

SUMMARIES OF THE COUNCIL OF EUROPE TREATIES

The summaries available hereunder are designed to meet a practical need, that of supplying the public at large with concise descriptions of the Council of Europe treaties. The summaries are necessarily short and can therefore only give a first introduction to the main features of each treaty.

Subject-matter: **OTHER LEGAL CO-OPERATION**

European Convention on the Non-Applicability of Statutory Limitation to Crimes against Humanity and War Crimes ([ETS No. 82](#)), open for signature, in Strasbourg, on 25 January 1974.

Entry into force: 27 June 2003.

The aim of this Convention is to ensure that the punishment of crimes against humanity and the most serious violations of the laws and customs of war is not prevented by statutory limitations whether in relation to prosecution or to the enforcement of the punishment of the following offences, or to the enforcement of the sentences imposed for such offences, in so far as they are punishable under its domestic law:

1. the crimes against humanity specified in the Convention on the Prevention and Punishment of the Crime of Genocide adopted on 9 December 1948 by the General Assembly of the United Nations;
2. a. the violations specified in Article 50 of the 1949 Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, Article 51 of the 1949 Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, Article 130 of the 1949 Geneva Convention relative to the Treatment of Prisoners of War and Article 147 of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War,
b. any comparable violations of the laws of war having effect at the time when this Convention enters into force and of customs of war existing at that time, which are not already provided for in the above-mentioned provisions of the Geneva Conventions;
3. any other violation of a rule or custom of international law which may hereafter be established and which the Contracting State concerned considers according to a declaration under Article 6 as being of a comparable nature to those referred to in paragraphs 1 or 2 of this article.

* * *

European Convention on the Control of the Acquisition and Possession of Firearms by Individuals ([ETS No. 101](#)), open for signature, in Strasbourg, on 28 June 1978.

Entry into force: 1 July 1982.

The aim of the Convention is to set up a system for controlling the movements of firearms from one country to another. It applies in all cases where a firearm located in the territory of a Party is sold, transferred or otherwise disposed of to a person resident in the territory of another Party, or where it is transferred permanently and without change in the possession thereof to the territory of another Party.

The Convention offers two alternative methods of controlling the movement of firearms:

1. the "notification" system, with an obligation on the Party in which the firearm was originally located to notify the Party on the territory of which the person is resident of the sale, transfer or other transaction;
2. the "double authorization" system, whereby the transaction may not take place without the previous agreement of the two States concerned.

The Parties also undertake to afford each other mutual assistance in the suppression of illegal traffic and in the tracing and locating of firearms transferred from the territory of one State to the territory of another.

* * *

Council of Europe Convention on Access to Official Documents ([CETS No. 205](#)), open for signature, in Tromsø, on 18 June 2009.

Entry into force: 1 December 2020.

This Convention is the first binding international legal instrument to recognise a general right of access to official documents held by public authorities. Transparency of public authorities is a key feature of good governance and an indicator of whether or not a society is genuinely democratic and pluralist. The right of access to official documents is also essential to the self-development of people and to the exercise of fundamental human rights. It also strengthens public authorities' legitimacy in the eyes of the public, and its confidence in them.

This Convention lays down a right of access to official documents. Limitations on this right are only permitted in order to protect certain interests like national security, defense or privacy.

The Convention sets forth the minimum standards to be applied in the processing of requests for access to official documents (forms of and charges for access to official documents), review procedure and complementary measures and it has the flexibility required to allow national laws to build on this foundation and provide even greater access to official documents.

A Group of Specialists on Access to Official Documents will monitor the implementation of this Convention by the Parties.