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RUSSIA AND THE COUNCIL OF EUROPE: THE CRISIS OF RELATIONS IN THE CONTEXT OF INVERTION IN DEMOCRATIC DEVELOPMENT

РОСІЯ І РАДА ЄВРОПИ: КРИЗА ВІДНОСИН В КОНТЕКСТІ ІНВЕРСІЇ ДЕМОКРАТИЧНОГО РОЗВИТКУ

РОССИЯ И СОВЕТ ЕВРОПЫ: КРИЗИС ОТНОШЕНИЙ В КОНТЕКСТЕ ИНВЕРСИИ ДЕМОКРАТИЧЕСКОГО РАЗВИТИЯ

Shynkarenko T.

PhD (History), Associate Professor of the Department of International Relations and Foreign Policy of the Institute of International Relations of Taras Shevchenko National University of Kyiv. Email: tshincar9@gmail.com

Шинкаренко Т. І.

Кандидат історичних наук, доцент кафедри міжнародних організацій і дипломатичної служби Інституту міжнародних відносин Київського національного університету імені Тараса Шевченка. tshincar9@gmail.com

Шинкаренко Т. И.

Кандидат исторических наук, доцент кафедры международных организаций и дипломатической службы Института международных отношений Киевского национального университета имени Тараса Шевченко. E-mail: tshincar9@gmail.com

Abstract. *The article is about the crisis in relations between the Russian Federation (RF) and the Council of Europe (COE) in the context of inversion in democratic development of Russia. While preparing the given paper a set of methodological instruments of the transitological approach was used, in particular, democratization «wave theory», the approach towards understanding transformation processes in Eastern Europe as a non-linear process, models of «transition with an open final».*

In the XXI century the Council of Europe faced daunting challenges resulted both from crisis situations in the EU member-states and from inversion of democratic transit in post-Soviet countries, particularly, in Russia. Apparently, the COE failed to realize any of its basic functions in Eastern European countries: regulatory, prognostic, worldview and axiological. Under these circumstances, the functional weakness of some COE bodies and institutions became especially notable, complicating, along with lobbyism and corruption of representatives of post-soviet states, the organization's operational capacity.

Overcoming the institutional crisis and strengthening the role of the COE on the continent suggests both further reforms of the organization and reintegration of the normative dimension and the value-based approach into foreign policy of European states.

Key words: *Council of Europe, Russian Federation, inversion of democratic development, post-Soviet countries, institutional crisis, foreign policy of European states.*

Анотація. *Стаття присвячена проблемі кризи у відносинах між Російською Федерацією (РФ) і Радою Європи (РЄ) в контексті інверсії демократичного розвитку Росії.*

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При підготовці статті використовувався методологічний інструментарій транзитологічного підходу, зокрема «теорія хвиль» демократизації, підхід до розуміння трансформаційних процесів у Східній Європі як нелінійного процесу, моделі «переходу з відкритим фіналом».

У XXI ст. РЄ опинилась перед серйозними викликами, зумовленими як кризовими явищами в державах-членах ЄС, так й інверсією демократичного транзиту в пострадянських країнах, перш за все в Росії. РЄ не змогла реалізувати свої основні функції у східноєвропейських країнах: регулятивну, прогностичну, а також світоглядно-аксіологічну. На фоні демократичної інверсії стала особливо помітною функціональна слабкість деяких органів та інститутів РЄ, що разом із лобізмом і корупцією представників пострадянських держав ускладнило діяльність Організації.

Подолання інституційної кризи та посилення ролі РЄ передбачає як продовження реформування Організації, так і повернення нормативного виміру і ціннісного підходу у зовнішню політику європейських держав.

Ключові слова: Рада Європи, Російська Федерація, інверсія демократичного розвитку, пострадянські країни, інституційна криза РЄ, зовнішня політика європейських держав.

Аннотація. Стаття посвячена проблеме кризиса в отношениях между Российской Федерацией (РФ) и Советом Европы (СЕ) в контексте инверсии демократического развития России. При подготовке статьи использовался методологический инструментальный транзитологического подхода, в частности «теория волн» демократизации, подход к пониманию трансформационных процессов в Восточной Европе как нелинейного процесса, модели «перехода с открытым финалом».

В XXI ст. СЕ оказался перед серьезными вызовами, обусловленными как кризисными явлениями в государствах-членах ЕС, так и инверсией демократического транзита в постсоветских странах, прежде всего в России. СЕ не смог реализовать свои основные функции в восточноевропейских странах: регулятивную, прогностическую, мировоззренческо-аксиологическую. На фоне демократической инверсии стала особенно заметной функциональная слабость некоторых органов и институтов СЕ, что вместе с лоббизмом и коррупцией представителей постсоветских государств усложнило деятельность Организации.

Преодоление институционального кризиса и усиление роли СЕ предполагает как продолжение реформирования Организации, так и возвращение нормативного измерения и ценностного подхода во внешнюю политику европейских государств.

Ключевые слова: Совет Европы, Российская Федерация, инверсия демократического развития, постсоветские государства, институциональный кризис СЕ, внешняя политика европейских государств.

Problem statement. Inversion of democratic transition in Russia, deterministic consolidation of the authoritarian regime in RF, geopolitical and ideological divergence of Europe and Russia. These processes took place against the background of Russia's membership in the COE – the organization established in order to prevent international and interethnic conflicts in Europe, substitute military methods of international contradictions' settlement by legal arbitration. Apparently, the COE failed to realize any of its basic functions with respect to RF: regulatory, prognostic, worldview and axiological. In the XXI century the COE faced daunting challenges resulted both from inversion of democratic transit in post-Soviet countries and from crisis situations in the EU member-states.

The purpose of the article. To analyze the reasons of COE's failure to prevent consolidation of the authoritarian regime in RF and to influence its aggressive external policy. To find out the signs of institutional crisis of COE and ways to overcome it.

Analysis of the latest publications. During the preparation of the article methodological tools of transitological approach were used, in particular, democratization "wave theory" [Huntington, 2003], the approach towards understanding transformation processes in Eastern Europe as a non-linear process of V. Bans [Bans, 1993], models of "transition with an open final" of V. Hellman [Hellman, 1999]. The problem of inversion of the democratic development of RF was investigated by Russian expert Shevtsova L. [Shevtsova, 2013; 2014]. In Ukraine the question of the rise of Russia's aggressive foreign policy in the context of its membership in COE was raised by Kaminski E. [Kaminski, 2009]. In general, attention to the topic of the crisis in relations between RF and COE in the context of inversion of Russia's democratic development in Ukrainian and foreign literature was insufficient, which fact determines the relevance of the research.

Exposition of basic material of research. For the first time in the aftermath of the Second World War the European state annexed the territory of the neighboring state and started a hybrid war against it. Though in Ukraine events in Donbas are formally referred to as a counterterroristic operation, politicians, experts, journalists and citizens of Ukraine do not doubt that there is an ongoing war between Ukraine and Russia in Donbas which was called by Ukrainian president P. Poroshenko "the patriotic war for the independence of Ukraine" [Poroshenko, 2015]. Furthermore, the Russian Federation blatantly violated its obligations to respect independence, sovereignty and present boundaries of Ukraine, fixed in a number of international legal agreements [1]. In addition, Ukraine and Russian Federation are members of the Council of Europe, the organization established with the view to preventing international and interethnic conflicts in Europe, substituting military methods of international contradictions' settlement by legal arbitration. While creating the CE, leaders of European states expected that the activities of that organization might prevent wars in Europe by making it impossible to come to power in any state of an authoritarian leader, who would become a threat to the continent and the world as a whole. As the COE creators intended, associating European states into the organization aimed at protecting democracy and human rights, would allow to influence the political situation in each member-state in the event of a threat of establishing an antidemocratic regime. The groundwork of such a concept was laid by the theory of democratic peace, pursuant to which democratic regimes or, in a narrower sense, liberal democratic regimes, did not fight with one another.

Following the European revolutions of the late 80s of the 20th century and the collapse of the USSR, the COE Vienna summit (October, 1993) decided to support the policy of openness and enlargement of the organization. Counting upon the positive influence of entry to the COE of states, in which the processes of democratization faced complications (the so-called "therapeutic membership obtaining" doctrine) [Huber, 1999: 144], the summit participants specified the criteria of entry to the COE of new independent states. States claiming upon the COE membership undertook a range of commitments in the sphere of bringing their institutions and legal systems in compliance with the fundamental principles of democracy, rule of law and respect for human rights, as well as conduct of free and just elections on the basis of universal suffrage. The Vienna summit determined the COE enlargement as a factor of realization of the important mission – creation of a broad area of democratic security on the continent, which could become a substantial supplement to military security, necessary for the maintenance of peace and security in Europe. February 2016 marked 20 years since the Russian Federation entry to the COE. What was the result of this membership? Nevertheless today in Russia the matters of withdrawal from the COE, return to capital punishment are being actively discussed. The Russian delegation to

PACE left the conference hall as a sign of protest till the end of 2015, when the Assembly once again deprived the Russian delegates of voting rights and some other powers. According to Russia's representatives, Russia intends to return to the Assembly only in case of restoration of rights, of which it was deprived as the result of annexation of Crimea in 2014–2015, and creation of favorable conditions for dialogue.

Apparently, the COE failed to realize any of its basic functions in Eastern European countries: regulatory, aimed at influencing the performance of member-states; prognostic – directed at examining and forecasting main tendencies of a democratic development of the European community; as well as worldview and axiological, since the contradictions in the triangle Europe – Ukraine – Russia lie, primarily, in the sphere of values, which is a direct field of responsibility and competence of the Council of Europe. Ukraine found itself at the cutting edge of geostrategic confrontation between the European and Eurasian patterns of internal development and foreign policy.

S. Huntington, the famous American political expert, specialist in the sphere of comparative politology and transitology, considered that the inversion of the “third wave” of democratization (ongoing since 1975) began in 1992 (a year before the Vienna summit of the CE), the backsliding, spreading to different extents and in different forms to the significant part of the world, including Western countries [*Huntington, 1995: 87–77*].

S. Huntington warned in this respect that authoritarianism might take new, not earlier detected forms: “One possibility might be a technocratic electronic dictatorship, in which an authoritarian governance is possible and legitimated by the ability to manipulate information, media, and sophisticated means of communication” [*Huntington, 2003: 315*].

The third backsliding became apparent most extensively and palpably during the crisis of democratic transition, i.e. transition of particular states and whole groups of related states from a non-democratic regime to a democratic one, which became noticeable at the edge of the 80-s and 90-s. In many of these countries earlier adopted constitutions, promulgating democratic norms, were preserved; regular elections were held; opposition parties were present, etc. However, in fact, those countries were the so-called “electoral democracies”, “hybrid democracies” or “simulated democracies”, i.e. demi-democracies – demi-autocracies, in which the real power was not in the hands of people, but belonged to civil bureaucracy, the military, oligarchic capital or was divided among the representatives of these groups.

The majority of post-Soviet states entered this “grey area”. Many of them, including Russia, in the beginning of the 90-s associated their hopes with the recovery after the crisis and better future of their countries and peoples, while implementing democratic reforms. However, socio-political and economic transformations done under the slogan of democratization in Russia and a range of other CIS countries since the beginning of the 90-s, were carried out hastily, without any system and led, along with tangible accomplishments in the sphere of democracy, to division and impoverishment of the population, emergence of oligarchy, intensification of corruption, ethnic conflicts. As a consequence, the concept of democracy itself was discredited among the majority of citizens (the words “democrat” and “liberal” became abusive at the end of the 90-s in Russia), and the political course of decision-makers needed a significant correction which pushed to authoritarianism as it is common in countries without democratic traditions and democratic experience.

Thus, the first years of transformations in post-Soviet countries questioned the possibility of a linear move from authoritarianism to democracy. This made researchers reconsider a “classical” model of transition to democracy [*Bans, 1993: 44–51*]. For instance, Russian researcher V. Gelman elaborated a model of “transition with an open ending”, under which transformation

of a political regime is a non-linear process of transition from one consolidated regime to another [Hellman, 1999: 34-36].

Why all these processes remained unnoticed by the COE? At least, the reaction of the organization's institutions was proved to be overtly inadequate? During the first years after the collapse of the USSR the Council of Europe, being in euphoria, because of the victory of democratic West in the Cold War and hopes for a speedy democratization of the newly independent states, failed to see the prospect of reestablishment of the Russian great-power tradition.

For a long time most attention of the COE towards Russia was concentrated on presidential and parliamentary elections, which gradually lacked democracy and ended in approximation of the Russian Federation to the creation of an authoritarian regime. Election monitoring on the post-Soviet area conducted by the COE essentially had no effect in terms of shaping a democratic society, not only because the existing mechanisms impeded the efficient decision-making, but also due to the lack of determination in protecting interests of the majority of citizens of the newly independent states. Prominent Ukrainian expert E. Kaminski deems that one of the results of merely diplomatic comments on the violation of the principles of conducting democratic elections was the substitution of the soviet one-party system by authoritarian regimes in a variety of new members of the COE or by the prevalence of pseudoparties and corrupted authorities in such states as Ukraine [Kaminski E., 2009: 4]. In November 2011 during the conference "Helsinki 2.0: For democracy and the rule of law in Russia" former prime-minister of the RF M. Kasyanov stated that "the institution of elections in the RF completely collapsed and can not be directly used to restore constitutional order" [2].

One more concern for the COE was the violation of human rights in Chechnya. The admission of the RF to the Council of Europe was delayed due to military actions in the region. At the same time the COE contributed much to the termination of that war, getting a chance to exert influence on Russia, which allowed observer missions of the COE to go to Chechnya. The Second Chechen War (1999–2000) complicated relations of the RF and the COE. However, the COE didn't go beyond depriving the Russian delegation of the right to vote at the Parliamentary Assembly of the Council of Europe (PACE) for a term of less than one year.

Addressing the international conference dedicated to the 60th anniversary of the Council of Europe, A. Kaminski paid attention to Russian attempts to form a regional centre of power around itself that would incorporate all post-soviet countries, including Ukraine. In his opinion, European democrats didn't notice even the evident threats not only in Russian proposals concerning the de-facto new conflicting division of the world into regional centres, but also in the sphere of Russian military policy aimed at both considerable boosting of Russian defence spendings, as well as concealing the actual expenditures similarly to the soviet era [Kaminski E., 2009: 3].

The COE responded neither to the ideology of anti-Americanism adhered to by the ruling circles of Russia nor to the explicit attempts to split the Euro-Atlantic and the European communities which were launched at the beginning of the 2000s.

The reaction of the COE to the events in Russia-Georgia war in 2008 also proved to be inadequate. PACE turned down the proposal of the delegate's group to debar Russia from voting in the light of events in South Ossetia and in its resolution regarded the use of force by both Georgia and Russia as disproportionate and unlawful [2].

The competence of the COE also encompasses the assessment of a political concept of "russkiy mir", which has become the ground for Russian aggressive foreign policy with respect to post-Soviet countries. It should be noted that the political doctrine of "russkiy mir" was formulated in 1871 by first military governor of Turkestan M. Chernyaev. Currently the term "russkiy mir" was introduced into the scope of active social discourse in 2007. According to

Russian expert I. Zevelev, – “Following 2011 the ideology of post-Soviet revenge, comprising the image of Russia as a collector of the Russian world divided by artificial boundaries, became, in fact, official” [Zevelev, 2014].

Some European politicians expressed a certain concern about the processes taking place in Russia. By virtue of the memorandum approved at the conference “Helsinki 2.0: For democracy and the rule of law in Russia”, organized by the Alliance of Liberals and Democrats of the European Parliament and Russian People’s Democratic Union, the conference called upon the COE to grant no legitimacy to the future Russian elections, to accept no credentials of the new delegation of Russian parliamentarians in PACE, to abandon close partnership with the Kremlin and to tie the future agreements of the EU and Russia to how Russian authorities fulfill the obligations assumed by Russia when becoming a member of the COE [18]. Unfortunately, at the end of 2011 such appeals looked like a manifestation of idealism, because at the time of the European financial crisis, for example, the governments of Germany and France implemented the strategy of Realpolitik with respect to the Kremlin.

Furthermore, legitimation of Russian authoritarianism was furthered by the so-called “shred-erization” of policies of some European countries in regard to Russia which implied a mutually beneficial business in return for the abandonment of a values-based approach. The most important element of such a policy was the energy dialogue between Russia and Germany. The example of such a cooperation was the Nord Stream pipeline which was compared by Minister of Foreign Affairs of Poland R. Sikorski to the Molotov-Ribbentrop pact and named by former President A. Kwaśniewski as “a mine in the groundwork of the European solidarity” [Sikorski, 2008]. It should be noted that even under sanctions of the European countries imposed in response to the Russian aggression in Ukraine, in September 2015 the agreement on the implementation of the project “Nord Stream-2” was signed. Prime-Minister of Ukraine A. Yatsenyuk called the agreement anti-European and anti-Ukrainian. One should note that Russian experts and politicians do not hide the fact that the Russian interest in the construction of a new line of “Nord Stream” is attributed not only to economic but also to geopolitical factors, namely a desire to eliminate its dependence on such transit countries as Ukraine, Poland and Slovakia.

Thus, within the framework of the third democratic rollback, there has been a trend called by Russian expert L. Shevtsova the export of corruption from authoritarian and semi-authoritarian countries to democratic ones [Shevtsova, 2013: 3].

Such a policy is not applicable only to Russia. Azerbaijan in order to lobby its interest to legitimize the power and demonstrate advancement in democratic transformations, uses the so-called “gourmet diplomacy” which implies pompous receptions of delegations of European politicians, European Parliament and PACE, expensive gifts, including black sturgeon caviar.

Manifestations of the new democratic rollback are observed not only beyond the West. We can see them in the West itself, i.e. Europe and America. The only difference is that here it is reflected not in shrinking traditional democratic institutions but in lowering the quality of their functioning, and somewhere in diminishing their effective social role and lagging behind current requirements. Furthermore, democracy has disclosed its hazardous inability to efficiently oppose new threats to national security from internal and external forces; first and foremost, we mean international terrorism, uncontrolled immigration, as well as aggressive propaganda and funding European radical parties by authoritarian states.

The Council of Europe faced daunting challenges resulted both from crisis situations in the EU member-states and from inversion of democratic transit in post-Soviet countries, particularly, in Russia.

Under these circumstances, the functional weakness of some COE bodies and institutions became especially notable, complicating, along with lobbyism and corruption of representatives

of post-soviet states, the organization's operational capacity. Thus, due to behind-the-scene manoeuvres and lobbyism of Russian and Azerbaijani representatives, the report on political prisoners in Azerbaijan failed to be adopted at the PACE January session in 2013. Due to his inability to visit Russia, member of Bundestag Beck could not finish on time the examination of the implementation of the COE resolutions and recommendations in Ukraine and Russia.

Voting in the PACE has long been the COE functional problem, given the situation when there are slightly more than ten affirmative votes and one negative vote out of 318 potential votes. The PACE sessional discussions are also far from being efficient. The initiative of Great Britain, one of the founding members of the organization, as to the denunciation of the European Convention for Protection of Human Rights and withdrawal from the jurisdiction of the European Court of Human Rights may, as well, be regarded as the symptom of the COE crisis.

Ukrainian experts and politicians believe that Ukraine, before the 2014 events, was subjected to much greater pressure and criticism by the COE institutions than Russia, indicating some bias in the approaches applied by those institutions to state-members.

The lack of mechanism of legal monitoring aimed at democracy and the rule of law, unlike the human rights field, remains the institutional weakness of the Council of Europe.

Therefore, the Council of Europe, against the background of a democratic inversion, became a bureaucratic organization perceiving its mission in an increasingly formal way. This trend was illustrated by the Strasburg conference, devoted to the freedom of speech in October 2015. Purely theoretical discussions were not attended by speakers from sensitive in this respect Russia, Turkey, and Azerbaijan. The situation itself as to the freedom of speech in those countries was not discussed. Such a position of the Council of Europe, in Russian journalists' view, is attributable to the reluctance of European politicians to finally break off relations with Russia and, thus, receive its rejection of the obligations, e.g. of the financial ones, insofar as the Russian Federation is one of the five principal "shareholders" of the Council of Europe, and it would be challenging to make up the COE budget without the Russian multimillion contribution [Velehov, 2015].

The PACE, in Russia's joining the Council, formulated a number of obligations for it. Accordingly, in the sphere of international relations the Russian Federation undertook: to settle international disputes exclusively by peaceful means; to resolve outstanding border issues on the basis of international law; to withdraw its troops from Moldova; to abandon the distinction among foreign countries of the immediate sphere of its peculiar influence known as "near abroad". As it can be seen, even in the abovementioned segment of obligations Russia didn't fulfill anything within 20 years.

The most tough resolution with regard to Russia was adopted at the PACE session only in October 2012 following the discussions on prospects for monitoring Russian Federation's obligations to the Council of Europe and on the review report on Russia. The COE deputies pointed to the shortcomings in the course of the 2008 and 2012 presidential elections and the 2007 and 2011 parliamentary elections in the Russian Federation and decided to leave Russia under the monitoring of its obligations. The amendments proposed by the Russian parliamentarians were dismissed. They insisted, inter alia, on deleting from the text of the resolution the phrase stating that the Assembly "calls on president Putin not to strengthen the authoritarian nature of the system but democratize it". However, the recommendation on bringing the monitoring at the level of the Committee of Ministers proposed for the first time in the COE history was rejected.

The relationship between the Council of Europe and Russia changed only after the annexation of Crimea and Russian aggression in Donbas. In April 2014 the PACE suspended the voting rights of the Russian delegation as well as its right to be represented in the Assembly's ruling bodies till the end of the year. The PACE suspended the rights of the Russian representatives to

vote for a second time on the 28th of January 2015. The PACE also reaffirmed the election of Ukrainian aviation pilot Nadezhda Savchenko, detained in Russia, to the delegation of Ukraine, granting her international immunity. Head of the Russian delegation A. Pushkov in response thereto announced that the members of the State Duma ceased their activities in the PACE till the end of the year, and might subsequently reflect on the withdrawal from the Council of Europe. The same statement was made by Duma speaker S. Naryshkin on the 29th of January. A large part of the Russian society supports Russia's withdrawal from the PACE, as well as from the OSCE.

The debates labelled "The separatist tension in Ukraine and neighbouring countries" were held on the 16th of October 2014 within the framework of October, 27, session of the Congress of local and regional authorities of the Council of Europe. As a result of the debates, the Declaration of the Congress was adopted, officially recognizing military intervention of the Russian Federation in the events in Ukraine. "The Congress condemns any form of Russia's military incursion into the East of Ukraine, and also all other forms of pressure, which Russia exerts on its neighbours", the document states. It was noted at the Congress that the security of the whole continent was endangered because of Russia's continuing violations of international law, norms and principles of the COE, which it had signed, when acceding to the organization. "What happened in the Crimea (Ukraine), South Ossetia and Abkhazia (Georgia), Transnistria (Republic of Moldova) and what is occurring in the East of Ukraine, are totally contradictory to the regional Europe we are aspiring to build," the declaration states [20].

On the 25th of June 2015 the PACE adopted the resolution with regard to persons who disappeared during the conflict in Ukraine. Apart from this, on the voting day the Assembly agreed to considerably reinforce the document by making it more rigid with respect to Russia. In particular, there was the recognition of the fact in the text that the conflict in Ukraine was actually the Russian aggression, and concerning the Crimea the term "occupied" was introduced. 54 members voted "for" the resolution. The amendment stating that Russia was an aggressor country received 48 votes "for" and 7 votes "against".

It is evident that in Russia they did not expect such unanimity and such rigid opposition to its actions in Ukraine on the part of the European politicians, institutions of the EU and the COE which, *inter alia*, enabled to reach the cessation of active hostilities in the East of Ukraine.

Has the inversion of the "third wave" of democratization by S. Huntington reached the bottom point or will the situation in the world be worsening? In the annual report on the state of rights and freedoms globally summarizing the 2014 results the human rights organization Freedom House noted that democratic standards in the world came under "a severe blow over the last 25 years". According to the experts of Freedom House, "the Russian intervention and occupation of the territory of the neighboring country significantly worsened the state of freedom all over the world" [19]. For the year 2016 the number of free countries has diminished by six (85 free countries) and the quantity of countries that are not free has increased by two (57 countries that are not free). Starting from 2005 Russia has belonged to the group of countries that are not free and according to Freedom House it has been ranked 167th in the ranking of free states for 2016. In the human rights organization the alteration of Russia's rating is connected, *inter alia*, with the enhancement of propaganda on TV-channels, which are under the state control [19].

The Western world recovered from its crisis in the 70s through the activation of the value-based dimension of politics, reflected by the Helsinki Accords of 1975, which initiated the "third wave" of democratization. It is evident that in overcoming the crisis caused, in particular, by Russia's politics, the European Union, the OSCE and the Council of Europe have a decisive role to play, for which the unanimity of European countries, their adherence to democracy and protection of human rights are required. Strengthening the role of the COE on the continent suggests

both further reforms of the organization and reintegration of the normative dimension and the value-based approach into foreign policy of European states.

As regards the relations of the COE and Russia, Russian delegation keeps working with the Organization. Russia remains principal funder of COE alongside Germany, Turkey, Italy and Great Britain. RF still takes part in conventional activity of the Council. The problems, related to selling of human organs, illegal drugs trafficking, corruption are solved with participation of Russia. Both sides show their willingness to continue the dialogue. Thus, in September of 2015 Secretary-General of the Council of Europe T. Jagland spoke in favour of the preservation of Russia's membership in the COE: "I think so just because millions of Russians are entitled to appeal to the Strasbourg Court. If Russia is not a member of the CE, they will not have such a right." According to his words, "the Council of Europe is the only place where Russia is officially from the very beginning connected with the European standards. It is very important for the pan-European idea to preserve this connection" [21]. In December 2016 Secretary General of the Council of Europe T. Jagland made work visit to Russia where he was taken at the highest level. Russia's rhetoric towards COE has become softer too. Thus, in December 2016 S. Lavrov claimed that Russia considers the Council of Europe as an important pan-European organization, which has unique conventional mechanisms and is a demanded humanitarian pillar of European architecture" [Lavrov S., 2016]. During the visit of the Parliamentary Assembly President Pedro Agramunt to Moscow in 2016 the agreement was reached on return to PACE of Russia's delegation following the change in its rules of procedure. As the result of negative feedback of the most of PACE's deputies, Pedro Agramunt suggested to adopt changes to the rules of procedure during COE's summit scheduled for May 2019.

Yet, Russia keeps with its aggressive policy in Ukraine and Syria as well as violations of international law. On the other side, on the 4th of December 2015 the State Duma of Russia adopted the law enabling the Constitutional Court to consider it impossible to implement the decisions of international courts in Russia. According to the law, the Constitutional Court may enable Russia's authorities to refuse to implement the decisions not only of the European Court of Human Rights but of any interstate organ on protection of human rights and freedoms. Among them there are the Committee on Human Rights, the Committee against Torture, the Committee on the Rights of Persons with Disabilities etc. It means that the new law will allow the Russian authorities to ignore the decisions and assessments of international institutions, pronounced not only in favour of companies but also of citizens alleging violations of their rights in Russia. Thus, RF has already proclaimed its intention to refuse from executing some of ECHR's decisions. Of highest resonance was the decision of the Constitutional Court of RF as of 19 January 2017 on impossibility of payment to Yukos former shareholders of compensation in the amount of Euro 1.8 billion awarded to them by ECHR due to violation of their rights to effective remedy and a fair trial. In return ECHR President Guido Raimondi threatened to expel Russia from COE.

Conclusions. Thus, the COE faced the most challenging dilemma: whether to agree to continue the membership of the Russian Federation, which has transformed into authoritarian state conducting aggressive external policy and severely violating international law, or to raise the question on suspension of its membership in COE? And to what extent is Russia interested in its membership in the COE? It is clear that political reasons of its membership do not prevail, but there are also economic reasons. Thus, the membership of a state in the COE is regarded by powerful world and European financial and economic structures (the IMF, the World Bank, the EBRD) as an indicator of domestic stability and additional guarantee of protection of investments and credits into that state, which is of a great importance for the Russian Federation which faces the financial and economic crisis. Russia also tries to maintain the visibility of the democratic

state with the original model of “sovereign democracy” in order to preserve some respect in Europe.

In any case only stability and development of democratic countries and their international institutions will make it possible to find solutions to new challenges in the XXI century. Famous American philosopher of the XX century J. Dewey used to say: “It is necessary to study the idea itself, the very sense of democracy again and again. Democracy should constantly be discovered and rediscovered anew... If democracy does not move forward, if it tries to remain unchanged, it embarks on the path of regress, resulting in its dying away” [Dewey, 1990: 182].

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