Interactions between international organisations and transverse members:

The relationship between Russia and Council of Europe throughout the years.

Master thesis

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1. **Introduction**

On April 14, 2014, the Parliamentary Assembly of the Council of Europe (PACE) voted on resolution 1990(2014). The PACE called the military occupation of Ukrainian territory, Russian threat of military force, recognition of the illegal so-called referendum and annexation of Crimea "constitute, beyond any doubt, a grave violation of international law". The resolution was adopted by 145 votes in favour, 21 votes against and 22 abstentions (PACE, 2014a). Following this vote, Russia was not only stripped off its voting rights in the PACE, it was also suspended from all positions in the administrative bureau and the Presidential Committee. Moreover, the right to participate in election observation missions was taken away (PACE, 2014b). Two years later, Russia reacted on the vote by claiming that it would suspend the payment of its annual contribution of 32 million Euros to the Council of Europe under the guise of 'no taxation without representation' (Henderson, 2018). This decision left the Council of Europe with far-reaching budgetary problems since over 10% of its total budget came from Russian payments (Grobman, 2017). In the four years following the vote, both sides showed no signs of rapprochement and at the time of writing, a solution was not to be expected any time soon.

Russia joined Europe's oldest human rights organisation in 1996, in a period during which the Council of Europe was actively looking to incorporate former Soviet-Union states into the organisation (Malfilet & Parmentier, 1997). The Council of Europe was founded in 1949 by representatives of, among others, the United Kingdom, France, Germany, the Netherlands and Italy. In the years that followed, all European countries (except for Belarus and Vatican City) joined the Council of Europe and it grew out to be Europe's leading organisation on the protection of human rights, democracy and the rule of law. In addition to the 47 European member states, six countries (e.g. the United States and Japan) have an observer status and observe in the PACE the Committee of Ministers (Council of Europe, 2018b).

Over the last seven decades, the Council of Europe has been successful in, among other things, creating legislation on the abolition of the death penalty, defending the rights of journalists and strengthening human rights. In addition, the Council of Europe is playing a leading role in the fight against racism and gender inequality. A third important activity of the Council of Europe is its observation of (regional) elections to guarantee free and fair elections (Council of Europe, 2018c). The most important feature of the Council of Europe is, however, that it is a platform where human rights violations and the state of democracy and the rule of law within member states can be discussed.

The most important document of the Council of Europe is the European Convention on Human Rights, which was signed in Rome in 1950. To be able to join the Council of Europe, a potential member state has to sign, ratify and implement the document. The compliance with the treaty is controlled by the European Court of Human Rights to which every member state can delegate one judge (Abdelgawad, 2017: 228). The treaty has 58 articles with agreements about, among others, the abolishment of the death penalty, the prohibition of torture and the right on a free trial (European Court of Human Rights, 1950). Even though member states are bounded to the verdicts of the court, recommendations are often not implemented by the convicted states (Abdelgawad, 2017: 228).

In addition to the European Court of Human Rights, the Council of Europe consists of many different institutions with their own scope. The decision making process is done by the Council of Ministers in which every state has one representative. In the PACE, 347 parliamentarians from national parliaments control the work done by the Council of Ministers, negotiate with possible new members, approve new judges to the European Court of Human Rights and can sanction members who do not comply with the European Convention on Human Rights (PACE, 2018a). Other important institutions are the Venice Commission (controls whether national laws are in line with the principles of the Council of Europe), GRECO (monitoring compliance with anti-corruption measures) and the European Committee for the Prevention of Torture (visiting prisons) (Schmahl and Breuer, 2017). At the head of the organisation is the Secretary General. Currently, this position is filled by former Norwegian President Thorbjørn Jagland.

The PACE decision to suspend Russia's voting rights and Russia's reaction to stop its payments are the most recent examples of the difficult relationship between Russia and the Council of Europe. Since Russia's admission in 1996, multiple confrontations arose with the PACE and other institutions of the Council of Europe. These conflicts emerged over themes such as Russia's disregard towards human rights, the treatment of prisoners, the situation of human rights in Chechnya and the implementation of European Court of Human Rights verdicts (Malfilet & Parmentier, 1997; PACE, 2016; Bowring, 1997).

On the one hand, multiple crises occurred between the Council of Europe and Russia and Russian officials regularly called the organisation politicised. On the other hand, Russia has not left the organisation despite many threats of doing so. Therefore, it is interesting to research the relationship between the two actors. To do this, I review different crises between Russia and the Council of Europe and the Russian attitude to these crises and Council of Europe institutions

to answer this work's question: 'How has the Russian Federation shaped its relationship with the Council of Europe since its accession in 1996?'

The existing literature about international organisations offer multiple theories about the question why states join regional international organisations, why states comply with their rules and how international organisations effect states' behaviour. Realists claim that states are pursuing their own power maximisation and that successful cooperation is therefore impossible. International organisations are considered tools of important states (Mearsheimer, 1995: 7). Liberalism is more positive towards international organisations and consider them as platforms for states to increase their economic gains (Karns & Mings, 2010). A third theory, constructivism, is less focused on increasing (economic) power and more on the spreading of norms and values is constructivism. Constructivists argue that, through international organisations, states adapt international norms of appropriate state behaviour to inform their policies and domestic structures (Finnemore, 1993; Finnemore, 1996). They argue that international organisations diffuse their norms to their member states, which adopt them. In this work, the constructivist claim that states are socialised by international organisations is tested. In order to do so, I test whether Russia showed signs of socialisation in the Council of Europe.

I use a twofold approach to test the constructivist approach and to answer the research question. The first method is a critical discourse analysis of official statements about the Council of Europe published by the Russian Ministry of Foreign Affairs (also known as the Министерство иностранных дел Российской Федерации). Researching official statements and speeches, enables me to find out which strategies Russia used to describe the Council of Europe, how they framed the conflicts that occurred and whether Russia's official approach changed over time. The second method that I use to answer this research question is to perform two semi-structured interviews. One with a high-ranking Dutch diplomat and one with a Dutch politician, both working on a daily basis with the Council of Europe. By interviewing a diplomat, I am able to achieve a broader overview of Russia's relationship with the Council of Europe and get an insider's view on changes in this relationship. By interviewing a politician who is a member of the PACE, I am able to include more context about why Russia's voting rights have been taken away and if a solution is to be expected soon.

The answer to this works' research question is relevant for numerous reasons. To start with, the Council of Europe has long been neglected in research on (regional) international organisations. The organisation has been founded in 1949 as an advocate for, among others, freedom, rule of

law and equality. Membership of the Council of Europe is regarded as an unofficial prerequisite for joining the EU (European Union, 2016) and the PACE served as an example for the Parliament of the European Union (Schmahl and Breuer, 2017). The academic literature covering this organisation is, however, minimal and mainly focuses on statistical overviews of the number of cases handled by the court and giving overviews of the different institutions. Russia's relationship with the Council of Europe is even less researched. Moreover, the few academic articles on this relationship are outdated, as they were published just after Russia joined the Council (i.e. Shestakov, 1997). Not only is the organisation under-researched in academic literature, it is also barely mentioned or analysed in popular newspapers and articles.

Another significant reason why the Council of Europe is an interesting subject of research is its composition. It is often claimed that the Council of Europe is the only organisation where the EU countries can discuss human rights with non-EU countries that sometimes have a negative reputation on this subject such as Turkey, Azerbaijan and Russia (Council of Europe, 2018b). In recent years, the Council of Europe has been the place where politically sensitive issues such as the Turkish state of emergency and the poisoning of the former Russian spy Skripal were discussed within a European framework with all parties involved (Committee of Ministers, 2018). It is for Russia a place where they can be part of a European framework in which they have the same power and status as other members. How Russia has shaped its relationship with this important European organisation is therefore an interesting research subject.

Researching Russia's relationship with the Council of Europe is, however, not only relevant for the Council of Europe itself but can also be placed in a broader theoretical framework. As stated above, there are many theories with different arguments about why states join international organisations and why they obey with their rules. By testing the constructivist claim that states join international organisations since they identify with the core values of the organisation and that international organisations spread norms to its members, this work contributes to this theoretical debate.

In addition, this works' theme (the relationship between an international organisation and a noncompliant member that threatens to leave) is interesting in the context of other international organisations such as the European Union. Given the fact that many European Union members (i.e. Hungary and Poland) are on a tense relationship with the other members and the organisation itself, it is interesting to see how another organisation has dealt with transverse member states through the years.

This work is built up in the following way: First, I give an overview of previous academic work conducted on International Organisations, present the realist, liberalist and constructivist approach to them and present my hypothesis. In addition, I give an overview of the existing literature about the Russian – Council of Europe relationship. Subsequently, I go into further detail on my case selection, I present the discourse analysis method I use to research Ministry of Foreign Affairs statements and go deeper into the performed interviews and interviewees. In the next two chapters, I present the findings from my research, and place the results into a broader picture. In the conclusion, I briefly summarize the findings from the preceding chapters, give an answer to this works' research question and hypothesis and give some recommendations for further research.

2. <u>Literature review</u>

Much has been written in the existing academic literature about the workings of international organisations. Within this literature, three core theories can be distinguished that all have their own take on international organisations: realism, liberalism and constructivism. The three theories have its different sub-theories that are based on the same ideas. Important questions that are answered by realism, liberalism and constructivism are 'What is the role of an international organisations', 'Why do states join international organisations?' and 'Why do states comply with international organisations?'. In this literature review, I provide an overview of the main arguments and sub-theories of the three core theories and state how they answer these three questions. After answering these three questions for all the theories, I go deeper into the already existing literature about Russia's membership of the Council of Europe.

2.1. Realism

From the three theories, realism is regarded as the most critical about international organisations. The core of the theory is described by Karns & Mingst (2010: 45) as "a product of a long philosophical and historical tradition". Realism in its various forms is based on the assumption that individuals act rationally to protect their own interests. The protection of interests is further described by Mearsheimer (2001: 32) as the assumption that all actors are focused on gaining as much power as possible. Another important assumption is that realists see all relations as a zero-sum game: it does not matter how much power you gain but in order to survive, it has to be more than what other states gain (Powel, 1991: 1304). These assumptions are all based on the idea that states operate in a system with anarchy; there is no higher power than states and therefore states have to take care of themselves. Within this anarchic system, survival of the unitary acting state is the highest goal (Waltz, 1979: 15). Given the assumption of the international system as an anarchic place where states are looking for zero-sum gains, international organisations are considered as mainly regarded as weak and useless institutions (Morgenthau, 1967: 210). Realists perceive international organisations as tools of states that can be used whenever they want. International organisations "can increase or decrease the power of states, but they do not affect the distribution of power among states" (Morgenthau in Karns & Mingst, 2010: 46). According to Gruber (2000: 19), international organisations are epiphenomenal; they have no authority and no power.

A sub-theory of realism that emerged in the 1980's is neorealism or structural realism. This theory differs from the classic realist theory in its attitude of international organisations. Compared with the classical realist theory, "neorealists recognized the existence of international regimes but believe their importance has been exaggerated" (Karns & Mingst, 2010: 47). Another difference with classical realism is that neorealists argued that states sometimes not only focus on relative gains but also occasionally cooperate to maximise their absolute gains to make sure that both states profit from it (Stein, 1982: 318). In neorealism, this cooperation is more likely to take place around security issues when both states feel threatened and become dependent on each other (Lipson, 1984: 22).

In his influential article 'The False Promise of International Institutions', John Mearsheimer (1995: 84) argued that international organisations have little chance in succeeding since states are always looking to increase their own power and, therefore, will never trust other states. Moreover, international organisations are merely regarded showgrounds for pursuing power relationships and a reflection of the already existing power balance. Contrary to realists, neorealists see possibilities for interstate cooperation possible to overcome a temporary issue. NATO is, according to neorealists a good example of an international organisation that was formed by Western states to secure their own existence during the cold war. After the disappearance of the Soviet Union, neorealists claimed that NATO should have been abolished since the shared threat was gone and states were no longer interested in cooperation (Mearsheimer, 1995: 13).

According to the (neo)realist theory, the role of international organisations is thus an insignificant one that only marginally affects states but does not change the anarchic system. States sometimes form or join ad-hoc international organisations to overcome shared threats but once the threats disappear, organisations become useless and should be abandoned. In the realist view states now and then comply with international organisations since it is in their own best interest to overcome a shared thread. In addition, states sometimes comply with international organisations since they can use it as a platform to use existing power relations.

2.2. Liberalism

A theory that is more closely collaborated with international organisations is liberalism. Karns and Mingst (2010: 35) stated that the liberal theory "in the classical tradition holds that human nature is basically good, social progress is possible, and human behaviour is malleable and perfectible through institutions". As is the case with realism, states are the most important

actors. However, in liberalism, states are not perceived as unitary actors that have one goal, but liberalists argue that domestic power relations, elections, moral and international activities can change states' interests and policies (Karns & Mingst, 2010: 37). Another difference with realism is that liberalists claimed that states are not pursuing as much power as possible. According to Moravcsik (2010: 235), states rather strike complex and wide-ranging trade-offs on economic, social and political goals over pursuing as much security or wealth. For liberals, "this variation in goals—not realism's distribution of capabilities—is of decisive causal importance in explaining a state's behaviour" (Moravcsik, 2010: 237).

As is the case in neorealism, liberalists argued that states pursue this variation in goals with an absolute approach. There is no constant competition with other states to get more than the other state, but they can work together to both gain from cooperation. However, whereas neorealism argues that this is mainly possible in security issues, liberalism claims that it is possible in all fields of cooperation (i.e. economic, judiciary) (Powel, 1991: 1306). This cooperation between states leads to interdependence between states and the notion that acting aggressive will also affect a state's own interests (Moravcsik, 2010: 243). The role of international organisations in liberalism is important. According to Karns & Mingst (2010: 42), they "played a number of key roles, including contributing to cooperation and serving as arenas for negotiating and coalition forming". International organisations can help states in achieving the before mentioned variation of goals by presenting a forum in which states can work together (Badie, 2011: 1434).

An influential sub-theory from liberalism is neoliberalism or neoliberal institutionalism, which appeared after a realist peak in the Cold War period. Neoliberalists accept the realist assumption that there is an anarchic world order. According to Keohane (1984: 63), states that interact with each other make the choice to continue this despite the anarchic environment. He claimed that states are aware that their economic growth and safety depends on relations with other actors and therefore continue. Compared with classical liberalism, neoliberalists attach even more value to the existence of international organisations. Neoliberalists argued that even though there is anarchy in the world that constrains the willingness to cooperate, states could work together with the support of international organisations (Grieco, 1993: 486). According to Karns and Mingst (2010: 39), "international organisations provided focal points for coordination and serve to make state commitments more credible, thereby encouraging states to establish reputations for compliance". Keohane and Martin (1995: 46) added "international organisations are efficient solutions to overcome problems of coordination since they provide information and reduce the transaction costs for achieving agreements".

Another significant sub-theory of liberalism is neo-functionalism, which is based on the idea that cooperation between states is pushed by its inhabitants and leads to further integration (Haas, 1958: 14). Neo-functionalism is often connected to the European Union's integration project. The main idea of neo-functionalism has been described by Mitrany (1946: 14) as "a spreading web of international activities and agencies in which and through which the interests of all nations would be gradually integrated". Mitrany presented neo-functionalism not as a theory but an idea how to bring states together. According to Mitrany, nationalism was the cause of conflict and by integrating states in multinational organisations, regions would become 'zones of peace' (Mitrany, 1933; Mitrany, 1946). Neo-functionalists argued that states are willing to create ways of collaboration in non-political economic spheres from which both states can benefit. This cooperation creates a base of common norms and values. Eventually, these habits spill over in political and military affairs since more and more coordination is necessary on a higher level to oversee and regulate the cooperation (Jensen, 2013: 54).

Following the neo-functionalist theory, the existence of the European Union can be traced back to the European Coal and Steel community that led to the European Economic Community and later to the European Union because of the spill over effects. The existence of international organisations thus follows from a process of cooperation that develops into formal structures. It is up to political leaders to make decisions at some important point to continue the integration progress (Haas, 1964: 65). Another interesting point that is raised in functionalism is why states continue to work within the created organisations. According to Rosamond, states are aware of the costs of dismantling international organisations: "The high tariff associated with dismantling (…) would in itself be an incentive to maintain the functionalist logic" (Rosamond, 2000: 36).

Even though classical liberalism, neoliberalism and neo-functionalism differ on some points and details, the core of the three theories is the same. International organisations are regarded as important actors in which states have a platform to enhance multilateral trade and can increase their own safety. States join and comply with the rule of international organisations since they are aware of the economic benefits that they bring. Once states are a member of an international organisation, they understand that dismantling or leaving it would be costlier then continuing active cooperation. Liberalists therefore argued that it is unlikely that states leave international organisations.

2.3. Constructivism

Despite the fact that they differ in many aspects, realism and liberalism share some important aspects: they both argue that states are the main actors and that states are rational actors who are driven by a pursuit for increasing their safety, power and economy. Constructivism emerged in the 1990s as a reaction to the two influential theories and challenged the realist and liberalist state-centric, power-pursuing point of view (Wendt, 1999: 8). "While there are many variants, all constructivists agree that the behaviour of individuals, states, and other actors is shaped by shared beliefs, socially constructed rules and cultural practices" (Karns & Mingst, 2010: 50). Adler (1997: 322) argued that constructivism is "the way in which the material world shapes and in shaped by human action and interaction depends on dynamic normative and epistemic interpretations of the world".

The core argument of constructivism is that the preferences of states are not inherent to them, but that they are socially constructed. These preferences can change over time and are defined by culture, norms, ideas and (inter)national interaction (Wendt, 1992: 423). Hacking (1999: 6) argued that social construction claims that some phenomenon "X need not have existed, or need not be at all as it is. X, or X as it is at present, is not determined by the nature of things; it is not inevitable". The identity of actors can thus change over time. Language is an important factor in how this change is created since "humans are capable of changing the world by changing ideas (…) how individuals talk about the world shapes practices (Karns & Mingst, 2010: 50). According to Checkel (2006: 58), constructivist researchers use linguistic techniques to understand actors' identities and actions.

Following the constructivist approach, states do not have preferences in advance of interactions with others. Wendt (1995: 81) claimed that "the social construction of international politics to analyse how processes of interaction produce and reproduce the social structures that shape actors' identities and interests". According to Reus-Smit (2001: 520), the most important institution is sovereignty. However, as is the case with all issues in constructivism, sovereignty is not regarded as static and unchanging but it can change following altering ideas and approaches of the term. Another example of a constructivist approach of a neoliberal and liberalist concept is Alexander Wendt's influential 1992 article 'Anarchy is what states make of it'. In the article, Wendt did not deny that there is anarchy in the current international system but claimed that this is not inherent to the system. The power politics that are regarded the effect of the anarchy were, according to Wendt, no essential features of anarchy. How states deal with the existing anarchic system can thus change over time (Wendt, 1992: 425).

Another important feature of constructivism is the attention for institutions that are embodied in the norms and regimes of international organisations (Checkel, 1999). According to constructivists, international organisations are not only a place in which institutions and regulations are carved in stone, but they may also serve as managers of social construction, norm creators that can change social understandings and interactions (Finnemore and Sikkink, 2001: 397). Finnemore argued in her 1996 book 'National Interests in International Society' that state interests and identity "are defined in the context of internationally held norms and understandings about what is good and appropriate (Finnemore, 1996: 2). Building on this, Jackson and Sorensen (2006: 170) stated that "identity and interests are in their turn defined by international forces, that is, by the norms of behaviour embedded in international society". International organisations are in their opinion the most important actors in this norm creation since "they shape national policies by 'teaching' states what their interests should be and the states become socialised" (Jackson and Sorensen, 2006: 170). Barnett and Finnemore argued that international organisations "construct the social world in which cooperation and choice take place by helping outlining the interests that states and other actors come to hold" (Barnet & Finnemore, 2005: 162). According to Checkel (2005: 802), the norms created by international organisations can become deeply rooted and internalized in the organisation. It is, according to Barnett and Finnemore (2004: 21), important for international organisations to present themselves as neutral and impersonal organisations that assist other actors in order to be able to be a platform of cooperation as well as a norm creator. In the constructivist approach, these organisations are able to socialise their member states.

This socialisation is described by Parsons (2017: 85) as the idea that norms are spread in a relatively incremental way by repeated interaction within groups. The behaviour of the members of this group becomes embedded in these norms over time. When this socialisation of norms happens, the actor's identities and interests will be changed by the organisation. According to Rousseau and Van der Veen (2005: 709), states are always interested in fine-tuning their identity. They believe that when states show similarities in their identity, they will have more understanding of each other. An important way for a state to change their identity is to join an International organisation. Since international organisations are considered impartial and based on shared norms and values, states pursue membership to increase their identity. Examples of this can be seen in, among others, the Baltic States joining the European Union to break away from their Soviet past and identifying themselves with the European Union (Mole, 2013: 144).

Constructivists thus argue that the role of international organisations is to embody international norms and regimes and to spread these and other norms to other actors. States join international organisations as a way to identify themselves with the norms that the organisations stand for and to develop their own identity. Since international organisations do their best to be seen as impartial and neutral authorities, states comply with their leadership and rules. Following the constructivist approach, the hypothesis that is tested in this work is that since its admission to the Council of Europe, Russia started to become socialised by the Council of Europe and changed its behaviour according to the norms of the organisation. If this hypothesis is correct, a change from contesting towards encouraging about the Council of Europe should be observable in Russian statements and Russia should show signs of the socialisation and behave according to the expected behaviour.

I choose to test the constructivist assumption for several reasons. To start with, constructivists highly value international organisations as spreaders of international norms and regimes. Liberalists and realists are focused on gaining (economic) power, whereas constructivists pay attention to the creation and spreading of international norms. The Council of Europe is an international organisation built upon the principle of spreading human rights, democracy and the rule of law with the goal to create a safer Europe. Testing if these norms have spread to the difficult member Russia is therefore possible by following the constructivist approach. A second argument to focus on the constructivist theory is its attention for identity. As mentioned earlier, constructivists argued that international organisations are regarded as a way for states to alter their identity. In Russia's membership to the Council of Europe, it is interesting to research if this change in identity can be observed.

Furthermore, the constructivist focus on language as a tool to research actors' identities and actions is of importance. Since this work focuses on researching language used by the Russian Ministry of Foreign Affairs and interviews with diplomats, a constructivist approach seems a right fit. In addition, the non-state centric approach of constructivism gives the opportunity to go deeper into the role of the speech actors. For constructivists, it is important which position or function actors have, in order to see if their socialisation efforts will have effect. Speeches from important politicians with authority will have more chance in creating a socialisation effect than anonymous statements or from low-level diplomats. A more detailed overview of my methods and case selection is given in the methodology chapter.

2.4. The Council of Europe and Russia

Russia became a full member of the Council of Europe on February 28, 1996 in a period when other Post Soviet Union countries such as Ukraine, Georgia and Latvia were also invited to join the organisation (Bowring, 1997).

Russia's path towards entry to the Council of Europe was, however, a rather bumpy ride. The Yeltsin administration applied in May 1992 to become a member of the Council of Europe and obtained a special guest status (Massias, 2007: 5). Negotiations on Russia's entrance proceeded slow and were close to being finalised when in December 1994 Russian troops invaded Chechnya (Jackson, 2004: 25). As a reaction to this, the PACE voted in 1995 in favour of suspending Russia's admission to the Council of Europe following "indiscriminate and disproportionate use of force by the Russian military" (PACE, 1995). After observers were allowed to inspect the situation in Chechnya and Russia declared that they were looking for a political solution to the conflict, negotiations were reinstated in September 1995 (Jackson, 2004: 25). Russia was eventually allowed to join the Council of Europe on the condition that it would make adoptions to increase the rule of law in the country. Among others, Russia vowed to adopt a new civil code, new legislation protecting national minorities and a new legislation governing the function of the prosecutor's office and the office of the commissioner of human rights (Jackson, 2004: 25). Russia was eventually officially invited to join the organisation by a letter from the Committee of Ministers on February 7 1996 (Committee of Ministers, 1996).

Why the Council of Europe was willing to let Russia join has been the topic of many debates. According to the German parliamentarian Fisher (1996), Russian admission to the Council of Europe was "a political decision. Russia would never stop to play its role in Europe. I prefer to have it with us and not at the other side of the ditch" (Fisher in PACE, 1996: 256). Malfilet & Parmentier (1997: 3) followed this argumentation and argued that Russia's accession to the Council of Europe was based on 'realpolitik' arguments. Several European governments hoped that admission of Russia would constitute a low cost guarantee of stability of Europe and for the Yeltsin regime. In addition, Russia's accession significantly strengthened a more united Europe in its rivalry with the United States and Asia. Bowring (1997: 631) argued that Russia's accession was also perceived by European countries as an opportunity for the Council of Europe to be able to be part of the creation of a new Europe that erupted after the end of the Cold War. With a possible accession of Russia, a country with at that time 150 million inhabitants, the Council of Europe would also have a broader geographic base and new area to spread western norms and values (Glotov, 1996: 11). The debate around Russia's admission to the Council of

Europe mainly focused on European security and European unity, rather than on the protection of human rights, democracy and the rule of law (Bowring, 1997: 631).

According to authors writing on Russia's accession to the Council of Europe and Russian politicians, it was mainly considered a logical step in post-Soviet European integration. Following Bowring (1997: 636), there was almost no debate about the subject in the Duma. Joining the Council of Europe was presented as the best step in Russia's national interests. The upsides of the organisation would easily outweigh the costs of the membership. As reported by the head of the Russian delegation Lukin (1996), 80% of the Russian population lives in Europe and Russia is a more European state than, for example, Turkey. Joining the Council of Europe would give Russia an opportunity to learn from European countries on issues such as lasting democratic systems, the division of power and democratic reforms. (Lukin in Glotov, 1996). The Council of Europe would also provide an arena for promoting integration between Russia and States of the former USSR (Bowring, 2015). Following Bowring (1997: 633), another reason why Russia joined the organisation can be found in the protection of Russian minorities. With millions of Russian-speakers living abroad (i.e. in the Baltics), joining the Council of Europe would present Russia with the possibilities to fight for their protection. A final reason for Russia to pursue membership to the Council of Europe is that it gave Russia a place to criticise NATO expansion in a European framework (Bowring, 1997: 633). Bowring (2015) claimed that it was clear that most members of the Duma were unaware of the obligations belonging to membership despite admission to the Council of Europe was agreed to with 204 votes in favour and 18 against.

A last issue that returned in previous academic literature about Russia – Council of Europe relations focused on the effects of a Russian membership. The articles written about this issue originate mainly originate from the period just after Russia joined. Shestakov (1997) argued that Russia's accession to the Council of Europe was too premature. Russia was not ready to join the organisation and the decision to grant them admission was only based on geopolitical arguments. The differences with other member states would cause problems on the long term. Jackson (2004: 32) claimed that that Russia made promises on reforms in order to join the Council of Europe. These promises were only kept in some of the cases. Even though Russia did not keep its promises, it was not sanctioned at that time by the Council of Europe because, according to Jackson, Russia had strong ties with Germany and France and the importance of Russia's payments to the organisation. Bowring argued that Russia has failed to implement many of its obligations to the Council of Europe. He claimed that "the consequences of Russia's

failure for the integrity and legitimacy of the Council of Europe are unpredictable and dangerous" (Bowring, 1997: 643). In a later article, Bowring (2000: 71) stated that Russia's membership of the Council of Europe was not only a threat to the organisation but to the complete idea of European norms and values. Once Russia started to non-comply with European human rights, other countries' commitments to the system started to weaken (Janis, 1997: 35). Malfilet & Parmentier (1997: 7) described Russia's admission to the Council of Europe as a Trojan horse situation. The role of the Council of Europe as promoter and safeguard of human rights, democracy and the rule of law could be heavily damaged by Russia's admission and non-compliance.

Nonetheless, not all previous articles were that negative about the Council of Europe – Russia relationship. Jordan (2003: 685) argued that even though not all commitments were fulfilled, Russia made progress in legal reforms and incorporated the European Convention on Human Rights in the domestic law. Jordan claimed that it was harder for Russia to integrate in the European system than for other post-communist countries given its immemorial legacy of authoritarian government. Integration into the organisation would therefore take more time. Stahl (2018: 77) also argued that Russia is far behind with implementing reforms and shows signs of growing authoritarianism. She claimed, however, that the Council of Europe had a positive effect on Russia in many ways and gives the example of Russia's path towards a federal system with help of the experience of the Council of Europe. Massias (2007: 13) claimed that the work of the European Court of Human Rights is often referred to in Russian court verdicts, a sign that European standards legal regulations are slowly becoming incorporated. Another sign of Russia's cooperation with the Council of Europe can be observed in other institutions. In 2004, the Russian President of the Constitutional Court asked the Venice Committee to write a report about a new constitutional bill (Massias, 2007: 10).

In the existing literature about the issue, Russia's relation with the Council of Europe since its admission in 1996 has mainly been described as difficult. This is, among others, caused by Russia's non-compliance with Council of Europe standards and Russia's participation in the wars in Chechnya, Georgia and Eastern Ukraine. In the remainder of this work, I test the constructivist claim that international organisations socialise its member states by researching the Russia's official discourse about the Council of Europe and by interviewing people who work on a daily basis with the organisation.

3. <u>Methodology</u>

To test this work's question, 'How has the Russian Federation shaped its relationship with the Council of Europe since its accession in 1996?', I perform a critical discourse analysis of statements from the Russian Ministry of Foreign Affairs and conduct interviews with a politician and a diplomat working with the Council of Europe. The emphasis in this work is on the critical discourse of the statements whereas the interviews are a way to put the findings into a broader perspective. Both research methods are an example of qualitative research.

Qualitative research is a research strategy that emphasizes words rather than quantification in the collection and analysis of data (Bryman, 2012: 380). Qualitative researches strive for understanding of the motives and believes behind actor's actions (Hennink, Butter and Bailey, 2011). According to Maxwell (2013), qualitative analyses are useful for several intellectual goals. The most important goal is that qualitative studies are useful for "understanding the meaning, for participants in the study, of the events, situations, and actions" (Maxwell 2013: 223). A second strength of qualitative researches is that they are useful tools for understanding the processes by which events and actions take place. A third strength of qualitative researches, is that they are useful for identifying and explaining unanticipated phenomena (Maxwell 2013: 224). Qualitative analyses are thus a good fit for researches that try to identify, understand and explain the world around us.

3.1. Critical Discourse Analysis

I qualitatively examine the statements made by the Russian Ministry of Foreign Affairs to find out how they addressed their relation with the Council of Europe throughout the years. Following the constructivist approach, international organisations spread their norms to member states. In the statements that I research, I investigate how Russian officials spoke about the Council of Europe, whether they referred to the Council of Europe core values (human rights, democracy and rule of law) and if this changed over the years. I choose to examine statements from the Russian Ministry of Foreign Affairs on this issue since they provide an overview of declarations given by press officials, high-level diplomats, the Russian Permanent Representative in Strasbourg and the Minister of Foreign Affairs. Researching the language used in official statements therefore gives a good reflection of the complete Russian foreign policy. Furthermore, performing a critical discourse analysis is a way to find out the strategies used by Russian officials to portray the Council of Europe to find out if there can be seen a shift in the attitude towards the organisation in different times of crises. In addition, performing a

critical discourse analysis is a good tool to evaluate who came up with what statement and to see if same statements were repeated over time.

A critical discourse analysis is a research method that focuses on the study of the use of language (Fairclough, 2010: 2). In the literature about critical discourse analysis, discourse is described as "an interrelated set of texts, and the practices of their production, dissemination, and reception, that brings an object into being" (Bryman, 2012: 536). Discourse analysist focus on this relationship between language and reality (Bryman, 2012: 536). According to Reyes, critical discourse analysist study the usage of language "to decode relationships between language and ideology, language and power, language and gender" (Reyes, 2011: 785). The context of the language being used is considered crucial (Benke, 2000).

Critical discourse analyses emphasize the role of language as a power resource that is related to ideology and socio-cultural change (Bryman, 2012: 536). According to Fairclough (2010: 8), it is critical since it focuses on the language used to describe power relations and their effect on social relations. Critical discourse analysts take a particular interest in the way that languages influence ideologies in institutions (Wodak, 2001). Studying language does not just provide an account of what goes on in society: it is also a process whereby meaning is created. This involves asking who uses language, how it is used, why it is used and when it is used (Van Dijk, 1997: 2). The focus of a critical discourse analysis is not only limited to people. Wodak and Meyer argued that "not only individuals, but also institutions and social groupings have specific meanings and values, that are expressed in language in systematic ways" (Wodak & Meyer, 2001: 6).

Ideologies are a topic of considerable importance in critical discourse analyses (Blommaert 2005: 26). According to Wodak and Meyer (2001) and Van Dijk (1995), ideologies in texts are not shown directly but critical discourse analyses are able to expose them. According to Wodak, 2004: 187) critical discourse analysts are fundamentally interested in analysing relations based on power and control as embodied by the used language. Siegfried Jäger added that critical discourse analyses are able to discover implications made in texts. In addition, he adds that critical discourse analysists can focus on metaphors and clichés used by the speech actor (Jäger, as cited in Wodak and Meyer, 2001: 25).

Wodak and Meyer (2001: 28) claimed that a critical discourse analysis not just selects words from a text but that it is a useful tool to analyse several characteristics of a text. To start with, it is a useful tool to analyse the kind of argumentation that is used and how this argumentation

strategy is used by the speech actor. A second strength is that critical discourse analyses are able to show the intrinsic logic and composition of a text. Finally, a critical discourse analysis is a useful tool to define who the speech actors are and what their position is. Both their official position and their position in relation to the text is important.

As mentioned earlier, there is much attention within the constructivist theory on the study of language and the use of linguistic techniques to understand actor's identities and actions. An important part of the constructivist theory focuses on the use of language to research whether actors changed identities, how social relations are shaped and if socialisation took place (Bazerman, 1991). A discourse analysis, concentrated on the use of language, ideologies and language strategies, thus seems a good fit to test this work's constructivist hypothesis.

Since Russia's accession to the Council of Europe until November 2018, the Russian Ministry of Foreign Affairs produced over 300 official statements on the organisation. These statements were published both in Russian and English in the official database of the Ministry of Foreign Affairs.[1] Some statements were only published in Russian and some in English. When, in this work, a quote is used from a Russian language source, the official Russian text is added in the footnotes.[2] Since this database only consist out of statements published after January 2000, this work focuses on statements since that date. Even though the Russian statements only date back to 2000, the complete work focuses on the Russian attitude towards the Council of Europe since its accession in 1996. The existing statements and the conducted interviews give a good overview of the Russian behaviour in this period. From the more than 300 statements published in the official database, I have selected 171 statements in which the Ministry of Foreign Affairs spoke extensively about its relation with the Council of Europe. The statements that I neglected were only briefly speaking about the Council of Europe without going into detail or were announcements of incoming visits from Council of Europe officials to Russia.

In my analysis of the 171 statements, I focus on the specific wording used when describing the relation with the Council of Europe. I examine whether Russian officials described their relation as troublesome or whether they valued the existence and workings of the organisation. Moreover, the argumentation methods that are used by the Russian Ministry of Foreign Affairs when speaking about the Council of Europe are of importance. Next to that, I concentrate on

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[1] The database of the Russian Ministry of Foreign Affairs can be consulted at their official website: http://www.mid.ru/ru/foreign_policy/news

[2] Translations are the author's own

changes in discourse in statements on the same topic. Can there be seen a different (linguistic) approach to the Council of Europe in times of crisis?

In addition, I focus on the specific speech actor. In the hierarchic Russian diplomatic world (Tsygankov, 2018), it is of importance if a statement is given by an anonym diplomat, a deputy Minister of by the Minister of Foreign Affairs. An increase in statements given by the Minister of Foreign Affairs is a clear sign that the Russian government pays more attention to the organisation. A possible increase in attention given to the Council of Europe can also be seen by researching the amount of statements published throughout the years. An increase in statements is a sign that the organisation became more important.

3.2. Semi structured interviews

The second method that I use to answer my research question is to conduct semi-structured interviews with two experts working with the Council of Europe on a daily basis. According to Longhurst, talking with people is an excellent way of gathering information. "Semi-structured interviews are about talking with people in ways that are self-conscious, orderly and partially structured" (Longhurst, 2016: 143). Semi-structured interviews are personal and informal conversations in which verbal questions are used to produce detailed answers and stories (DiCicco-Bloom and Crabtree, 2006). Semi-structured interviews are a method in which the interviewer has a series of questions prepared beforehand but is able to vary the sequence of the questions. It is this flexibility that makes this method attractive (Bryman, 2012: 196).

According to Dunn (2005: 80), semi-structured interviews have some degree of predetermined order but still ensure flexibility in the way issues are addressed by the informant. Interviewers can significantly depart from the schedule that is being used if they feel that follow-up questions or adds to the interview (Bryman, 2012: 437). He added that within semi-structured interviews, there is an emphasis on ideas and on interviewees' own perspectives. In addition, he claimed that there is attention to the interviewee's point of view and it opinions about a specific topic Bryman (2012: 437). The goal of a semi-structured interview is to obtain detailed answers that tell the interviewer more about the thinking and way of work of the interviewee. Within the choice of the interviewee, it is important to find somebody who is able to provide detailed information about the researched topic (Morse, 1991).

To answer this work's research question and to give background to my findings, I conducted two interviews. The first interview was conducted with Tiny Kox. Tiny Kox is a Senator of the Dutch Socialist Party (SP) and head of the SP fraction in the Dutch Senate. In addition, Tiny

Kox has been a member of the Council of Europe PACE since 2007, he was vice-chairman of the organisation from 2011 to 2013 and is currently the head of the United European Left fraction within the PACE. With his experience in, and knowledge of, the PACE, Tiny Kox was able to give an elaborate background on the current troublesome relations with Russia, how these problems occurred and if a solution was to be expected in the near future. In addition, he was able to sketch a profound image of the relations between the Council of Europe and Russia in the years leading up to 2014.

My second interview was with the current Dutch Permanent Representative at the Council of Europe, Roeland Böcker. The Permanent Representative is the highest Dutch diplomat working at the Council of Europe and attends the weekly meeting of the Committee of Ministers as a substitute for the Minister of Foreign Affairs. As mentioned earlier, the Committee of Ministers is the highest decision making organ of the Council of Europe that convenes on a weekly basis to discuss themes of the complete spectrum of the organisation. Previously, Roeland Böcker worked as a diplomat for other bodies of the Council of Europe. With his experience in the organisation, I was able to acquire a broader overview of the relations between the Council of Europe and Russia in the institutions of the organisation outside of the problems in the PACE.

Both interviews were conducted in the last week of November 2018 in The Hague, one at the Ministry of Foreign Affairs and one at the Dutch Senate. Both interviews took place in an informal setting where the interviewee could speak on an informal basis about their experiences with Russia in the Council of Europe. Beforehand, I came up with a set of questions about Russia and the Council of Europe to fall back on in case the interviews would fall silent. In practice, however, the interviews turned out to become more of a conversation in which the subjects quickly followed up on each other. Since I did not follow a strict interview schedule with 'yes' and 'no' questions, the interviewees did not cover all of the subjects researched in the critical discourse analysis and there was some difference in the subjects covered in the two interviews. The interview with Tiny Kox was recorded and transcribed afterwards whereas the interview with Roeland Böcker was for obvious diplomatic- and practical reasons (the interview took place in a crowded place) not recorded. The information gathered from the interviews does not serve as a separate chapter in this work. It is used to provide more context to the findings recovered from the discourse analysis and to place the findings into a broader background based on the experience of the interviewees.

4. <u>Critical about the Council of Europe</u>

When researching the 171 statements, a number of issues came back. In the next two chapters, I highlight these returning themes, show what argumentation strategies were used by the Russian Ministry of Foreign Affairs and research whether these strategies changed throughout the years. In addition, I compare the findings of the critical discourse analysis with these of the interviews to see if my findings were validated by people working on a daily basis with the organisation.

To start with, it is interesting to see when the statements were published. Since almost all of the statements focused on issues important at that time, it is fair to say that the more statements are published in a certain period, the more attention the Russian government was paying to the Council of Europe. Interesting to see is that in the period 2000 – 2013, Russia came up with 85 statements about the organisation. In the four years that followed, 86 statements about the organisation were published. This exponential growth is a sign that the Council of Europe became increasingly important for the Russian Ministry of Foreign Affairs.

Another sign that since 2014 the Russian Ministry of Foreign Affairs has increased its attention for the Council of Europe can be seen when researching who made the statements. As mentioned before, statements made by the Minister of Foreign Affairs have more prestige than statements from Deputy Ministers or anonymous diplomats. In the period until 2014, 21 statements were directly from the Minister of Foreign Affairs (Ivanov until 2004, Lavrov since then). In the years that followed, Lavrov came up with 33 statements about the Council of Europe. In addition, since 2014, much of the statements were from high diplomats (Permanent Representative in Strasbourg, Director of the Europe Department), whereas in the period leading up to 2014 most of the statements were anonymous published by the Ministry of Foreign Affairs.

When further analysing and grouping the statements, I found that over the years, Russian statements about the Council of Europe mainly focused on five key issues to which the Russian Ministry of Foreign Affairs referred in their statements. In the analysed statements, Russia was critical on relations with the PACE, relations with the European Court of Human Rights, and the behaviour of other member states. In addition, Russia was positive about their own signing of treaties and focused on positive cooperation with the Council of Europe. In the following chapters, I delve deeper into these five key issues and analyse how Russian officials spoke about them, what strategies were used and whether this changed over time. The remainder of

chapter four focuses on critical Russian statements about the Council of Europe and its members. Chapter 5 is more focused on positive Russian statements about the organisation. It is interesting to note that in the researched Russian statements, critique on the Council of Europe bodies occurred much more frequently than positive statements. Especially statements with critique on the PACE and the European Court of Human Rights occurred very regularly.

4.1. Relations with the PACE

A first issue that came back in much of the researched statements is the relation with the PACE. Especially its decision to withdraw Russian voting rights in 2014 following the annexation of Crimea and Russia's reaction to stop paying its annual contribution were often referred to.

Interestingly, this was not the first time that Russia lost its voting rights in the PACE following aggressive military actions. A similar situation could be observed in the spring of 2000, when Russia also lost its voting rights. The PACE came to this decision after constantly calling on Russia to introduce a cease-fire in Chechnya and respect human rights in conquered Chechen territories (Sonaglioni, 2004). In resolution 1444(2000), adopted with 78 votes in favour versus 69 votes against the resolution, the PACE called Russia's actions in contradiction with the European Convention on Human Rights and declared that Russia would only retain its voting rights once significant progress had been made (PACE, 2000). The PACE also refused to accept the credentials of the recently elected Russian delegation, which caused a complete Russian absence in the Parliament. This situation eventually ended in January 2001 by a Russian compromise to install a working group with PACE members, Russian parliamentarians and representatives of Chechen NGO's to oversee the path towards a peaceful situation. In addition, Council of Europe parliamentarians argued that even though there was almost no progress made in the Human Rights situation, Russian parliamentarians should not be penalized for their government's mistakes and therefore regained their voting rights (Sonaglioni, 2004: 709).

When the Russian statements about the PACE decisions in 2000 and 2014 are compared, a couple of interesting differences come to the surface. To start with, the Russian attitude towards resolution 1444(2000) and resolution 1990(2014) strongly differed. Both resolutions gave a list of conditions that should be met before Russia would retrieve its voting rights. In 2000, the PACE decided that Russia would retrieve membership once progress in many diverging fields of human rights had been made (PACE, 2000). In a large number of statements, the Russian Ministry of Foreign Affairs reacted on this Parliamentary demand. For example, in a document published in April, the Ministry of Foreign Affairs (2000a) presented a list with actions carried

out by the Russian government to increase the situation of human rights in Chechnya. Among others, the documents stated that the Duma installed a commission observing the human rights situation in Chechnya. This commission should, in addition, prepare legislative measures to increase the level of human rights on the long term. Furthermore, the April statement argued that in order "to monitor the observance of human rights and prevent their violations, the institution of a special representative of the President of the Russian Federation to ensure human rights was created[3]" (Russian Ministry of Foreign Affairs, 2000a). In a statement published a few days later, it was argued that the Russian government had undertaken concrete steps to comply with PACE resolutions and showed openness for dialogue. Moreover, the statement added that Russia strongly condemned violations of human rights and insisted on bringing those responsible to justice (Russian Ministry of Foreign Affairs, 2000b).

Whereas the 2000 statements showed a Russian willingness to make efforts to retain voting rights, the post-2014 statements do not. In January 2015, the Russian Ministry of Foreign Affairs (2015a) claimed that the current situation in the PACE evolved through no fault of Russia. It required the effort from all the responsible member states to compensate the damage done to Russia. In the same statement, the Ministry of Foreign Affairs spokesperson stated that the conflict in Ukraine was used to dismantle existing European cooperation platforms. In July 2018, the Ministry of Foreign Affairs had still not mentioned any Russia compromise to regain its voting rights and even claimed that "the decision to take away Russia's voting rights violates the principle of sovereign equality of states, which lays at the basis of international law" (Russian Ministry of Foreign Affairs, 2018e).

In many other statements (i.e. Russian Ministry of Foreign Affairs, 2017b; 2016) the Russian Ministry of Foreign Affairs complained about the politicised PACE decision to take away Russia's voting rights, but did not mention any actions to regain them. In none of the statements published after 2014, the Russian Ministry of Foreign Affairs spoke about willingness to make any concessions to the PACE in order to regain Russia's voting rights.

Another sign of a changed attitude towards the PACE resolutions can be observed when the statements address the value of regaining membership. In May 2000, the Russian Minister for Foreign Affairs declared that "Russia and the Council of Europe need each other since we share

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[3] Для контроля за соблюдением прав человека и недопущения их нарушений создан институт специального представителя Президента Российской Федерации обеспечению прав и свобод человека и гражданина в Чеченской Республике

the same goal[4]" (Russian Ministry of Foreign Affairs, 2000c). In 2018, this Russian willingness to regain membership completely vanished and Lavrov declared in October that "if they want to push Russia out of the Council of Europe, we won't give them the pleasure; we will leave the organisation ourselves" (Russian Ministry of Foreign Affairs, 2018a).

The situation that occurred in 2000 showed strong similarities with the current situation. The Russian response, however, drastically changed. In 2000, the focus was on working to implement the PACE demands since Russia and the Council of Europe both need each other. In 2014, however, the Russian discourse was that the PACE decision was a politicised decision, not Russia's fault and that they are ready to leave the Council of Europe when they want to. When Russian in official statements officials spoke about the crises in the PACE, there did not seem to be a socialisation of norms as expected by constructivists. Following the constructivist approach to the socialisation of norms, it was expected that over the years Russia would have adapted itself to Council of Europe norms and started to value the organisation increasingly. The complete opposite of this appeared to be true in my research. Whereas during the 2000 crisis, the Russian statements were focused at pointing to the relevance of the Council of Europe and Russia's efforts to regain its voting rights, this positive approach had disappeared 14 years later. Russia's stance towards the PACE seems to have hardened over the years and in current statements about the crises, the Russian government presents the organisation with the dilemma of losing Russia as a member or comply with Russia's demands. In the statements about the PACE, a process of socialisation as expected by constructivists is thus not found in my research.

An interesting point of view on this issue was provided by Tiny Kox. He expected that, contrary to the statements from the Ministry of Foreign Affairs, Russia is perfectly happy with the current situation of being excluded from the PACE. In the present state of affairs, they can participate in most of the organisation without having to stand trial for the annexation of Crimea in the PACE and the ongoing war in Eastern Ukraine. He presumed that Russia is currently not looking to regain its voting rights and is happy to play the role of pointing to the politicised PACE from the outside. Kox predicted that when the Parliament decides to give Russia its voting rights back, Russia will come up with another way to present itself as the victim of the politicised organisation. Both interviewees agreed with the finding that Russia placed the Council of Europe (and especially the PACE) in a difficult position by threatening to leave if a

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[4] Россия и Совет Европы нужны друг другу, так как цель у нас общая - формирование на нашем континенте единого пространства демократии и уважения прав человека.

solution for the current status quo is not found. With this behaviour, Russia threatens the stability and survival of the organisation.

4.2. European Court of Human Rights compliance

Another issue that returned in much of the researched statements throughout the years is Russia's relation with the European Court of Human Rights. Since Russia's admission in 1996, it was accused in over 2,200 cases at the European Court of Human Rights. Cases against Russia represented over 9% of all cases processed by the court. Only Italy and Turkey had a slightly higher number but they both participated in the court since 1959 (European Court of Human Rights, 2018a). In 2,127 (96%) cases against Russia, the European Court of Human Rights found at least one violation by the Russian government. This number is by far the highest of the Council of Europe members. For comparison, Italy was found guilty in only 76% of the cases and Turkey in 88%. Another interesting statistic is the number of complaints made against every member state. This is before the court decides if they accept the case. Russia is accountable for over 140,000 complaints in the period 1959-2017 (17% of all complaints). No other state comes close to this number of complaints against them (Italy second with almost 90,000 and Ukraine third with 82,000) (European Court of Human Rights, 2018b).

Following the enormous number of cases against Russia, the Russian Ministry of Foreign Affairs often referred to the European Court of Human Rights. In almost all of the statements regarding the European Court of Human Rights, Russia was critical about its verdicts or on the institution itself. Criticism on verdicts occurred in statements throughout the years. In July 2004, the Minister of Foreign Affairs spoke about the 'Ilaşcu case'[5] and claimed that his Ministry "expresses bewilderment at the inconsistency, contradictoriness, subjectivity and the obvious political engagement of the European Court of Human Rights in Strasbourg. Juridical this verdict is, mildly speaking, far from flawless[6]" (Russian Ministry of Foreign Affairs, 2004a). The remainder of the statement gave examples of how the court has disadvantaged Russia and even claimed that illegally obtained evidence and double standards were used against Russia.

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[5] Ilie Ilaşcu sued Russia and Moldova in the European Court of Human Rights for infringement of his human rights. Ilaşcu eventually won the case and was rewarded 187,000 euros from Russia (European Court of Human Rights, 2004).

[6] В связи с постановлением по «делу Илашку» в Москве выражают недоумение непоследовательностью, противоречивостью, субъективностью и явной политической ангажированностью Европейского Суда по правам человека в Страсбурге. С юридической стороны этот вердикт, мягко говоря, далеко не безупречен.

Another statement criticizing a court verdict is made in May 2010 in the case of Kononov vs. Latvia[7] where Russia criticized a verdict against a former Soviet soldier. The Ministry of Foreign Affairs stated that "we can already speak about a very dangerous precedent that causes us great concern" (Russian Ministry of Foreign Affairs, 2010a). In addition, the statement added that "the decision of a part of the members of the Court in the Kononov case seriously damages the credibility of the Council of Europe in general and may be viewed as an attempt to draw new dividing lines in Europe and to destroy the continent's emerging consensus on Pan-European standards and values" (Russian Ministry of Foreign Affairs, 2010a). Comparable critique on specific verdicts can be found in, among others, Russian Ministry of Foreign Affairs (2017a; 2014a).

Criticism on the European Court of Human Rights not connected to specific cases occurred in even more statements. In its critique on this court, a distinction can be seen in the statements published before 2014 and after 2014. A strategy that often returned in Russian statements is calling the court politicized. For example, in May 2010, Lavrov stated that Russia "complies with all the rulings which the European Court has issued in relation to our country, including those which, to our great regret, were clearly political. We consider that politicization should be completely excluded from the Court's activities" (Russian Ministry of Foreign Affairs, 2010b). Another point of Russian critique was focused on the effectiveness of the European Court of Human Rights. In May 2004, deputy Minister of Foreign Affairs Chizhov discussed the effectiveness of the court and argued that "the effectiveness of the European Court of Human Rights cannot be enhanced without a genuine increase in the effectiveness of national judicial and legal systems of the Council of Europe Member-States" (Russian Ministry of Foreign Affairs, 2004b).

In the statements made after 2014, there is even more focus on politicized statements than in the period before. One of the many examples is a statement made in July 2017, when a Ministry of Foreign Affairs spokesman declared that his Ministry believed that "the ruling on the Bayev, Kiselev and Alekseyev vs Russia case[8] is yet another example of the politicized approach to reviewing complaints against this country" (Russian Ministry of Foreign Affairs 2017b). In

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[7] Vasily Kononov was a Soviet soldier who charged with crimes against the Nazi occupants after the Soviet liberation of Latvia. He unsuccessfully challenged these charges in the European Court of Human Rights (European Court of Human Rights, 2010).

[8] Social activists Bayev, Kiselev and Alekseyev successfully challenged penalties for opposing the anti-gay propaganda laws at the European Court of Human Rights (Armas-Cardona, 2017).

other statements from the Ministry of Foreign Affairs (i.e. 2018b and 2017a) the same strong critique on the European Court of Human Rights can be found.

Another difference with the statements published before 2014 is the focus on the legitimization of the European Court of Human Rights. As stated before, the PACE confirms new judges of the court and Russia has thus not been able to vote the election of judges since 2014.[9] The fact that Russia has been unable to vote on new judges is referred to in almost all statements that focus on the European Court of Human Rights. Lavrov stated in June 2018 that the Russian government "cannot help but feel alarmed that, owing to the abovementioned crisis at the Parliamentary Assembly of the Council of Europe, over one-third of judges in the current line-up at the European Court of Human Rights were elected without the participation of a delegation of Russian MPs" (Russian Ministry of Foreign Affairs, 2018c).

In October of the same year, Lavrov added: "Please note that since our MPs were stripped of the right to vote, the Parliamentary Assembly has already elected, if I am not mistaken, 24 judges to the European Court of Human Rights. And the total number is 47. So, the majority of judges in the European Court are judges elected in the absence of the Russian votes" (Russian Ministry of Foreign Affairs, 2018a). Even more importantly, Lavrov added that "the European Court of Human Rights has been largely formed without our participation, so its legitimacy for Russia is rather dubious" (Russian Ministry of Foreign Affairs, 2018a). By challenging the legitimacy of the European Court of Human Rights following its non-participation in electing new judges, Russia seems to create a situation where it will ignore verdicts unfavourable to them by pointing to the fact that they did not elect most of the current judges.

Of all Council of Europe bodies, Russia's relations with the European Court of Human Rights shown to be the most difficult. Russia emerged as the member state with the highest rate of complaints made against its behaviour and it was found guilty in more than 95% of these cases. When speaking about the court, Russia was usually critical about individual cases in which Russia or Russians were accused and about the workings and effectiveness of the court in general. Interesting for the current crisis in the organisation is that Russia started to discredit the court following its suspension from the PACE and regularly discredited its verdicts by stating that it was not allowed to vote on the judges. Russia's critique on the European Court of Human Rights does also not seem to fit into the constructivist hypothesis of socialisation of

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[9] When a judge is to be replaced after 9 years of service, member states are asked to hand in a list with three possible candidates. The Parliamentary Assembly choses one of the three candidates assed on their qualifications. An absolute majority is required and if necessary, a second round will be conducted (PACE, 2018b).

Council of Europe norms. Following the constructivist approach, one would expect that over the years, the Russian statements about the European Court of Human Rights would become more positive. The positive statements could have been speaking, for example, positive about cases in favour of Russia or applauding the work despite a loss. Nevertheless, in my research these positive statements about the court did not occur much over the years. Conversely, critique on the European Court of Human Rights occurred throughout the years and did not seem to decrease. In fact, since Russia lost its voting rights in the PACE, the critique on the court only increased and Russia also started to question the legitimacy of the court in addition to attacking the court in general and in specific 'anti-Russian and politicised' cases. As was the case with statements about the PACE, a process of Russian socialisation by the Council of Europe has not been found by this research.

In both interviews, the interviewees endorsed the finding that Russia took a critical approach to the European Court of Human Rights that worsened after Russia lost its voting rights in 2014. They both stated that Russia challenging the legitimacy of the Court creates a worrisome situation. It will downgrade the overall status of the court when member states already in advance claim that they will not follow up verdicts since they find the court illegitimate. A last interesting issue that was brought up by both interviewees is that they claimed that in general Russia, is a supporter of international law. Russian officials are fond of waving around with international law to prove that their actions have a legal basis. Persistent criticism on one of Europe's main judiciary organisations goes directly against, and hurts, this image.

4.3. Critique on other member states

A third issue that returned in the statements was Russia's critique on other member states' behaviour, non-compliance with European Court of Human Rights verdicts and the refusal to implement or sign treaties.

Within these statements, a division can be seen in the statements made before and after 2014. This division is mainly based upon who is the 'perpetrator' in the speeches. In the period up until 2014, the main Russian emphasis was on wrongdoings of the Baltics and Georgia. The main Russian critique focused on the maltreatment of Russian speaking minorities in these countries and called upon the Council of Europe to act against, mainly, the Baltics. In a Russian summary of the annual Council of Ministers, the Ministry of Foreign Affairs argued that the Russian delegation "resolutely condemned the practice of violation of the rights of the Russian-speaking people of Latvia and Estonia, underlining the need for the Council of Europe to reject

double standards[10]" (Russian Ministry of Foreign Affairs, 2004c). A similar statement was published after a meeting between Lavrov and the Council of Europe Commissioner for Human Rights in July 2007. According to the summary of this meeting, "the sides discussed the human rights situation in Latvia and Estonia and emphasized the necessity of taking further measures to ensure the rights of the Russian-speaking population in these countries, both under the auspices of the Council of Europe and at the bilateral level" (Russian Ministry of Foreign Affairs, 2007).

In a few statements, the same argumentation strategy was used against the treatment of Russians in Georgia. When in December 2010, Deputy Minister Karasin met the same Commissioner for Human Rights, the summary claimed that she also "drew the Commissioner's attention (…) to the provocative actions of Georgia's authorities against Russian citizens and called on the Council of Europe to pay more attention to these questions" (Russian Ministry of Foreign Affairs, 2010c). Similar calls upon the Council of Europe to act against discrimination of the Russian speaking population in the Baltic States and Georgia can be found in, among others, Russian Ministry of Foreign Affairs (2006a; 2008a).

Another argumentation strategy that was used by the Russian government to criticise the Baltic States was to point to their non-implementation of Council of Europe treaties that protect the rights of minorities. In September 2002, the Latvian Saeima (parliament) refused to implement the Framework Convention of the Council of Europe for the Protection of National Minorities. The Russian Ministry of Foreign Affairs claimed that by doing this, the "Latvian Saeima has reaffirmed its political line to continuation of discrimination against the nontitular population of the country and disregard for European human rights standards[11]" (Russian Ministry of Foreign Affairs, 2002). In May 2004, the Ministry of Foreign Affairs published a statement after the Saeima again postponed the signing of the convention. In this statement, the situation was called 'disturbing[12]' and increased pressure put on Russian minority activists was criticised (Russian Ministry of Foreign Affairs, 2004d). A year earlier, the Russian Ministry of Foreign Affairs (2003a) also criticised the Latvian attitude towards the convention when the Seima

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[10] Российская делегация решительно осудила практику нарушения прав русскоязычных жителей Латвии и Эстонии, подчеркнув необходимость отказа Совета Европы от двойных стандартов.
[11] Таким образом, националистическое большинство в латвийском Сейме подтвердило свою политическую линию на продолжение дискриминации нетитульного населения страны и пренебрежение европейскими стандартами в правочеловеческой сфере
[12] "Это не может не тревожить"

refused to bring its national laws in line with the convention by coming up with plans to make Latvian the only official educational language.

A last argumentation strategy used to criticise other members until 2014 was to quote and build upon critique published by one of the Council of Europe bodies. In January 2005, the Russian Ministry of Foreign Affairs commented on a PACE discussion regarding the domestic political situation in Georgia after the so-called 'rose revolution'. According to the spokesperson, the participants "expressed concern over the tendency for a political system formed in Georgia that is marked by too high presidential powers, a weak opposition and civil society, and by the absence of a system of checks and balances[13]" (Russian Ministry of Foreign Affairs, 2005a). Later on, the statement argued that the Russian side strongly supported the Parliamentary Assembly's appeal to the Georgian government to resolve problems in Abkhazia and South-Ossetia (Russian Ministry of Foreign Affairs, 2005a).

Another example of Russia referring to the Council of Europe to criticise another member's internal politics occurred in August 2008 when the European Court of Human Rights called upon both Russia and Georgia to comply with the European Convention on Human Rights. In the statement, the Russian Ministry of Foreign Affairs claimed that the Russian side intended to continue to comply with the convention whereas Georgia did not. "Any attempts at a one-sided interpretation by the Georgian side of this quite explicit and definite decision merely reflects Georgian attempts to evade complying with its own engagements under the Convention and, moreover, evade liability for their violation" (Russian Ministry of Foreign Affairs, 2008b).

In the statements made before 2014, Russia mainly criticised other member states for their treatment of Russian-speaking minorities and the non-implementation of laws that should protect these minorities. In the statements criticising other members after 2014, we can see a shift in both the accused perpetrator and the argumentation strategy. Whereas in the pre-2014 statements Russia focused on the Baltics and Georgia, it shifted its critique towards Ukraine and (to a lesser extend) the Baltic States. In criticising these countries in combination with Council of Europe bodies, it used several argumentation strategies.

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[13] Участники сессии ПАСЕ выразили озабоченность тенденцией формирования в Грузии политической системы, характеризующейся завышенностью президентских полномочий, слабостью оппозиции и гражданского общества, отсутствием системы "сдержек и противовесов".

An often-returning strategy that was used to criticise these countries after 2014 was to depict the Baltic States and Ukraine as a place where Nazism was on the rise and should be stopped by the Council of Ministers. In July 2017, the Russian Permanent Representative at the Council of Europe Soltanovsky argued that the Russian delegation often spoke in the Council of Ministers about the 'glorification of Nazi's and their accomplices in the Baltic Countries and Ukraine' and stated the Ukrainian government continued its campaign to glorify Stepan Bandera[14] (Russian Ministry of Foreign Affairs, 2017c). A year later, Soltanovsky repeated this message and argued that "we regularly draw the attention of the Committee of Ministers of the Council of Europe and relevant bodies to the continued attempts to whitewash Nazis and their accomplices in Latvia, Estonia and Ukraine" (Russian Ministry of Foreign Affairs, 2018d). Lavrov also called upon the Council of Europe in regards to Nazism in Ukraine and stated during the annual ministerial meeting that Russia "believes it's necessary for the Council of Europe to give its assessment of the laws adopted by Kiev, including those related to 'de-communisation' and the glorification of Nazi accomplices" (Russian Ministry of Foreign Affairs, 2015b).

A different strategy used by Russia was to criticise Council of Europe statements concerning Ukraine. Contrary to the pre-2014 statements where Russia built upon Council of Europe reports, opinions and communiques, Russia later on took a more critical approach to them. An institution of the Council of Europe that has often been criticised for statements on other members was the Commissioner for Human Rights who visits countries to help raise the standards of human rights protection (Council of Europe, 2018c). The first time the Commissioner for Human Rights was criticised was in October 2014, a few days after his report on the situation of Human Rights in Ukraine. The spokesperson of the Ministry of Foreign Affairs stated that his Ministry was "disappointed with the report by Nils Muižnieks, the Council of Europe High Commissioner for Human Rights, on the results of his September visit to Ukraine and the Russian Federation" (Russian Ministry of Foreign Affairs, 2014b). The statement further claimed that the report was inappropriate and ill informed. Additionally, the statement argued that the report "has reaffirmed the one-sided position that Muižnieks took from the onset of the crisis in Ukraine with regard to the events in that fraternal country, and his effectively complete disregard for large-scale violations of human rights and international humanitarian law" (Russian Ministry of Foreign Affairs, 2014b).

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[14] Stepan Bandera was the vormer leader of the Ukrainian nationalist movement that fought against the occupying Nazi's and the Red Army.

Another institution of the Council of Europe that was criticised for its work in Ukraine was the European Commission against Racism and Intolerance. This commission published a statement in March 2014, in which it expressed its concerns about the treatment of minorities in the Ukrainian areas under control of the Russian Federation (European Commission against Racism and Intolerance, 2014). Four days later, the Russian Ministry of Foreign Affairs stated that they were surprised and puzzled by the statement. According to the Russian declaration, the Russian Federation aimed at restoring the rights of minorities in Crimea whereas in the pro-Kiev territories, non-Ukrainians where discriminated on a large scale. Russia called upon the ECRI to do something about the situation. "We hope that the ECRI will follow up on how Kiev implements its appeal to counteract discrimination against the Russian-speaking population and the representatives of other national, ethnic, language and religious minorities" (Russian Ministry of Foreign Affairs, 2014c).

In addition to the European Commission against Racism and Intolerance, Russian critique was also pointed at the Committee of Ministers. In September 2014, the Committee of Ministers adopted a resolution in which it stressed that Ukraine's sovereignty should be respected and admitted the presence of Russian forces in Ukraine and urged Russia to withdraw them (Committee of Ministers, 2014). The Russian spokesperson Lukashevich reacted on this resolution and argued that the resolution has nothing in common with reality since there are no Russian forces in Ukraine. In addition, he stated that the Committee of Ministers "has no mandate or instruments for voicing its stance on such issues or to "admit" anything (…) we believe that the groundless accusations have been dictated from outside" (Russian Ministry of Foreign Affairs, 2014d). Finally, he pointed towards 'the actual perpetrator' and claimed that the resolution "ignores the main point, specifically, the Committee's responsibility for the persistent refusal of the Ukrainian authorities to stop the mass violation of provisions of the European Convention on Human Rights" (Russian Ministry of Foreign Affairs, 2014d).

In many of the statements regarding the Council of Europe, the Russian Ministry of Foreign Affairs used the organisation to criticise the Baltic States, Georgia and Ukraine. The core of Russia's critique on these member states was based on non-implementation of treaties and treatment of Russian speaking minorities in these countries. Council of Europe treaties and reports were mainly used as a tool to build the critique on. When after 2014 the Council of Europe started to come up with critical statements on Russian actions, Russia stopped using the Council of Europe as a tool and started to offer critique to both member states as the organisation. Criticising other member states via the Council of Europe to a large extend fits

within the constructivist hypothesis of this work. Repeatedly offering critique to other member states at first sight does not seem to be the behaviour of a socialised state but actually is. By criticising non-complying member states, Russia presents itself as a socialised member who points other members to their responsibilities in a platform that is suitable for this. However, since 2014, Russia started to criticise both other member states and Council of Europe institutions, which changed the situation. Once Russia started doing this, it does not seem to qualify as a socialised state anymore but rather as a troublesome member who disagrees with everything

The finding that Russia used the Council of Europe as a platform to criticise other member states was endorsed by both interviewees. It was stated that the Council of Europe is the right place to address human rights violations within other member states' territories and it is not exceptional that member states do this. Russia openly criticising other members can thus be seen as the behaviour of a socialised member. That a member state is critical on both other member states and Council of Europe institutions occurs less frequent. Members of the Council of Europe mostly value the work of the organisation even if its reports are not what they hoped for and refrain from offering critique to the organisation. According to the interviewees, once states start copying the critical behaviour towards Council of Europe bodies, this could lead to a delegitimisation of the Council of Europe.

5. Positive about the Council of Europe

In addition to the many statements criticising the Council of Europe, the Russian Ministry of Foreign Affairs came up with several positive statements about the organisation and their relation with it. In this chapter, I focus on statements made about Russian signings of Council of Europe treaties and other techniques Russian officials used to value the Council of Europe.

5.1. Council of Europe treaties

An issue that was repeatedly mentioned in Russian statements is the signing and ratification of Council of Europe treaties. According to the Council of Europe Treaty Office (2018), the treaties of the Council of Europe are prepared and negotiated within the institutional framework of the Council of Europe. Negotiations culminate in a decision of the Committee of Ministers to adopt the final text of the proposed treaty. It is then agreed to open the treaty for signature by member States of the Council.

Since Russia's admission in 1996, it became one of the member states with the highest number of non-signed treaties. Russia has since its admission signed and ratified 64 treaties. These treaties include the Statue of the Council of Europe in 1996, the Additional Protocol to the European Convention on Extradition in 2000 and the Criminal Law Convention on Corruption in 2007. In addition, Russia has signed 16 treaties that are not yet ratified by the Russian parliament. For example, the European Charter for Regional or Minority Languages was signed in 2001 but never ratified. On top of the 82 signed treaties, Russia has not signed 130 treaties (Council of Europe, 2018d). The non-signed treaties include the European Convention on the Repatriation of Minors, the European Convention on the Legal Status of Migrant Workers and the European Convention for the Peaceful Settlement of Disputes. Furthermore, Russia has denunciated two conventions. It left the European Convention on the Protection of the Archaeological Heritage in 2011 and the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches in 2017 (Council of Europe, 2018d).

When this ratio (64 ratified, 16 signed, 130 not signed and 2 denunciations) is compared to other post-Soviet member states that joined around the same time, it shows that Russia is lacking behind in signing treaties. Azerbaijan, for example, also signed and ratified 64 treaties, Georgia ratified 74 treaties and Ukraine already signed and ratified 90 treaties (Council of Europe, 2018e; 2018f; 2018g). Moreover, all of the three countries did not denunciate any of the signed treaties. The more EU-leaning Baltic States reached even higher amounts of

ratification. Latvia for example, that joined one year before Russia, has already ratified 98 treaties with zero denunciations (Council of Europe, 2018h).

Despite Russia's lacking behind in signing and ratifying treaties, it is mentioned in several statements throughout the years. In the statements mentioning implementation of a Council of Europe treaty, the Russian Ministry of Foreign Affairs emphasised the importance of the Council of Europe and Russia's dedication to the organisation. In November 2005, the Ministry of Foreign Affairs published a statement on Russia's signing of the Convention of the Prevention of Terrorism. Deputy Minister Grushko argued that the convention was an innovative document that is highly relevant and that the work of the Council of Europe in the combat against terrorism had great potential (Russian Ministry of Foreign Affairs, 2005b). When half a year later the Duma unanimously voted to ratify the treaty as one of the first member states, the Russian Ministry of Foreign Affairs started to refer to it on a regular basis. When speaking about the treaty in March 2006, Lavrov stressed the pioneer role of the Council of Europe and emphasised Russia's active and lead participation in the preparation of the treaty. In addition, Lavrov argued that Russia was one of the first to ratify the treaty and would serve as a good example for other member states (Russian Ministry of Foreign Affairs, 2006b).

In an interview with Interfax two months later, the Ministry's spokesperson Kamyin came back to Russia's leading role in the treaty and organisation. Kamyin claimed that his Ministry was "convinced that the Russian ratification of such an important document serves as an example for foreign partners and gives a timely signal of the focus of Russia (…) on ensuring that the Council of Europe effectively and resourcefully fulfils its tasks in forming adequate international legal bases for the engagement of states in the appropriate areas"[15] (Russian Ministry of Foreign Affairs, 2006c).

Comparable emphasis on the signing and ratification of Council of Europe treaties occurred in many more occasions. As was the case with the convention of the combat against terrorism, the Russian Ministry of Foreign Affairs often referred to quick signing of the treaties as a sign that Russia was an exemplary member state. Another example of this occurred in May 2017, when the Russian Ministry of Foreign Affairs published a statement about Lavrov's participation in the annual Committee of Ministers meeting. After stating that Russia is a party to 61 of 222

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[15] Убеждены, что ратификация Россией столь важного документа послужит примером для зарубежных партнеров и даст своевременный сигнал о нацеленности России (…) на обеспечение того, чтобы Совет Европы эффективно и инициативно выполнял свои задачи формирования адекватных международно-правовых основ для взаимодействия государств на важнейших направлениях

Council of Europe treaties, the statements goes into detail into some of them. According to the statement, Russia was one of the first that signed the Convention on the Manipulation of Sport Competitions and the Medicrime Convention. On this Medicrime Convention, the statement argued that Russia "was among the initiators of this innovative legal document of global import" (Russian Ministry of Foreign Affairs, 2017d). By repeatedly pointing to important signed treaties in which it had a leading role, Russia tied to emphasise its cooperation with the Council of Europe and portrayed itself as a leading member.

Despite the low level of Council of Europe treaties signed and ratified, this research finds that the Russian Ministry of Foreign Affairs frequently referred to them. This was often done by pointing to Russia's leading role in the formation of the treaties and the quick signing. Russia presented itself as an exemplary state in these cases. Russia's repeated emphasis on signed treaties seems to comply with this works' hypothesis of a socialisation of norms. Even though Russia did not sign the majority of treaties, its emphasis on signed treaties shows that Russia is aware of the expected behaviour of a member state. Repeatedly emphasising that treaties are signed and ratified shows other members and the domestic public that you take the responsibilities of a member serious and are willing to participate in the organisation. Furthermore, the emphasis on signed treaties can be explained as a sign that Russia is proud of participating in the organisation.

5.2. Other positive strategies

In addition to referring to signed and ratified treaties, the Russian Ministry of Foreign Affairs used five other strategies to emphasise the importance of the organisation and Russia's active participation.

A first strategy that was used throughout the years was referring to Russia's perception of the organisation. In 2003, Deputy Minister Chizhov spoke about Russia's perception of the Council of Europe and what Russia's sees as its main priorities. He claimed that Russia was looking to strengthen the Council of Europe "as an organization which must retain a leading role in the formation of a single legal, humanitarian and cultural space in Europe and which can lawfully occupy an important place in the formation of a new European architecture[16]" (Russian Ministry of Foreign Affairs, 2003b).

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[16] глава российской делегации подчеркнул заинтересованность России в укреплении Совета Европы в качестве организации, за которой должна сохраняться лидирующая роль в формировании единого правового, гуманитарного и культурного пространства в Европе и которая по праву может занять важное место в становлении новой европейской архитектуры

Three years later, Lavrov reacted on Russia's reflection of the Council of Europe and remarked the significance of the Council of Europe as the main generator of the formation of a pan-European legal and humanitarian space and the need for multifaceted and comprehensive development of the Organisation, as provided by its founding documents (Russian Ministry of Foreign Affairs, 2006d). A specific phrase that was used in over 15 statements to emphasise Russia's strive for a pan-European organisation was "to build a Europe without dividing lines[17]" (i.e. Russian Ministry of Foreign Affairs, 2010b). A Europe without dividing lines was the theme of the 50th anniversary of the Council of Europe in 1999 and in the years that followed Russia often came back to this phrase to show its willingness to work within the Council of Europe framework for a united Europe that includes the Russian Federation.

A second strategy used by Russia to speak positively about the Council of Europe was to refer to the three core values of the organisation (human rights, democracy and rule of law). Interestingly, referring to the core values of the organisation mainly occurred after Russia lost its voting rights in 2014. In November 2014, Lavrov claimed after meeting with Secretary General Jagland that Russia "expects the Council of Europe to remain committed to using its resources in full to create an atmosphere of equality and mutual respect for promoting cooperation in Europe based on respect for human rights, democratic freedoms and the rule of law" (Russian Ministry of Foreign Affairs, 2014e).

Three years later at the annual Ministerial Conference, Lavrov came back to these core values and argued that the Council of Europe "is using its conventions and protocols to promote the development of a common European cultural and legal space in Greater Europe and to strengthen democratic values, human rights protection mechanisms and the rule of law" (Russian Ministry of Foreign Affairs, 2017d). Given the period in which these statements were published and the critique that was given in other statements, pointing to the core values seems a mixture of valuing the organisation and pointing to the core values as a way to remind the other states of the official goal and mandate of the Council of Europe.

A third strategy used by the Russian Ministry of Foreign Affairs was to repeatedly publish positive statements about separate Council of Europe bodies. In April 2010, Deputy Minister Yakovenko emphasised the importance of the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Russian Ministry of Foreign Affairs, 2010d). In a statement published in November 2013, the (later heavily criticised) Human Rights

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[17] строительства Европы без разделительных линий

Commissioner was praised by stating that "the Russian Federation values the level of cooperation with the Council of Europe's Commissioner for Human Rights highly and expects to continue our constructive interaction" (Russian Ministry of Foreign Affairs, 2013). A last institution that was acclaimed in many statements was the Secretary General. In many statements, cooperation with the Secretary General was mentioned, mostly just after one of his statements that Russia agreed with. For example, in May 2010, the Ministry of Foreign Affairs reacted on a statement of Secretary General Jagland calling for reforms by stating that "Russia expressed support for the ideas of Council of Europe Secretary General Thorbjørn Jagland to give a "new breath" to the reformation of the Council of Europe" (Russian Ministry of Foreign Affairs, 2010e).

Another interesting argumentation strategy used by the Russian Ministry of Foreign Affairs was to point to Russia's status as 'grand payeur'. Before Russia decided to stop its payments following the loss of voting rights, it was part of a small group of 'grand payeurs'. These member states (Russia, France, United Kingdom, Germany, Italy and Turkey) payed extra to the organisation, on top of their annual contribution. The total contribution that these six countries payed, constituted over 65% of the total budget of the Council of Europe. The willingness to pay extra to the organisation is mainly conceived as a way to show support for the work of the Council of Europe. Member states can decide at every moment if they want to remain a grand payeur or to stop paying extra to the organisation.

Russia started paying extra on top of its annual contribution since its accession. In a few statements, the Ministry of Foreign Affairs referred to Russia's previous status as grand payeur. In May 2014, Lavrov pointed to Russia's participation within the organisation by stating "Russia occupies one of the leading places among the countries – members of the Council of Europe – in terms of its performance and the range of its activities. Jointly with the United Kingdom, Germany, Italy and France, our country is one of the five states, which are the main payers into the budget of the Council of Europe, which guarantees non-stop functioning of its foundation bodies and institutes" (Russian Ministry of Foreign Affairs, 2014f).

A final strategy used by Russia to point towards its participation in the Council of Europe and has much connection with the preceding point occurred after 2014. Since Russia lost its voting rights in the PACE, it often started to refer to the fact that even though it lost its voting rights, it still payed its contribution for two years. The Ministry of Foreign Affairs (2018e) stated, for example, in July 2018, that Russia had fulfilled its budgetary commitments for several years

even though it was not allowed to participate in the PACE. According to the statement, this situation could not go on indefinitely and eventually Russia stopped paying its annual contribution.

I found that throughout the years Russia often spoke positive about the Council of Europe. In addition to focusing on signing and ratifying treaties, the Russian Ministry of Foreign Affairs regularly claimed that the Council of Europe was the appropriate institution to create a Europe without dividing lines in which Russia was willing to participate. Additionally, Russia often spoke positive about the Secretary General and other bodies of the Council of Europe and referred to its previous status as 'grand payeur' to show that they participated in the organisation. As is the case with Russia's emphasis on signed treaties, Russia's positive attitude towards the Council of Europe complies with this work's hypothesis. By valuing the organisation, Russia showed that it was presenting itself as a part of the Council of Europe and the norms that the organisation stands for. By also paying attention to the additional payments that Russia made to this organisation, Russia showed that it was willing to contribute to the existence of the Council of Europe. In addition, the additional payments to the Council of Europe can also be seen as another sign that Russia takes proud out of its membership. Paying extra to the organisation does namely not bring many real benefits apart from the prestige of being a grand payeur.

In the conducted interviews I discussed Russia's repeated emphasis on signing treaties and participation within the Council of Europe. Roeland Böcker argued that Russian officials have always tried to continue constructive cooperation on less politically loaded issues. According to him, Russia was more than willing to continue cooperation on themes on which many member states agree and Russia pursued active membership in treaties on these issues. He claimed that Russia was well aware of the benefits that successful cooperation brings in these issues. Participation in more political issues was temporarily paused during times of crisis. Tiny Kox saw Russia's emphasis on cooperation more as a signal of proudness of belonging to the organisation. He claimed that belonging to the Council of Europe meant that Russia was part of 'civilised countries' (contrary to upcoming powers such as India and China) which provides a feeling of pride to the population. Both interviewees stated that for Russia, it could also be an economic consideration to emphasise on signed treaties and cooperation within the council of Europe. Foreign investors often value the existence of a society with a high degree of rule of law since their companies have some kind of protection and are more likely to invest in a country that presents itself as an active participant in the Council of Europe.

6. <u>Conclusion</u>

In this work, I researched the relation between Russia and the Council of Europe ever since Russia's admission in 1996. Since Russia and the Council of Europe often showed signs of a difficult relationship (most recently indicated by the PACE decision to take away Russian voting rights), it was interesting to research the official Russian discourse about the organisation. The research presented above showed that Russia used several different techniques when talking about the Council of Europe. These techniques can be divided into criticising and praising the organisation. Whilst criticising the organisation, Russia attacked some bodies directly by calling the work politicised (European Court of Human Rights and PACE), criticised papers written by separate bodies for being one sided and anti-Russian (i.e. the work of the Commissioner for Minorities in Ukraine) and discredited the organisation (i.e. claiming that the court is illegitimate and politicised). Russia even threatened to leave the Council of Europe several times in case other states would not change their behaviour.

During times that Russia valued the organisation, the Council of Europe was presented as a valuable organisation in which Russia was more than willing to participate to spread the rule of law, human rights and democracy. Russian officials regularly pointed towards the fact that they payed extra to the organisation since its works was regarded important. In addition, Russia portrayed the Council of Europe as a way for Russia to be a part of the European community by constantly referring to the possibility of the organisation to provide a 'Europe without dividing lines'.

In the researched statements, criticism on the Council of Europe and praising the organisation quickly followed up on each other. Sometimes even within the same statement. The methods that were used to criticise or praise the organisation also differed depending on the statement and the message that Russia wanted to bring across. To answer the main question of this work 'How has the Russian Federation shaped its relationship with the Council of Europe since its accession in 1996?', I argue that over the years, Russia shaped its relationship with the Council of Europe depending on the situation and that there cannot be seen one clear strategy. In Russia's approach towards the Council of Europe there does not seem to be one overarching strategy but rather ad-hoc decisions on specific issues.

A good example of quickly changed Russian policies are the statements about the European Commissioner for Human Rights Nils Muižnieks. Whereas the Russian Ministry of Foreign affairs was very positive about the cooperation with Muižnieks in 2013, it completely shifted

its opinion a year later when strong critique on his work was published after a report on Ukraine. Another example of a Russian shift is the earlier discussed changed attitude towards regaining voting rights in the PACE. It is important to note that Russia's approach to the Council of Europe took a more critical turn since 2014. In the years leading up to 2014, roughly half of the statements were positive about the organisation whereas since 2014 almost all of them were critical. An interesting follow-up on this study could go deeper into Russian reasons for the changing attitude towards the Council of Europe. The finding that Russia did not pursue one overarching strategy can be interesting for the further study on relationships between international organisations and troublesome members. Russia did not seem to have one clear strategy in its relationship with the Council of Europe and if this is also the case in, for example, the relationship between Hungary and Poland and the European Union could be an interesting topic for further research.

In this work, I also tested the constructivist claim that states become socialised by international organisations and their norms. This work's hypothesis was that since accession to the Council of Europe, Russia started to become socialised by the norms of the Council of Europe and changed its behaviour and discourse to that of a constructive member state. The 171 researched statements published by the Russian Ministry of Foreign Affairs about the Council of Europe showed mixed signals whether this socialisation occurred. In most of the statements, the Ministry of Foreign Affairs was critical about the organisation. In statements about their suspension from the PACE and relationship with the European Court of Human Rights, there does not seem to be any sign of socialisation towards the norms and values of the Council of Europe. Since its accession to the Council of Europe, Russian statements about those two institutions showed exactly the opposite of the hypothesis: Russia displayed no signs of socialised behaviour (valuing the organisation or emphasising cooperation) but instead criticised the two bodies for being politicised and lacking legitimacy and even threatened to leave the organisation.

On the other hand, a smaller number of Russian statements did actually show signs of socialised behaviour. Russian officials' narrative of Russia's (former) status as grand payeur, signed and ratified treaties and the willingness to work on a Europe without dividing lines show that Russia was well aware of the behaviour of a respectable member state. In addition, this research found that Russian officials occasionally mentioned the behaviour of other member states and Council of Europe institutions. The Council of Europe is in most occasions the right place to do this and it can be seen as socialised behaviour. Although, since 2014 Russia appeared to use a strategy

in which they criticised all of the behaviour of other members and Council of Europe institutions. This appeared more as a confronting strategy than as the behaviour of a socialised member state.

When discussing the behaviour and compliance of other member states before 2014, Council of Europe treaties and cooperation with the Council of Europe, Russia showed signs of being socialised by the Council of Europe and its norms. When, however, Russian statements about the PACE and the European Court of Human Rights were analysed, it displayed that Russia did not show any signs of socialisation, rather the opposite. This research thus does to some extend confirm the constructivist claim that Russia showed socialised behaviour within the Council of Europe.

The finding that Russia only became socialised to a certain extend by the Council of Europe adds to the constructivist theory on international organisations. This research shows that in some cases, the socialisation of states by international organisations (as expected by Checkel (2005) and Barnett and Finnemore (2005)) does not take place in all aspects. It could be argued that this socialisation takes a longer time to take place and that Russia is still in the process of becoming socialised. I would argue that there are no signs for this since especially since 2014, Russian officials became increasingly critical of the Council of Europe and showed almost no socialised behaviour anymore. Further research on the constructivist claim in the Russian case could focus on the question whether Russia showed the same mixture of socialised and not socialised behaviour in other international organisations.

This research also demonstrated that authors who were worried about Russian admission to the Council of Europe proved to be partly right in their ominous forecasts. The most negative expectation of a complete devaluation of European norms and values, as expected by Bowring (2000), was not found in this research. Signs of destabilisation of the Council of Europe following Russia's admission, warned for by Malfilet & Parmentier (1997), however, were clearly found by this work. Not only is Russia currently threatening the existence of the organisation by refusing to pay, but in the years before 2014, it also destabilised the Council of Europe by repeatedly criticising verdicts and reports and calling the organisation politicised.

Interestingly, almost all of the outcomes of the critical discourse analysis complied with the information gathered from the conducted interviews with people working on a daily basis with the Council of Europe. Nevertheless, an interesting finding from the interviews that conflicted with the researched statements was the assumption that it is likely that Russia is content with

the current situation in the PACE and that they did not care much about regaining their voting rights. Going deeper into this claim by, in example, conducting interviews with Russian parliamentarians, could be interesting for further research on this issue.

Further research could also go deeper into the relationship between Russia and the other institutions of the Council of Europe (i.e. the Council of Ministers) to follow up on the claim that Russia tried to continue to cooperate on less political themes. Follow up research could try to arrange interviews with Russian diplomats to get an even broader image of the Russian behaviour in the Council of Europe. A last suggestion for further research could be to go deeper into the relationship between the Council of Europe and democratizing states. A comparison between Russia and other post-Soviet member states could be made to research whether the Council of Europe has been able to reach a higher level of socialisation in other states that joined around the same time.

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