



Recommendation 1183 (1992)¹

Final version

Access by European non-member states to institutions operating under certain Council of Europe conventions relating to human rights

Parliamentary Assembly

1. The Assembly is gratified by the unanimous recognition today of the role of the Council of Europe in the protection and the promotion of human rights as a major and undisputed achievement.
2. It is therefore not surprised that non-member countries should look to the Council of Europe to extend to them its human rights protection mechanisms such as the Convention for the Protection of Human Rights and Fundamental Freedoms, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and the European Social Charter, each a potential guarantor of their young democracies.
3. The Assembly, which took the initiative for a rapprochement with these countries, should not now disappoint their expectations.
4. It believes that CSCE member countries which are not members of the Council of Europe should have access:
 - i. to the European Court of Human Rights;
 - ii. to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
 - iii. to the Committee of Independent Experts of the European Social Charter for the purpose of requesting opinions.
5. Access should be provided for state bodies, with the same right being granted by the state concerned to local and regional authorities, to non-governmental organisations and -for federations -to member states. Access by individuals would remain optional.
6. The Assembly further takes the view that there is no reason why non-member states should not be able to accede to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.
7. The Assembly therefore recommends that the Committee of Ministers:
 - i. enable European states which are members of the CSCE but not of the Council of Europe:
 - a. to request opinions from the European Court of Human Rights;
 - b. to invite the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment to visit places of detention in these countries;

1. Assembly debate on 5 May 1992 (3rd sitting), (see [Doc. 6585](#), report of the Committee on Legal Affairs and Human Rights, Rapporteur: Mrs Haller). Text adopted by the Assembly on 5 May 1992 (3rd sitting).



Recommendation 1183 (1992)

- c. to obtain opinions from the Committee of Independent Experts of the European Social Charter on questions concerning economic and social rights;
- ii. speed up its work to reform the organs responsible for implementing the European Convention on Human Rights;
- iii. open the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment to accession by European non-member states.