ASSEMBLÉE PARLEMENTAIRE
DU CONSEIL DE L'EUROPE

Recommendation 1952 (2011)[1]
Final version

The protection of witnesses as a cornerstone for justice and reconciliation in the Balkans

Parliamentary Assembly

1. Referring to its Resolution 1784 (2011) on the protection of witnesses as a cornerstone for justice and reconciliation in the Balkans, the Parliamentary Assembly fully shares the Committee of Ministers' position, expressed in its Recommendation Rec(2005)9 on the protection of witnesses and collaborators of justice, according to which "the scope and the effective and rapid implementation of international co-operation in matters related to the protection of witnesses and collaborators of justice, including with relevant international jurisdictions, should be improved".

2. The Assembly, while underlining the urgency of protecting witnesses effectively, stresses the need to ensure full implementation of Committee of Ministers Recommendation No. R (97) 13 concerning intimidation of witnesses and rights of the defence and the aforementioned Recommendation Rec(2005)9.

3. The Assembly therefore calls upon the Committee of Ministers to:

3.1. instruct its relevant committees to prepare an evaluation report on the level of implementation of Recommendations Rec(2005)9 and No. R (97) 13, to be submitted to the Parliamentary Assembly;

3.2. instruct the European Committee on Crime Problems (CDPC) to undertake a feasibility study on whether the protection and support of witnesses could be the subject of a future Council of Europe convention.

1. Assembly debate on 26 January 2011 (5th and 6th Sittings) (see Doc. 12440 rev., report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Gardetto). Text adopted by the Assembly on 26 January 2011 (6th Sitting).