Recommendation 870 (1979)[1]

Ratification of Council of Europe Conventions and agreements

Parliamentary Assembly

The Assembly,

1. Considering that the drafting of conventions and agreements, intended to serve collectively as a common corpus of European legal standards, is one of the principal functions of the Council of Europe ;

2. Welcoming the fact that more than 100 conventions, agreements and protocols have been signed to date within the Council of Europe ;

3. Considering that these instruments enter into force only when they have received the requisite number of ratifications ;

4. Noting that in many cases signatures have still not been followed by ratification after several years ;

5. Considering that the initiative for the ratification of an international agreement generally lies with the government, which decides on the expediency of tabling the corresponding bill in parliament ;

6. Welcoming the initiative taken in certain national parliaments whereby the government is invited to report on Council of Europe conventions and to state which of them the state has not ratified, giving reasons for that situation ;

7. Regretting the failure of the Committee of Ministers, with two exceptions, to take any positive action on the wish expressed by the Assembly in Recommendation 721 (1973) to receive the texts of draft European conventions and agreements drawn up in the Council of Europe before their final approval and opening for signature ;

8. Believing that the Council of Europe, for its part, must concern itself with the fate of the conventions it has drawn up, and that in this connection it could embark upon experimental action relating to a small number of instruments,

9. Recommends that the Committee of Ministers :

a. invite the member governments to report to their parliaments at regular intervals on the state of ratification of Council of Europe conventions ;

b. instruct all the steering committees to review the state of signatures and ratification within their sphere of competence at regular intervals ;

c. instruct the Secretary General to invite the member governments to send information at periodic intervals on prospects for the signature and ratification of certain conventions, and to draft a report to the Committee of Ministers for communication to the Assembly ;

d. invite those member governments that have not yet signed or ratified the following four instruments to do so at the earliest opportunity :

European Convention on State Immunity, and Additional Protocol (1972) ;

1. See Doc. 4359, report of the Legal Affairs Committee. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 28 June 1979.

Additional Protocol to the European Convention on Extradition (1975) ;

Second Additional Protocol to the European Convention on Extradition (1978) ;

e. inform the Assembly, in accordance with Resolution (61) 6 of the Committee of Ministers, of the reasons for non-ratification or delay in ratification of those instruments.