Recommendation 878 (1979)[1]

Peaceful settlement of disputes

Parliamentary Assembly

The Assembly,

1. Considering that the peaceful settlement of disputes is one of the cornerstones of the application of the rule of law in international relations ;

2. Convinced that the Council of Europe has an important role to play in the peaceful settlement of disputes between its member states ;

3. Desirous of strengthening the position of the International Court of Justice ;

4. Noting that, hitherto, the Helsinki and Belgrade Conferences on Security and Co-operation in Europe, and the ensuing meeting of experts held in Montreux in autumn 1978, have not yet had any concrete results so far as the peaceful settlement of disputes is concerned, but hoping that progress will be made during subsequent negotiations ;

5. Convinced that an effective system of peaceful settlement of disputes between states within the framework of the Council of Europe might give new impetus to the efforts to arrive at a pan-European system in the context of the follow-up of the Helsinki Conference ;

6. Considering that the European Convention on the Peaceful Settlement of Disputes of 1957 entered into force in 1958 and has been ratified by only twelve Council of Europe member states ;

7. Regretting that nine Council of Europe member states have not yet ratified the convention, and that, of those member states which have ratified, six have declared themselves not to be bound by Chapter III, relating to arbitration,

8. Recommends that the Committee of Ministers :

a. play, in future, a more active role in the settlement of disputes between member states of the Council of Europe ;

b. invite those member states which have not yet done so to ratify the European Convention on the Peaceful Settlement of Disputes ;

c. invite those member states which made a reservation in respect of arbitration (Chapter III of the convention) to consider abandoning this reservation ;

d. invite member states to appoint, in as far as feasible, the members of the Permanent Conciliation Commissions provided for by the convention.

1. Assembly debate on 4 October 1979 (11th Sitting) (see Doc. 4406, report of the Legal Affairs Committee). Text adopted by the Assembly on 4 October 1979 (11th Sitting).