

Item 5.4: Follow-up on human rights of members of the armed forces

23. The Committee examined the draft report<sup>17</sup> on the implementation of the Committee of Ministers' Recommendation<sup>18</sup> on the human rights of members of armed forces. 36 States responded<sup>19</sup> to the questionnaire<sup>20</sup>, of which 33 have armed forces.

**Comment:** I was not able to find anyone in the Ministry of Defence willing to co-ordinate a response to the questionnaire for the United Kingdom.

24. The Secretariat noted its drafting error in paragraph 74: the last sentence should say that *one third* of the States which replied and have armed forces have either military courts or hybrid systems. At my request for the United Kingdom, the reference to the Recommendation on the avoidance of risks to the right to life in the second sentence of paragraph 14 was brought closer to the text of the Recommendation. Paragraph 70 was abbreviated at my suggestion (Germany supporting) to remove any suggestion that the questionnaire responses may be inadequate. In paragraph 77<sup>21</sup>, the text was changed at my proposal to relate more closely to the findings of the questionnaire. Various other drafting corrections and minor changes were made throughout the document. With these changes, the Committee adopted the report. **Comment:** The drafting corrections still represented the tip of the iceberg: various remarks revealed that the drafting in both English and French was of very poor quality.

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**5.4 Human rights of members of the armed forces:** I think we are expecting some sort of draft report (prepared, at least in theory, by our Ukrainian colleague as rapporteur) scrutinising the responses to the questionnaire on the implementation of this recommendation, for adoption and transmission to the Committee of Ministers. I have still been unable to raise anyone in the Ministry of Defence to instruct on this or answer the questionnaire on behalf of the United Kingdom; I shall try again, but I'm not overwhelmingly hopeful.