



Recommendation 233 (1960)¹

Recognition of the compulsory jurisdiction of the European Court of Human Rights as provided for in Article 46 of the Convention on Human Rights

Parliamentary Assembly

The Assembly,

Having regard to its Recommendations 52 (1953) and 183 (1958) ;

Whereas the European Convention for the Protection of Human Rights and Fundamental Freedoms provides that any application declared admissible by the European Commission of Human Rights, and in regard to which no friendly settlement has been reached, shall be referred for decision either to the European Court of Human Rights under the conditions laid down by the said Convention or, failing this, to the Committee of Ministers;

Whereas any dispute concerning the interpretation and application of the Convention should preferably be settled by the Court, a judicial organ, rather than by the Committee of Ministers, a political organ ;

Whereas, despite the two Recommendations aforesaid, only eight Contracting Parties have so far declared that they recognise the jurisdiction of the Court as compulsory ipso jure,

Recommends that the Committee of Ministers should invite those of the Contracting Parties which have not yet done so to make the Declaration provided for in Article 46 of the Convention.

1. Assembly Debate on 22nd January 1960 (30th Sitting) (see [Doc. 1082](#), Report of the Legal Committee). Text adopted by the Assembly on 22nd January 1960 (30th Sitting).

