Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 190 (1960)[1]

Reply to the Second Report of the International Institute for the Unification of Private Law

Parliamentary Assembly

1. The Assembly thanks the Secretary-General of the International Institute for the Unification of Private Law at Rome for his Second Report presented in accordance with Article 3 of the Agreement between the Council of Europe and the Institute, signed on 12th January 1954.

2. The Assembly is most appreciative of the assistance afforded by the Institute to the Legal Committee, and also to other organs of the Council of Europe, and notes with great satisfaction the results thereby achieved.

3. One of the fields of law, and not the least important one, in which the Council of Europe has been active, is that of the unification or harmonisation of law. The work of the Assembly in this field, first, the selection of matters in regard to which a particular need for unification or harmonisation exists, second, the consideration whether such matters are capable of being regulated on a European basis, and, finally, the working out of concrete proposals to this effect, would have been very much more difficult without the expert assistance of the Rome Institute.

4. This assistance has taken many forms and the report of the Secretary-General of the Rome Institute refers rightly to the various drafts prepared covering such widely different matters as establishment, the international sale of goods and the formation of international contracts, arbitration procedure in international relations of private law, compulsory insurance of motorists and the liability of hotelkeepers for loss or damage to the property of guests. It may be said that many of our European Conventions concluded or to be concluded in the foreseeable future owe their origin directly or indirectly to the work of the Rome Institute.

5. The Assembly has taken special note that the Institute is studying the problem of co-ordination between efforts at unification conducted on different levels. It is fully aware of the importance to be attached to this problem and of the service which can be rendered by the Institute in this respect. In particular, it congratulates the Institute on the organisation of a symposium to discuss the work undertaken by different international organisations for the unification of law and notes with interest the decision to establish a Documentation Centre which will collect systematically decisions of national courts on the interpretation of uniform laws.

6. The Assembly is confident that the system of collaboration established between the Institute and the Council of Europe will continue with mutually beneficial results. Having regard to the important assistance afforded to the Council by the Institute, the Assembly considers that the member Governments should be more active in the financial assistance they give to the latter; to this effect it has addressed a separate Recommendation to the Committee of Ministers.

1. Assembly debate on 29th September 1960 (20th Sitting) (see Docs. 1166Docs. 1166, Second Report of the International Institute for the Unification of Private Law, and 1208, Report of the Legal Committee). Text adopted by the Assembly on 29th September 1960 (20th Sitting).