Recommendation 183 (1958)[1]

Establishment of the European Court of Human Rights

Parliamentary Assembly

The Assembly,

In view of its Recommendation 52 (1953) ;

Considering that, on 3rd September 1958, eight Contracting Parties to the European Convention on Human Rights having recognised the compulsory jurisdiction of the European Court of Human Rights, the conditions required under the Convention for the creation of the said Court were fulfilled ;

Considering that this fact marks an important step towards the achievement of one of the principal aims of the Council of Europe ;

Considering it important that all Member States of the Council of Europe should recognise the jurisdiction of the Court ;

Considering that it is in the interest of safeguarding Human Rights that no time be lost in establishing the Court, whose members will be elected by the Assembly from a list of persons submitted by Member States;

Recommends to the Committee of Ministers :

1. that the list of candidates required under Article 39 of the Convention be submitted without delay by Member States of the Council of Europe, thus enabling the Assembly to elect the members of the Court before the close of its tenth Session ;
2. that such Member States as have not yet done so recognise the jurisdiction of the Court in accordance with Article 46 of the Convention, for the reasons already given in Recommendation 52 (1953).

1. (a) This question was the subject of Recommendation 52, adopted on 24th September 1953. The Opinion of the Committee of Ministers on this question was given in paras. 104-118 of the Supplementary Report to the Ninth Report of the Committee of Ministers to the Consultative Assembly,Doc. 863.
(b) 15th October 1958, tabling of a draft Recommendation by the Legal Committee,Doc. 899.
(c) 17th October 1958, debate in the Assembly (see 22nd Sitting of the 10th Session). The Recommendation was adopted unanimously.