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**STATEMENT BY MR. ANVAR AZIMOV,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE MEETING OF THE OSCE PERMANENT COUNCIL**

20 May 2010

**Regarding the judgement of the Grand Chamber of the European Court of
Human Rights on the case of Mr. Vasiliy Kononov**

Mr. Chairperson,

The ruling announced on 17 May by the Grand Chamber of the European Court of Human Rights (ECHR) on the well-known case of Mr. Vasiliy Kononov sets an extremely dangerous precedent that causes serious concern and alarm on our part. The Russian Ministry of Foreign Affairs has issued a special statement on this matter.

We regard the judgement not simply as a revision of the just ruling of the Court in this matter, adopted on 24 July 2008, but also as an attempt to cast doubt on any number of key political and legal principles that have emerged as a result of the Second World War and the post-war settlement in Europe, including that of bringing Nazi war criminals to justice.

At the heart of the ruling by the ECHR's Grand Chamber lies a refusal to allow the appeal by a former fighter against fascism, an 87-year-old Latvian partisan sentenced on the basis of a trumped-up charge of "war crimes" on the territory of Latvia in 1944.

In ignoring Latvia's liability, recognized in the earlier ruling of 24 July 2008, for the violation of Article 7 of the European Convention on Human Rights, the Grand Chamber in effect agreed with those who are endeavouring to revise the outcome of the Second World War and vindicate the Nazis and their accomplices.

This position is linked to Riga's undisguised rejection of the post-war settlement in Europe and the results of the Nuremberg Tribunal, which are regarded throughout the world as the basis of modern-day international criminal law, including the recognition of the SS as a criminal organization.

To qualify Mr. Kononov's actions in the fight against Nazism as "war crimes" is in direct conflict with the generally recognized fundamental principles of law, primarily the principle of the absence of the retroactive force of criminal law. In effect, the ECHR's agreement with Latvia's position in this case constitutes a legally unfounded and politically

flawed shift in the attitude of the court to the evaluation of the events and outcome of the Second World War.

The ruling by some of the members of the Court on Mr. Kononov's case seriously undermines the authority of the Council of Europe in general and may be regarded as a desire to draw new dividing lines in Europe and destroy the existing consensus on the continent as regards pan-European standards and values.

Particular mention should be made of the serious negative consequences of the ruling in the Kononov case both for anti-fascist veterans in all countries who fought against the Nazis and their accomplices and for their descendents. The Court ruling regarding the wrongful conviction in a member State of the Council of Europe of a partisan fighting for the anti-Hitler coalition effectively exonerates the Nazis and their henchmen and will help to further increase the influence in Europe of revenge-seeking and of extreme radical and nationalist pro-Nazi forces.

Thank you for your attention.