



**Recommendation 2125 (2018)<sup>1</sup>**

Provisional version

## **State of emergency: proportionality issues concerning derogations under Article 15 of the European Convention on Human Rights**

Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 2209 \(2018\)](#) “State of emergency: proportionality issues concerning derogations under Article 15 of the European Convention on Human Rights”.
2. The Assembly recommends that the Committee of Ministers examine State practice in relation to derogations from the European Convention on Human Rights (ETS No. 5), in the light of the requirements of Article 15 and the case law of the European Court of Human Rights, the requirements of international law and the Assembly’s findings and recommendations in [Resolution 2209 \(2018\)](#), with a view to identifying legal standards and good practice and, on that basis, adopt a recommendation to member States on the matter.

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1. *Assembly debate* on 24 April 2018 (12th Sitting) (see [Doc. 14506](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Raphaël Comte). *Text adopted by the Assembly* on 24 April 2018 (12th Sitting).

