

Naryshkin Challenges PACE Criticism of Russia's Laws

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State Duma Speaker Sergei Naryshkin **Maxim Stulov**

After the Council of Europe issued a damning report calling Russia's legislation repressive and its justice system politically motivated, the Russian delegate to the council disputed its findings and said it needed to fully revise its "anachronistic" monitoring procedure.

The report, prepared as part of the council's country-based monitoring procedure and intended as a mechanism to enforce the European Convention on Human Rights and Russia's compliance with it, prompted State Duma Speaker Sergei Naryshkin to give a passionate speech defending his country's laws.

Such recently passed laws as those banning homosexual "propaganda" among minors, requiring NGOs to register as foreign agents, and introducing harsh penalties for unauthorized street protests were criticized in the Council of Europe report, which was prepared by Estonian member Andres Herkel.

The report was based on official visits of the organization's representatives to Russia in 2012 and 2013, and it was published in mid-September. In accordance with PACE procedure, monitoring reports are made every two years, and a negative report could spur diplomatic pressure.

Herkel's report, for instance, lists sanctions akin to those in the U.S. Magnitsky Act as a "last resort" if Russia fails to comply with recommendations.

But Naryshkin, Russia's delegate to the Parliamentary Assembly of the Council of Europe meeting on Tuesday, challenged the report's criticism of Russia's recently passed laws, saying that all of the legislation mentioned in the report was justified.

The law banning gay "propaganda" among minors — which has been met with fierce criticism in the West — was not designed to discriminate against LGBT people, he said. Gay people share equal rights with other members of the public, he said, and calls to boycott the 2014 Sochi Olympics to protest the law are misguided because athletes would be the ones to suffer from it.

Taking it a step further, he invited parliamentarians concerned with gay rights to visit Russia's gay clubs to see for themselves that no rights are being violated.

"I have never been there, but people say these are good places, and people have fun there. If anyone wants to get proof, I invite you to Moscow. Unfortunately, I won't be able to join you, but I'll take care of you," he said.

Naryshkin's speech earned applause from the audience at least twice, Interfax reported, and Naryshkin himself seemed quite satisfied afterward.

"Judging by the remarks that we heard on the sidelines, we feel that we were heard and our opinion understood," he said after his speech, adding that Russia's position on reforming the monitoring procedure was likely to be shared by the majority in the Council of Europe, which he described as an "essential universal organization."

"Naryshkin looked European," Gennady Zyuganov, leader of the Communist Party and a member of the PACE Russian delegation, said after Naryshkin's speech, adding that it was rare to see European parliamentarians applaud the State Duma head for his political remarks.

The European delegates began debating the recommendations included in Herkel's report after Naryshkin's speech. In the report, Herkel called on the Committee of Ministers of the Council of Europe to thoroughly consider all the latest monitoring reports on Russia and several other countries.

Despite Naryshkin's calls for a revision of the monitoring process, however, PACE rapporteur Andreas Gross of Switzerland said it was unlikely that PACE would stop the monitoring process in the next two years, noting that Russia needed to be observed until more progress was made in certain areas.

"There is much to do to guarantee the human rights and democracy for all Russians. ... But living up to the obligations of the rule of law, democracy and human rights is not easy and needs time for a society, which lived for more than 1,000 years in authoritarian structures

and institutions," he said in e-mailed comments.

Russia's membership in the Council of Europe has been fraught in recent years, with Russian authorities accusing PACE of "Russophobic" attitudes.

In June, Gross presented a 41-page report that called on Russian authorities to fully investigate the circumstances surrounding the death of Hermitage Capital lawyer Sergei Magnitsky, who died in prison in 2009 after accusing Russian officials of corruption. Magnitsky was later convicted in a posthumous trial on the same corruption charges that he had leveled against those who arrested him.

The PACE Committee on Legal Affairs and Human Rights approved the report in September and said it should be debated by the Plenary Assembly in January 2014.

The Magnitsky case was also included in Herkel's report, as well as that of opposition leader Alexei Navalny, who was convicted on embezzlement charges in a trial his supporters say was politically motivated.

For some Russian lawmakers, however, the report doesn't carry much weight.

Vyacheslav Nikonov, deputy head of the State Duma foreign affairs Committee, shrugged off the Council of Europe's criticism, saying by phone that all questions debated in the council were meaningless and that the organization itself had no significance.

That is why no one, including Russia, followed its recommendations, he said.

"Even people in Strasbourg don't know that there is such an organization," Nikonov said.

But the council's European Court of Human Rights is also a thorn in the side of Russia, which frequently loses judgments in cases brought there by its citizens.

Russia was on the threshold of exclusion from the organization for going against its principles several times, but it still considers it to be the main body unifying Russia with Europe.

And despite some friction, some Russian lawmakers still see the value of maintaining good relations.

"We need to strengthen our positions in this body, and this visit provides a good opportunity to further consolidate and uphold our interests in Europe," Zyuganov said after Tuesday's meeting.

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