Constitution dead, or can it be resurrected?

Mr BĂSESCU. – Romania is a supporter of a united Europe. We are confronted with the effects of the globalisation process and no one country in Europe will be able to face them if the European Union remains a simple market. Romania will support the constitutional treaty as soon as we become a member of the EU. As we have decided with the European Commission, on 1 January 2007 Romania will push for ratification of the constitutional treaty from our side.

We consider that a Europe without a constitutional treaty is condemned to remain a simple market, and thus unable to defend ourselves and to have a common foreign policy, and we will not be prepared to defend our citizens against the effects of globalisation. A united Europe with a constitutional treaty will be on the steering path of the globalisation process. If we are not united by a constitutional treaty we will be on the receiving end of the effects of that process. For that reason, Romania very much supports the constitutional treaty. Thank you.

THE PRESIDENT. – I note that Mr Severinsen, a member of the Assembly who was a member of the convention and therefore part of the constitution is present.

I call Mrs Hurskainen.

Mrs HURSKAINEN (*Finland*). – Mr President, what steps will Romania take to ensure that the Roma can live in an environment free from racism and discrimination? What will the state of Romania do to decrease the racial intolerance in the Romanian media?

THE PRESIDENT. – Mr President, you have the floor.

Mr BĂSESCU. – We have established a programme together with specialists from the European Commission, with the assistance of the Council of Europe, regarding the Roma minority. The programme started in 2001, and its objectives will have to be reached in 2010. We still have five years in which to implement the programme. We have special legislation dedicated to integrating the Roma minority into Romanian society. We allocate place to the Roma places in all categories of school in Romania. Those places are specially reserved for the Roma.

At the same time, we organise special training for the Roma population close to the offices for labour, so that the Roma can become integrated into our economy. A lot of steps have been taken. In addition, we have given considerable finances to the 2001-10 programme, which is dedicated to the Roma. I do not say that we are now at the stage of settling this problem, but there is a committee that checks discrimination against the Roma. Politicians, journalists and citizens who blame Roma only because they are Roma are immediately fined and their names are made public. We are convinced that we have a set of rules that allows us to expect that the Roma will experience no problems in Romania by 2010.

THE PRESIDENT. – Thank you very much. I call Mr Kosachev.

Mr KOSACHEV (*Russian Federation*). – Mr President, my question deals with the forthcoming deployment of American military personnel to bases in Romanian territory. How can that be combined with the provisions of the Treaty on Conventional Armed Forces in Europe and the commitments of NATO member states on arms control, particularly in respect of the commitment not to deploy substantial combat forces in the territory of the new members of the alliance?

THE PRESIDENT. – Mr President, you have the floor.

Mr BĂSESCU. – Thank you very much. The deployment of American military personnel to facilities on Romanian territory is in full accordance with the international legislation under which Romania, the Russian Federation and the United States and European Union countries operate. In addition, I can guarantee to you that the deployment of American forces on Romanian territory is not against any country. We are looking first of all to protect democracy and our safety. As President of Romania, I am looking out for the security of my country. Perhaps this is not the right moment to say this, but in February 2005, I personally spoke to the head of the Russian Federation, and the answer was that we respect all international obligations related to the deployment of American military personnel to facilities in Romania on the Black Sea coast.

I understand that you represent the Russian Federation, Sir. You stayed for thirty years in Romania, and we never asked you why you stayed.

THE PRESIDENT. – Thank you. I call Mr Németh.

Mr NÉMETH (*Hungary*). – Mr President, a Hungarian community of 1.5 million people, along with other minorities, live in Romania, and those people are striving for all forms of autonomy. The ruling coalition adopted a government programme to reflect a commitment to adopt a law on national minorities and to establish a legal framework for cultural autonomy. In an unexpected surprise, a few weeks ago, the senate rejected the draft. What is your position, Mr President, on granting cultural autonomy to minority communities in Romania?

THE PRESIDENT. – Mr President, you have the floor.

Mr BĂSESCU. – Thank you very much. I will not give you a lot of arguments about the minorities in Romania, but I will give you a few examples. In Romania, the minorities can use their language in the judicial system. In Romania, the minorities can use their own language in the schools. We have found 19 minorities in Romania, and all 19 are represented in parliament. In Romania, we have three full government ministers from those minorities. In Romania, in areas where 20% of people come from the minorities, the local administration is obliged to ensure that documents and local decisions are presented in Romanian and in the minority language.

Romania has one of the most modern systems of laws to protect minorities. However, we have a problem that involves a debate in the political class regarding cultural autonomy. We have definitely tried to find examples from among other EU member states that show how that cultural autonomy can be granted in conditions where people are free to use Hungarian, Ukrainian and all the minority languages, even in the justice system, and the judge is obliged to provide a person from a minority with a translator who can translate from that minority language into the official Romanian language. We have not found a model showing such laws in Europe. I kindly ask you whether you have such a model. If you have one, I will consider it and we will find a solution that is used in other European countries. Thank you.

THE PRESIDENT. – Thank you. I think our colleague Mr Gross will provide you with some information. I call Mr Rochebloine.

Mr MOONEY (*Ireland*). – On a point of order, Mr President. I am sorry to interrupt. My name is on the list of speakers but you passed me over.

THE PRESIDENT. – I am sorry, Mr Mooney. You arrived late, but I will call you later. I call Mr Rochebloine.

Mr ROCHEBLOINE (*France*) said he thought that Romania would accede to the European Union and asked in what ways other nations, especially French authorities, could assist Romania. He invited a response in French as many Romanians were French speakers.

THE PRESIDENT. – Mr Băsescu, you have the floor.

Mr BĂSESCU. – I am afraid that I will not answer in French. What does the French language mean for Romania? Many Romanians know French. This year, a francophone summit will be held in Bucharest, and it will be attended by 63 francophone countries. French language and culture are part of our culture. France has contributed to our culture, and Brancusi created many monuments in Paris. Many Romanians pursue creative activities in France. I hope that that answer satisfies you. I regret that I am not a French speaker, because I was a captain in the merchant navy and English is the language that can save you.

THE PRESIDENT. – Thank you, but I believe that French speakers will also be saved. I call Mr Mooney.

Mr MOONEY (*Ireland*). – I appreciate your indulgence, Mr President. My question is about the media and the concern expressed by media organisations and people with a belief in, and commitment to, the fundamental democratic right of freedom of expression, free of political interference, across Europe and in Romania. Can the President provide assurances that he will act on the recommendations by various bodies, including a parliamentary committee of the Romanian Parliament, that political interference at editorial level in the broadcast and other media will cease forthwith? There is a possible threat to Romania's entry into the EU in 2007 unless there is action on that basic and fundamental human right.

THE PRESIDENT. – Thank you, Mr Mooney. Mr President, you have the floor.

Mr BĂSESCU. – I can give an example from today's Romanian newspapers, where I am criticised on the front page. They are therefore free to do whatever they want. To be serious, we consider freedom of the press an essential part of democracy. There was a time when the media were controlled by government publicity. I have the relevant dates. When the present government came to power in December 2004 it did not issue any publicity based on affinities with one or another newspaper or television channel. It is our objective to keep the media free and we will do so by approving freedom of expression for all Romanians, including journalists. Since the new government came to power it has not taken any action against journalists, who are free to say whatever they want. We are free to give our own explanation when they are not right. That is the simple philosophy that we apply.

In addition, to extend the concept of freedom of expression in Romania, may I invite you to see how free we are? Sometimes, freedom of expression creates certain images but we are happy to accept the cost of an excess of freedom, which is preferable to trying to control freedom of expression in any area of Romanian society.

THE PRESIDENT. – Thank you. I shall call two more speakers, including Mr Preda.

Mr PREDĂ (*Romania*) indicated that Mr Bănescu had already answered his question in an earlier contribution.

THE PRESIDENT. – I call Mr Cubreacov.

Mr CUBREACOV (*Moldova*) stressed the good relations between Moldova and Romania and asked how he saw the future relationship after Romania's EU accession.

THE PRESIDENT. – Thank you. You have the floor, Mr Bănescu.

Mr BĂNESCU. – As you know, we have publicly declared that we support the integration of the Republic of Moldova sooner or later in the European Union. We regard that process as the only solution to reunify the Romanian nation inside the EU. Like all Romanians I was very proud when Germany succeeded in its reunification, and we have been offered a chance by the European institutions to be together in the EU and reunify the Romanian nation. That is Romanians' warmest wish and we will not hesitate to support the integration of the Republic of Moldova in any European institution.

As you can see from my intervention, a solution is to include the Republic of Moldova in a road map such as the one used for countries in the western Balkans. If we were to forget a small country such as Moldova with 4 million citizens with only a small land mass on the EU-NATO border the position would be more difficult for Ukraine, which is a bigger country. We should not forget Moldova, and we should give it the same prospects for integration as Ukraine. The obligation on Romanian citizens and the Romanian nation to try to reunify Romania inside the European Union is a historic one, as no one asked us when the Ribbentrop-Molotov pact was signed.

THE PRESIDENT. – We must now conclude the questions to Mr Bănescu. On behalf of the Assembly, I thank him most warmly for his address and for the answers he has given to questions. I know him as a frank, forward-going politician, and he made that clear in his answers. We expect strong chairmanship of Romania in the coming months and good co-operation with the Assembly.

5. Date, time and orders of the day of the next sitting

THE PRESIDENT. – I propose that the Assembly hold its next public sitting this afternoon at 3 p.m. with the orders of the day which were approved yesterday.

Is that agreed? It is agreed.

The orders of the day are therefore agreed.

The sitting is closed.

(The sitting was closed at 1.10 p.m.)

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4. Address by Mr Băsecu, President of Romania

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5. Date, time and orders of the day of the next sitting