Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

**Recommendation 1803 (2007)**[1]

# Prosecution of offences falling within the jurisdiction of the International Criminal Tribunal for the former Yugoslavia (ICTY)

Parliamentary Assembly

1. The Parliamentary Assembly, referring to Resolution 1564 (2007) on prosecution of offences falling within the jurisdiction of the International Criminal Tribunal for the former Yugoslavia (ICTY), recommends that the Committee of Ministers invite:

1.1. Bosnia and Herzegovina, Croatia, Montenegro and Serbia to sign and ratify, as soon as possible:

1.1.1. the European Convention on the International Validity of Criminal Judgments (ETS N°. 70);

1.1.2. the European Convention on the Non-Applicability of Statutory Limitation to Crimes against Humanity and War Crimes (ETS N°. 82);

1.2. Croatia, Montenegro and Serbia to withdraw the restrictive declarations they made to the European Convention on Extradition (ETS No. 24) for the purpose of prohibiting the extradition of their nationals;

1.3. Bosnia and Herzegovina and Croatia to sign and ratify the Additional Protocol to the Convention on the Transfer of Sentenced Persons (ETS No. 167) as soon as possible;

1.4. Montenegro and Serbia to sign and ratify the European Convention on the Compensation of Victims of Violent Crimes (ETS No. 116) as soon as possible;

1.5. Bosnia and Herzegovina to sign and ratify the Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS No. 99) as soon as possible;

1.6. Bosnia and Herzegovina, Montenegro and Serbia to ratify the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS No. 182) as soon as possible;

1.7. Croatia to ratify as soon as possible:

1.7.1. the European Convention on the Transfer of Proceedings in Criminal Matters (ETS No. 73);

1.7.2. the European Convention on the Compensation of Victims of Violent Crimes (ETS No. 116).

2. The Assembly also recommends that the Committee of Ministers encourage member states which have not yet done so to consider signing agreements with the United Nations concerning the execution of sentences handed down by the ICTY.

1. Assembly debate on 28 June 2007 (25th Sitting) (see Doc. Doc. 11281, report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Lloyd). Text adopted by the Assembly on 28 June 2007 (25th Sitting).