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The accession of the European Union/European Community to the European Convention on Human Rights

Reply to Recommendation¹: Recommendation 1834 (2008)
Committee of Ministers

1. The Committee of Ministers has taken note of Parliamentary Assembly [Recommendation 1834 \(2008\)](#) on “The accession of the European Union/European Community to the European Convention on Human Rights”, urging it to immediately begin negotiations with the European Union on this subject, so as to ensure the rapid adoption of instruments for accession.
2. The Committee of Ministers agrees with the Parliamentary Assembly that a speedy accession of the European Union to the European Convention on Human Rights is essential. This accession is also envisaged in the Memorandum of Understanding signed between the Council of Europe and the European Union in May 2007. It draws the Assembly’s attention to the report prepared in 2002 by the Steering Committee for Human Rights (CDDH) regarding “Technical and legal issues of a possible EC/EU accession to the European Convention on Human Rights”,² which already analyses the technical aspects of accession and whose conclusions remain valid.
3. The Committee of Ministers recognises the need to start negotiations as soon as possible. It also notes that the Lisbon Treaty will make the accession of the European Union to the European Convention on Human Rights possible. That was a point made by Mr Jacques Barrot, Vice-President of the European Commission, responsible for Justice, Freedom and Security, in his statement to the Deputies in November 2008.
4. The Committee of Ministers also recalls that the European Union cannot accede to the Convention under the current Article 59. It notes that Protocol No. 14, once in force, would amend Article 59 to enable the European Union to accede to the Convention. The Committee of Ministers may consider the necessary arrangements in order to amend Article 59 for this purpose.
5. The Committee of Ministers is confident that the existing strong co-operation between the two organisations will allow negotiations on an accession instrument to be conducted swiftly once they are initiated. The Assembly will be kept informed of any progress in this matter.

1. adopted at the 1063rd meeting of the Ministers’ Deputies (8 July 2009)

2. CDDH(2002)010 Addendum 2, adopted at their 53rd meeting, 25-28 June 2002.

