



**Recommendation 1519 (2001)<sup>1</sup>**

## **Co-existence of the Convention on Human Rights and Fundamental Freedoms of the Commonwealth of Independent States and the European Convention on Human Rights**

Parliamentary Assembly

1. The Assembly refers to [Resolution 1249 \(2001\)](#) on the coexistence of the Convention on Human Rights and Fundamental Freedoms of the Commonwealth of Independent States (CIS) and the European Convention on Human Rights.
2. The Assembly states that the issue as to whether the CIS commission should be regarded as “another procedure of international investigation or settlement” within the meaning of Article 35 paragraph 2.b of the ECHR and that thus any application that has already been or is simultaneously being examined by it could be declared by the European Court of Human Rights as inadmissible, remains open.
3. Therefore, the Assembly, taking into account the weaknesses of the CIS commission as an institution for the protection of human rights (from the point of view of its control mechanism; its political nature; the legal nature of its decisions; the impartiality, independence and competence of its members), and considering that the CIS commission should not be regarded as “another procedure of international investigation or settlement” in the sense of Article 35 paragraph 2.b of the European Convention on Human Rights, recommends that the Committee of Ministers request that the Court give an advisory opinion on the interpretation of Article 35 paragraph 2.b of the European Convention on Human Rights with regard to this specific issue.

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1. (see [Doc. 9075](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Holovaty). Text adopted by the Standing Committee, acting on behalf of the Assembly, on 23 May 2001

