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National sovereignty and statehood in contemporary international law: the need for clarification

Motion for a resolution

tabled by Mr Holger HAIBACH and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The Parliamentary Assembly observes that a number of territorial entities in Council of Europe member states are aspiring to be recognised as independent states.

It notes that the criteria for statehood are still far from clear in contemporary international law.

The lack of clear criteria for statehood encourages numerous secessionist movements and thus threatens peace, stability and the territorial integrity of existing states, also in Europe.

The Assembly notes that the notions of national sovereignty and statehood have evolved in recent years.

A multilateral approach to the “duty to protect” as advocated by the International Commission on Intervention and State Sovereignty (ICISS) is taking the place of arbitrary interventions and bilateral guarantees.

European integration and co-operation have led to a voluntary relinquishment of certain aspects of national sovereignty ; notably, the rights of individuals are properly protected by the machinery of the European Convention of Human Rights.

The Assembly therefore proposes that the criteria for statehood and the modalities of protection of national sovereignty and territorial integrity of states shall be examined thoroughly, for example in the framework of a follow-up conference to the ICISS on the initiative of the Council of Europe.

Signed (see overleaf)



*Signed*¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
EPP/CD: Group of the European People's Party
SOC: Socialist Group
UEL: Group of the Unified European Left
NR: Representatives not belonging to a Political Group