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**STEERING COMMITTEE FOR HUMAN RIGHTS**

**(CDDH)**

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**Draft Declaration of the Committee of Ministers on the effective processing and resolutions of cases relating to inter-State disputes**

## **Draft Declaration of the Committee of Ministers on the effective processing and resolutions of cases relating to inter-State disputes**

The Committee of Ministers,

*Recalling* the Declaration adopted by the High-Level Conference in Copenhagen on 12 and 13 April 2018, in particular its paragraph 54.c),

*Recalling* that cases relating to inter-State disputes often involve grave and large-scale human rights violations, in many cases of vulnerable people,

*Mindful* that the utmost importance of these cases requires that the European Court of Human Rights, supported by the State Parties and the Council of Europe as a whole, takes the steps necessary to ensure their effective and speedy examination and resolution;

1. Affirms the special character and significant importance of the inter-State procedure under Article 33 of the European Convention on Human Rights allowing a State Party to bring before the Court an alleged breach of the Convention, notably to complain about systemic problems and administrative practices in another State Party with a view to vindicating the public order of Europe, within the framework of collective responsibility under the Convention, and to denounce violations by another State Party of the human rights of its nationals or other victims;
2. Calls on member States which are parties in inter-State proceedings and related individual applications to fully comply with their obligations under Article 38 as interpreted by the Court at all stages of the proceedings;
3. Invites the Court to continue to reflect on its working methods and allocate appropriate human resources so as to ensure effective and speedy examination and resolution of applications stemming from inter-State disputes which often involve large-scale human rights violations, including by taking into account the consequences of the fact that the Russian Federation has ceased to be a member of the Council of Europe as from 16 March 2022 (Resolution CM/Res(2022)2), and a Party to the European Convention on Human Rights as from 16 September 2022;
4. Affirms the potential of the friendly settlement notably under Article 39 of the Convention to resolve inter-State cases pending before the Court on the basis of respect for human rights as defined in the Convention and Protocols thereto and invites the States Parties concerned to consider using this framework under active guidance from the Court;
5. Commits itself to reviewing the political tools at its disposal for stimulating political dialogue between the States Parties to inter-State cases, with the potential contribution of other Council of Europe bodies such as the Parliamentary Assembly as well as the Secretary General and the Commissioner for Human Rights.