

PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE

Recommendation 1953 (2011)¹

The obligation of member and observer states of the Council of Europe to co-operate in the prosecution of war crimes

Parliamentary Assembly

1. The Parliamentary Assembly, referring to its Resolution 1785 (2011) on the obligation of member and observer states of the Council of Europe to co-operate in the prosecution of war crimes, recommends that the Committee of Ministers:

1.1. urge member and observer states to sign and ratify the conventions mentioned in paragraphs 7 and 8 of the resolution and review declarations and reservations limiting their applicability;

1.2. instruct the European Committee on Crime Problems and the Committee of Experts on the Operation of European Conventions on Co-operation in Criminal Matters to assess – in transparent consultation with civil society – the application of the *aut dedere aut iudicare* principle (extradite or prosecute) and arrangements to transpose into domestic law the principle of universal jurisdiction over war crimes and crimes against humanity;

1.3. inform the group of experts in charge of revising and modernising the European Convention on Extradition (ETS No. 24) of the Assembly's concerns with respect to co-operation of the member states in the prosecution of war crimes and invite it to take proper account of them in its work, and invite civil society to contribute to the consideration of this point;

1.4. invite the Committee of Experts on Impunity of the Steering Committee for Human Rights to take this subject into account in its draft guidelines on eradicating impunity for serious human rights violations.

1. Assembly debate on 26 January 2011 (5th and 6th Sittings) (see [Doc. 12454](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Doric). Text adopted by the Assembly on 26 January 2011 (6th Sitting).