



Recommendation 623 (1971)¹

Interim measures to supplement the European Convention on Human Rights

Parliamentary Assembly

The Assembly,

1. Noting that the sound administration of justice implies the need to avoid acts of an irreparable nature as long as proceedings are in progress ;
2. Recalling that the system of protection established by the European Convention on Human Rights is designed to protect fundamental rights and freedoms, and that the requirement mentioned in paragraph 1 above is particularly relevant to cases involving the fundamental rights of individuals ;
3. Considering that a number of international treaties establishing international judicial bodies lay down rules which provide for the possibility of ordering "interim" or "provisional" measures ;
4. Regretting that there is no provision in the European Convention on Human Rights authorising its competent organs, namely the European Commission of Human Rights, the European Court of Human Rights and the Committee of Ministers, to order interim measures when the need for such measures arises :
5. Considering that the practice of the European Commission of Human Rights and the Rules of the Court of Human Rights fill this gap partially but not completely ;
6. Convinced that this gap in the system established by the European Convention on Human Rights should be filled,
7. Recommends that the Committee of Ministers instruct the Committee of Experts on Human Rights to draft an additional Protocol to the European Convention on Human Rights which should confer on the organs of the Convention, especially the European Commission of Human Rights, the power to order interim measures in appropriate cases, provided, however, that the existing practice of the European Commission and the existing provisions of the Rules of the European Court should not be prejudiced thereby.

1. Assembly debate on 21 January 1971 (22nd Sitting) (see [Doc. 2873](#), report of the Legal Affairs Committee). Text adopted by the Assembly on 21 January 1971 (22nd Sitting).

