Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1687 (2009)[1]

Reconsideration on substantive grounds of previously ratified credentials of the Russian delegation (Rule 9 of the Rules of Procedure of the Assembly)

Parliamentary Assembly

1. On 11 September 2009, a motion was tabled, signed by 72 members, requesting the reconsideration on substantive grounds of previously ratified credentials of the Russian delegation, under rule 9.1*a* of the Rules of Procedure of the Parliamentary Assembly, in view of the persistent failure of Russia to honour its obligations and commitments imposed upon it by the Assembly Resolutions 1633 (2008) and 1647 (2009) and its lack of co-operation in the Assembly's monitoring procedure within the meaning of Rule 8.2.*b* of the Assembly's Rules of Procedure. In particular, the authors of the motion pointed out that Russia had not only "failed to fulfil the key demands of Resolutions 1633 (2008) and 1647 (2009) adopted by the Parliamentary Assembly" but had also "undertaken steps that further depart from their implementation".

2. The Assembly reiterates that the war between Georgia and Russia in itself constitutes a serious violation of the Statute of the Council of Europe, as well as of specific obligations and accession commitments of both countries (Resolution 1631 (2008)). In Resolutions 1633 (2008) and 1647 (2009), the Assembly therefore formulated a series of concrete demands on both Georgia and Russia, which together form an impartial and transparent roadmap for both countries, as well as for the Assembly itself, to address the consequences of the war.

3. The implementation by both countries of the above-mentioned demands of the Assembly has been a main point of focus in the work of the Assembly over the past year. Regrettably, the Assembly has concluded that, one year after the war, most of its key demands have not been implemented by Russia.

4. However, the Assembly also considers that, in such a complex situation as that of the consequences of the war, especially in the light of the ongoing controversy about the precise circumstances surrounding the outbreak of the war, the fulfilment of its demands may not be easily achieved within the strict deadlines fixed. In this respect, the Assembly notes the publication of the report by the international fact-finding mission on the origins and course of the conflict between Georgia and Russia established by the European Union due on Wednesday 30 September 2009. It recalls that it has resolved to return to that specific issue after the fact-finding mission has presented its report.

5. While regretting that members of the Russian delegation have publicly spoken against compliance by Russia with the Assembly demands, it acknowledges that its demands were directed to the Russian authorities whose policies are not in the hands of the members of the Russian delegation to our Assembly. Moreover, the Assembly remains convinced that the establishment of a genuine dialogue between Russia and Georgia and between the Assembly and the parliamentary delegations of these two states is the only way forward for the resolution of the conflict and for securing the long-term stability of the region.

1. *Assembly debate* on 1 October 2009 (33rd Sitting) (see Doc. 12045, report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), rapporteur: Mr Gross; and Doc. 12051, opinion of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Mr Greenway). *Text adopted by the Assembly* on 1 October 2009 (33rd Sitting).

6. Therefore, the Assembly, notwithstanding the lack of compliance by Russia with most of its demands, decides to confirm the ratification of the credentials of the Russian delegation, on the understanding that this will enable the Russian authorities to engage in a meaningful and constructive dialogue with a view to addressing all the issues mentioned in the Assembly resolutions on the consequences of the war between Georgia and Russia.

7. The Assembly considers that a culture of mutual respect should be created, whereby partners can disagree with each other but accept the obligation to engage in a dialogue to explain the disagreements and declare readiness to look for mutually acceptable compromises. Such explanations would contribute to a better mutual understanding and, in so doing, would be the best contribution to possibly overcoming the disagreement one day.

8. The Assembly reiterates its resolve to step up its monitoring procedure with respect to Russia, including in relation to the demands made in its respective resolutions dealing with the consequences of the war between Russia and Georgia, and, in that context, to draw up a specific roadmap for compliance, including timelines.