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Accession of the European Union to the European Convention on Human Rights: Election of judges

Motion for a resolution

tabled by Ms Marie-Louise BEMELMANS-VIDEC and other members of the Assembly

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

Accession of the European Union to the European Convention on Human Rights has been a priority for the Council of Europe for many years: see, for example, Parliamentary Assembly [Resolution 1610 \(2008\)](#) and [Recommendation 1834 \(2008\)](#). The Assembly is therefore pleased to note that, in early June 2010, the European Council authorised the European Commission to negotiate an Accession Agreement of the European Union to the Convention with the Council of Europe.

It should be recalled that Article 22 of the Convention specifies that judges to the European Court of Human Rights are elected by the Assembly from a list of three candidates nominated by each Contracting Party to the Convention. When the European Union accedes to the Convention, the Assembly will need to elect a judge in respect of the European Union.

In its Resolution on the institutional aspects on accession, adopted by the European Parliament on 19 May 2010, the European Parliament indicated the need for it, *inter alia*, to have the right to appoint/send a certain number of representatives to the Parliamentary Assembly when the latter elects judges to the European Court of Human Rights (paragraph 7), and the utility of establishing an informal body to co-ordinate information sharing between the European Parliament and the Parliamentary Assembly (paragraph 34).

The European Union will need to possess the same status and duties as pertain to all other Contracting Parties to the Convention. It follows that the issue of an appropriate participation of members of the European Parliament in the election of judges by the Assembly is a subject that requires urgent consideration. Both parliamentary organs will need to reflect on how best, if at all, this form of European Parliament “representativity” within the Assembly can be acquired.

Signed (see overleaf)



*Signed*¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democrat Group
EPP/CD: Group of the European People's Party
SOC: Socialist Group
UEL: Group of the Unified European Left