

COUNCIL OF EUROPE  
COMMITTEE OF MINISTERS

**Resolution Res(2002)59  
concerning the practice in respect of friendly settlements**

*(Adopted by the Committee of Ministers on 18 December 2002  
at the 822nd meeting of the Ministers' Deputies)*

The Committee of Ministers,

Recalling that the European Convention on Human Rights (hereinafter referred to as "the Convention") must continue to play a central role as a constitutional instrument for safeguarding public order in Europe;

Having noted the significant increase in the number of individual applications lodged with the European Court of Human Rights (hereinafter referred to as "the Court");

Recalling that Article 38, paragraph 1.b, of the Convention provides that if the Court declares an application admissible, it shall "place itself at the disposal of the parties concerned with a view to securing a friendly settlement of the matter on the basis of respect for human rights as defined in the Convention and the protocols thereto";

Noting in this respect with interest the increasing practice of resorting to friendly settlements in order to solve repetitive cases or cases that do not raise any question of principle or of changes of the domestic legal situation;

Considering that the conclusion of a friendly settlement, while remaining a matter left entirely to the discretion of the parties to the case, may constitute a means of alleviating the workload of the Court, as well as a means of providing a rapid and satisfactory solution for the parties,

Underlines the importance:

- of giving further consideration in all cases to the possibilities of concluding friendly settlements and,
- if any such friendly settlement is concluded, of ensuring that its terms are duly fulfilled.