



Doc. 12251

11 May 2010

National sovereignty and statehood in contemporary international law: the need for clarification

Motion for a resolution

tabled by Mr Holger HAIBACH and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The Parliamentary Assembly observes that a number of territorial entities in Council of Europe member states are aspiring to be recognised as independent states.

It notes that the criteria for statehood are still far from clear in contemporary international law.

The lack of clear criteria for statehood encourages numerous secessionist movements and thus threatens peace, stability and the territorial integrity of existing states, also in Europe.

The Assembly notes that the notions of national sovereignty and statehood have evolved in recent years.

A multilateral approach to the “duty to protect” as advocated by the International Commission on Intervention and State Sovereignty (ICISS) is taking the place of arbitrary interventions and bilateral guarantees.

European integration and co-operation have led to a voluntary relinquishment of certain aspects of national sovereignty ; notably, the rights of individuals are properly protected by the machinery of the European Convention of Human Rights.

The Assembly therefore proposes that the criteria for statehood and the modalities of protection of national sovereignty and territorial integrity of states shall be examined thoroughly, for example in the framework of a follow-up conference to the ICISS on the initiative of the Council of Europe.

Signed (see overleaf)



Signed¹:

HAIBACH Holger, Germany, EPP/CD
ALIGRUDIĆ Miloš, Serbia, EPP/CD
BEMELMANS-VIDEC Marie-Louise, Netherlands, EPP/CD
BERÉNYI József, Slovak Republic
BREEN Patrick, Ireland, EPP/CD
DARCHIASHVILI David, Georgia, EPP/CD
DÍAZ TEJERA Arcadio, Spain, SOC
FARINA Renato, Italy, EPP/CD
GARDETTO Jean-Charles, Monaco, EPP/CD
GROSS Andreas, Switzerland, SOC
HOLOVATY Serhiy, Ukraine, ALDE
HÜBNER Johannes, Austria, NR
IVANJI Željko, Serbia, EPP/CD
IWŃSKI Tadeusz, Poland, SOC
JONKER Corien W.A., Netherlands, EPP/CD
KOX Tiny, Netherlands, UEL
KÜHNEL Franz Eduard, Austria, EPP/CD
LEYDEN Terry, Ireland, ALDE
MARCENARO Pietro, Italy, SOC
MARTY Dick, Switzerland, ALDE
MENDES BOTA José, Portugal, EPP/CD
POURBAIX-LUNDIN Marietta, de, Sweden, EPP/CD
POURGOURIDES Christos, Cyprus, EPP/CD
PUIG i OLIVE Lluís Maria, de, Spain, SOC
RIGONI Andrea, Italy, ALDE
SCHUSTER Marina, Germany, ALDE
SYDOW Björn, von, Sweden, SOC
TOMLINSON John E., United Kingdom, SOC
TOSHEV Latchezar, Bulgaria, EPP/CD
VOLONTÉ Luca, Italy, EPP/CD
ZINGERIS Emanuelis, Lithuania, EPP/CD

1. ALDE: Alliance of Liberals and Democrats for Europe
EPP/CD: Group of the European People's Party
SOC: Socialist Group
UEL: Group of the Unified European Left
NR: Representatives not belonging to a Political Group