Resolution 597 (1975)[1]

Optional clauses of the European Convention on Human Rights

Parliamentary Assembly

The Assembly,

1. Welcoming the fact that the European Convention for the Protection of Human Rights and Fundamental Freedoms is now in force in all eighteen member states of the Council of Europe ;

2. Considering that the right to individual petition and the European Court of Human Rights are among the most important new features of the convention, as they provide for an effective implementation at European level of human rights laid down in the convention ;

3. Considering that recognition of the right to individual petition and recognition of the compulsory jurisdiction of the Court of Human Rights (Articles 25 and 46 of the convention) are optional and subject to declarations made by the governments of Contracting States ;

4. Regretting that five Council of Europe member states have not recognised the right to individual petition, while four member states have not recognised the compulsory jurisdiction of the Court ;

5. Regretting that these member states therefore do not allow individual persons, non-governmental organisations and groups of individuals under their jurisdiction to apply to the European Commission of Human Rights,

6. Calls upon those member states which have not yet recognised the right of individual petition and the compulsory jurisdiction of the European Court of Human Rights to do so as soon as possible.

1. See Doc. 3617, report of the Legal Affairs Committee. Text adopted by the Standing Committee acting on behalf of the Assembly on 3 July 1975.