Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Opinion 154 (1990)[1]

Application by Poland for membership of the Council of Europe

Parliamentary Assembly

1. The Assembly has received from the Committee of Ministers a request for an opinion on the accession of Poland to the Council of Europe (Doc. 6188), in pursuance of Statutory Resolution (51) 30 A adopted by the Committee of Ministers on 3 May 1951.

2. It recognises that Poland played a pioneering role in the democratisation process in Central and Eastern Europe and set an example to all the countries of Central and Eastern Europe by organising parliamentary elections on 4 June 1989, which, although completely free only for the Senate, soon led to the formation of the region's first government based on democratic legitimacy.

3. The Assembly appreciates the vigorous contribution made by Poland to the work of the Council of Europe, both at parliamentary level since being granted special guest status on 8 June 1989, and at intergovernmental level since acceding to several European conventions, including the European Cultural Convention, signed on 16 November 1989.

4. It takes note of the declared willingness of the Polish authorities to ratify, soon after their joining the Council of Europe, the European Convention on Human Rights and recognise the right of individual application to the European Commission of Human Rights (Article 25 of the Convention) as well as the compulsory jurisdiction of the European Court of Human Rights (Article 46).

5. It also notes that the local and municipal elections organised on 25 May 1990 were pronounced free and fair by the observer delegation from the Standing Conference of Local and Regional Authorities of Europe, that the first completely free presidential elections will take place this year and that the first completely free parliamentary elections are likely to be called in March 1991.

6. The Assembly instructs its Bureau to appoint an ad hoc committee which, in agreement with the Polish authorities, will observe the forthcoming general elections.

7. The Assembly considers that Poland is able and willing :

7.1. to fulfil the provisions of Article 3 of the Statute, which stipulates that ‘‘every member of the Council of Europe must accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms" ;

7.2. to collaborate sincerely and effectively in the realisation of the aim of the Council of Europe as specified in Chapter I of the Statute of the Council of Europe, thereby fulfilling the conditions for accession to the Council of Europe as laid down in Article 4 of the Statute.

8. The Assembly therefore recommends that the Committee of Ministers :

8.1. invite the Republic of Poland to become a member of the Council of Europe immediately on being informed by the President of the Assembly that the Bureau of the Assembly is satisfied that free general elections have been held and that all the conditions under the Statute are fulfilled ;

8.2. attribute twelve seats to Poland in the Parliamentary Assembly.

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1. Assembly debate on 2 October 1990 (16th Sitting) (see Doc. 6289, report of the Political Affairs Committee, Rapporteur : Sir Geoffrey Finsberg ; and Doc. 6307, opinion of the Committee on Legal Affairs and Human Rights, Rapporteur : Mrs Lentz-Cornette). Text adopted by the Assembly on 2 October 1990 (16th Sitting).