



Recommendation 350 (1963)¹

Final version

Perjury before international judicial organs

Parliamentary Assembly

The Assembly,

Having regard to the fact that the development of international relations has given rise to the establishment of a number of international judicial bodies;

Considering that these bodies do not possess, to the same extent as national courts, powers which safeguard the administration of justice, notably in the case of false statements made before them which are material to the determination of the case;

Considering that the constituent instruments and rules of procedure of these bodies usually contain provisions relating to, inter alia, perjury, refusal to give evidence, or failure to appear, but that, owing to the absence of corresponding national legislation, these provisions often cannot be enforced on the domestic level;

Considering, therefore, that it is desirable that adequate legislation be enacted which would make perjury committed before international judicial bodies a criminal offence punishable under the national law;

Having regard to the report of the Legal Committee ([Doc. 1538](#)),

Recommends that the Committee of Ministers

- i. should instruct a Committee of governmental experts to draft a uniform law which member States would undertake to introduce into their national legislation and by which perjury committed before an international judicial body would be considered a criminal offence, so that any person having committed such an offence would be prosecuted by the authorities of the State of which he is a national upon notification by the international judicial body concerned;
- ii. should further instruct the Committee of Experts to examine whether this uniform law should also cover such matters as refusal to give evidence, failure to appear, forgery and subornation of witnesses or experts;
- iii. should communicate the draft uniform law prepared by the Committee of Experts to the Assembly for an opinion before opening it for signature.

1. *Assembly debate* on 18th January 1963 (25th Sitting) (see [Doc. 1538](#), report of the Legal Committee). Text adopted by the Assembly on 18th January 1963 (25th Sitting).

