



Resolution 402 (1969)¹

Setting up of a "European Law Commission"

Parliamentary Assembly

The Assembly,

1. Recalling its Order No. 267 of January 1968, instructing its Legal Affairs Committee to continue to study the possibility of establishing a European Law Commission ;
2. Noting that this possibility was the subject of discussion at the 5th Conference of European Ministers of Justice in London in June 1968, upon the initiative of the Chairman of the Legal Affairs Committee ;
3. Further noting [Resolution No. 1](#) of that Conference on the organisation and programming of the legal work of the Council of Europe which declares (inter alia) that the variety and complexity of the tasks confronting the Council in the legal field call for a thorough study in order to ascertain the means of achieving the aims of the Council in a more systematic way and which recommends the Committee of Ministers of the Council of Europe to instruct the CCJ to explore the means by which a more systematic organisation of the future intergovernmental legal work can be brought about within the existing institutional framework of the Council of Europe ; and which further suggests that to that end the CCJ might consider entrusting a group of distinguished jurists with the tasks of making studies and submitting recommendations ;
4. Taking account of the CCJ's recommendation to the Committee of Ministers that a sub-committee of the CCJ itself should examine the intergovernmental legal work with a view to the establishment of an order of priority,
5. Approves the decision of its Legal Affairs Committee to continue to study the questions involved in the various matters referred to above and in particular the possibility of establishing a European Law Commission ;
6. Endorses the decision of the Legal Affairs Committee to request a group of distinguished jurists to make a study of the feasibility of establishing such a Commission and of the possible boundaries between the work which such a Commission could carry out and that which can more appropriately be carried out by existing agencies ;
7. Instructs the Legal Affairs Committee, after consulting with and taking into account the opinions of such group of jurists, to make a further report to the Assembly, with appropriate recommendations, upon the feasibility, advantages and disadvantages of establishing within the institutional framework of the Council of Europe a full-time European Law Commission consisting of distinguished jurists, with the necessary servicing staff, for the purpose of achieving in the most rapid and systematic way the aims of the Council of Europe in the legal field

1. Assembly debate on 30 January 1969 (26th Sitting) (see [Doc. 2523](#), report of the Legal Affairs Committee). Text adopted by the Assembly on 30 January 1969 (26th Sitting).

