FAIR TRIALS INTERNATIONAL

LEGAL EXPERTS ADVISORY PANEL
Discrimination against non-national and non-resident defendants in the EU
Meeting held on 11 September 2009

Draft Minutes

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Draft Minutes
Legal Experts Advisory Panel Meeting held on 11 September 2009

Attendance

FTI Trustees

HH Dennis Levy QC (LEAP Chair) ("DL")
Hans Wahrendorf ("HW")

LEAP Members

Jodie Blackstock (UK) ("JB")
Dr. Emma Disley (UK) (ED")
Joanna Evans (UK) ("JE")
Diana-Olivia Hatneanu (ROM) ("DH")
Paolo Iorio (IT) ("PI")
Liese Katschinka (AUT)("LK")
Hugh Mercer QC (UK) ("HM")
Jonathan Mitchell (UK) ("JM")
Dr. Ellen Moerman (UK and NL)("EM")
Nuala Mole (UK) ("NM")
Matthew Pinches (UK) ("MP")
Georgios Pyromallis (GR) ("GP")
Anna Ogorodova (RUS and HU)("AO")
Jozef Rammelt (NL) ("JRt")
Dominique Tricaud (FR) ("DT")
Oliver Wallasch (GER) ("OW")

FTI Staff

Jago Russell (Chief Executive) ("JR")
Wafa Shah (Policy Assistant) ("WS")
Dr Katerina Mantouvalou (Researcher) ("KM")
Catherine Heard (Policy Officer) ("CH")

Welcome

1. DL welcomed members to the third meeting of FTI's Legal Experts Advisory Panel ("LEAP"). He provided a brief overview of FTI and of LEAP. He informed members that JR would be facilitating the proceedings of the meeting. Members were then invited to introduce themselves and they duly did so.

2. The minutes of the May 2009 LEAP meeting were considered. No objections were raised and the minutes were approved.

3. JR explained the purpose of LEAP: to provide an opportunity for experts in criminal justice, fundamental rights and access to justice in the EU to meet and discuss issues of mutual interest and concern and to provide advice, information and recommendations to FTI across the range of its activities, including casework, campaigns, research and capacity-building. FTI had made great use of the findings from the previous meeting on the European Arrest Warrant ('EAW'). The resulting list of goals for reform had created a focus for FTI's campaigning and lobbying work and formed the initial plank of FTI's Justice in Europe campaign. Since May 2009, there had been increased media interest in the EAW issue. FTI

had held meetings with UK politicians to discuss some of FTI's cases and the problems identified.

4. JR reminded members that LEAP plays a key part in helping FTI demonstrate the need for EU criminal justice reform by highlighting problem areas in other member states and providing a comparative forum to exchange information. JR therefore urged members to assist FTI in the wider communication of the EAW reform aims identified (as set out in the Communique from the May 2009 meeting). He also asked members to notify FTI about important cases they had come across in their practice involving the EAW.

5. Introducing the topic of the current meeting, JR noted that tackling discrimination lies at the heart of FTI's mandate. Non-nationals and non-residents face difficulties that nationals and residents do not face: not only are they separated from their support base at home, but also there are different standards of justice in different countries' trial systems. One of the core issues is language, with most of FTI's clients failing to receive adequate interpreting and translation facilities. Another is bail, with non-residents being far less likely to be granted bail.

Item 1: Discrimination against non-national defendants

6. Presentation - Outline of Problem: KM gave a presentation using two FTI cases, those of Andrew Symeou and Garry Mann, to illustrate the key disadvantages identified regarding interpretation/translation and bail. KM raised the further issue of non-nationals not understanding the legal system or their rights under it, making them unable to participate effectively in the proceedings.

7. Other matters raised for discussion: Members were asked whether the proposed agenda had overlooked any key discrimination issues. They agreed that the issues identified in KM's presentation frequently caused disadvantages in their jurisdictions for non-national and non-resident suspects and defendants. The following additional points were made:

8. Legal aid: Members agreed that legal aid is another area where more should be done to extend provision to non-nationals and non-residents and ensure it adequately covers cross-border cases, which are becoming increasingly common in today's EU, particularly following implementation of the EAW system.

9. Direct discrimination in targeting of minorities: AO said the work of Open Society Justice Initiative (OSJI) showed direct discrimination is suffered by ethnic minorities, who are being profiled and targeted by criminal justice agencies in investigations and proceedings as well as in policy formulation. This is seen, for example, in "stop and search" practices, although OSJI believes discrimination often continues throughout the entire case. Legal aid and access to legal advice are harder for ethnic minorities to obtain in some states. The application procedures are unfeasibly complex for many.

10. EU treaty law and ECJ jurisprudence:

a) NM pointed to the need to pay closer attention to EU Treaty law and the ECJ jurisprudence on it, particularly on the free movement of persons. At present the jurisprudence on criminal justice and human rights aspects of it is running in a parallel stream to this ECJ case law, but there is an interface worth exploring. For example, the Kozlowski ruling had important consequences on the question of "residence" beyond the narrow confines of the EAW application issue the case had focused on.

b) HM observed that in the past 30 years the EU had sought to improve integration and free movement: he agreed that more should be done to incorporate the effect of these legal developments into the criminal justice field and make better use of a body of case law stretching back over fifty years.

c) Several members pointed to the legal authorities on the different status of directives and framework decisions for these purposes. The effect of these authorities was that if the *nature and purpose* of the instrument is clear (in this case, for example, that a suspect should have the assistance of an interpreter at the police station), yet the assistance envisaged was not provided, the person should not be surrendered under an EAW. In light of this, concern about the likely costs of implementation would not be a proper ground for states to resist framework decision proposals. As a matter of construction of EU law, a person's extradition should not be ordered if the relevant country has not observed the provisions of a related framework decision.

d) NM added that the UK should be encouraged to revisit its policy of refusing to allow referrals from domestic courts to the ECJ on issues such as this, given that they frequently *participate* in referrals brought by other states. Pan-European interpretation decisions are needed on issues as important as personal liberty and fair trials. (See also under para 35 below.)

11. Information and training on cross-border measures: OW said more should be done at EU level to inform and train lawyers on new developments and ensure evenness in standards of advice being offered based on proper awareness of all relevant EU legal developments.

Item 2: Interpretation and translation for non-national and non-resident defendants

The topic was introduced by presentations from EM and LK, which raised a number of key concerns, including:

12. Assessing linguistic needs: The key requirement of the right to legal interpreting and translation should be to ensure no one facing criminal proceedings in the EU should suffer significant disadvantage in those proceedings by reason of their lack of competence in the language of the proceedings. Careful thought must be given to who carries out this assessment, how it should be appealed and where such appeals would be heard. Courts are often not competent to make the assessment, although training would help. Defence lawyers must also be trained on assessing clients' linguistic competence and challenging authorities' decisions on it. The time it takes to assess someone's linguistic needs properly must also be factored in, as must the time taken for appealing decisions on this issue.

13. Preservation of original recordings: All member states should have rules requiring the preservation of original evidence when police/prosecuting authorities have conducted interviews with the aid of an interpreter, or where court proceedings are interpreted. If interviews and court proceedings (including the interpreting) were recorded or videoed and the recordings retained, disagreements over what was said could be resolved relatively quickly and cheaply.

14. Time limits: Procedural rules should take account of the time needed for the translation of documents and the transcription of recorded interviews or other proceedings. When lawyers give the court time estimates, interpreters/translators should be consulted first, as people tend to underestimate how long it takes to translate and transcribe from recorded material. The rules should allow a margin for extensions of time for this purpose.

15. Training: (See also under para 23 below.) It is essential that those working in the legal context are qualified in both interpreting and translation: these are very distinct skills and both

are required in the criminal justice context. Steps must be taken and training offered to improve working relationships between interpreters and legal professionals: if better understanding of each others' working practices and requirements were fostered, time and money would be saved and the interests of justice better served. Training must cover assessment of linguistic competence too: see under para 12 above. LK noted that Austria has excellent legal provision on this area, covering (inter alia) the recruitment, registration and training of legal interpreters: she believes the Netherlands has recently introduced similar provisions into its own legal system, modeling them on the Austrian laws.

16. Technology: Better use should be made of available technology such as video-linking. Clearly it is not a perfect solution and should only be used if personal attendance is impossible or there is an emergency situation. The legal and interpreting professions should be consulted on what the appropriate conditions would be and what facilities would need to be established. Regarding rarer languages and dialects, technical remedies should be explored including remote access, to ensure facilities are provided when needed. Telephone and internet access could be the only available solution for such cases, at least until sufficient numbers of interpreters have been trained and registers are available nationally. The use of video recording should be considered in appropriate cases as well as audio-taping when interpreters are used.

Members thanked EM and LK for these excellent contributions. A number of further observations were made about the fundamental importance of adequate translation and interpreting to the administration of justice and the challenges currently faced. These included:

17. Interpreting in NL, France, UK and Belgium: JRt said non-nationals commonly face problems at the police station in getting legal aid and a quality interpreter. In the Netherlands, legal aid lawyers are allowed to use an interpreter and, if none is available, a confidential phone connection is provided allowing interpretation to be offered remotely. Similar arrangements exist in the UK but not in France or Belgium. Belgian police routinely refuse access to an interpreter if the lawyer speaks the suspect's language. Dialects caused complications, for example Arabic-speaking interpreters being offered to Algerian suspects who can only understand Berber.

18. Quality and pay: GP added that in Greece interpreters are paid only 15 euros per case in police investigations. Some interpreters claim to speak 10 languages yet do not reach the necessary standards in any. A number of members made similar comments about their own jurisdictions.

19. Role of interpreters - need for independence:

a) The code of ethics for legal interpreters should make it clear the interpreter is independent and does not represent the defendant or the prosecution, but is there to serve the interests of justice by faithfully rendering words spoken from the source into the target language: nothing must be added and nothing omitted from the testimony being interpreted.
b) OW said in Germany there are many differences between police station work and court work. Interpreters operating in the former area are engaged and paid by the police (albeit poorly paid, around 25-30 euros per hour, meaning students are often used). They can become biased towards the prosecution, by reason of their dependency on work from this single source. Recording of all testimony and interviews is not the practice yet in Germany.

c) AO said the problem of interpreters' and translators' independence was serious in Central and Eastern European countries because of the greater role of state agencies in inquisitorial proceedings particularly during the pre-trial investigation phase.

d) In Romania, suspects and defendants are compelled to use interpreters selected by the police or justice ministry. There is no recording of testimony or interviews. Testimony is taken down in writing. Suspects must sign statements and if they are non-nationals they must write statements in their own language which are then given to a translator.

e) Members agreed that government agencies in member states should not be allowed to subcontract interpreting and translation services to agencies. If they do, costs are likely to increase considerably and independence would be compromised. It would be preferable for interpreters to remain sole practitioners (belonging to professional associations if they wished) rather than working as employees of agencies.

f) In some states, interpreters seen to work too closely with police are vulnerable to threats. EM argued that more must be done to keep interpreters' identities confidential and not shown on documents provided to defendants.

Discussion of Framework Decision Proposal

20. General reception: Members were generally of the view that a Framework Decision on interpreting and translation would be a positive development. It would provide defence lawyers with a valuable tool to get the facilities their clients needed. It would also provide a platform from which NGOs and others seeking higher standards in criminal defence procedures could campaign and lobby for better provision of these facilities in their jurisdictions. It would raise people's awareness of the need for good facilities and professional standards, even if acceptable levels of quality are not achieved overnight in all states. The case of *Lagerborn (Sweden v Finland)* showed that a tough line is sometimes taken against non-nationals who nonetheless speak and understand the language of the proceedings well enough. While members agreed that the system should not pander to those not really in need of the facilities, what mattered most was that no one facing criminal proceedings in the EU should suffer significant disadvantage in those proceedings by reason of their lack of competence in the language of the proceedings.

21. All members agreed that raising standards will result in costs savings, reductions in delay and fewer appeals and quashed convictions.

22. Scope of interpreting and translation facilities:

a) The Explanatory Memorandum should state that interpretation is needed *at the police station*, at all *meetings between the lawyer and the client*, *in court proceedings* and in *detention*, to ensure prisoners can also exercise rights effectively. It should cover the interpreting of interviews with witnesses, not merely suspects; and the provision of interpreters and readers for blind and/or illiterate suspects and defendants.

b) JM added that clients should get their legal advice translated as of right rather than having to apply for this, as the proposal currently envisages. It should state that documents the legal adviser cannot understand should be translated so s/he can give adequate advice about their content.

23. Quality, training, ethics

a) Best practice guidance contained in the Resolution accompanying the draft proposal covers quality issues and qualifications, and will form a key benchmark against which to evaluate implementation efforts across member states. The Reflection Forum on

Multilingualism and Interpreter Training made many detailed recommendations to the Commission in its report and these should be followed in the Proposal and accompanying Resolution on best practice. It was noted that the Commission had been seeking tenders for an EU database of judges and prosecutors. Members agreed a similar online directory of qualified and registered interpreters would be useful.

b) The terms "legal interpreter" and "legal translator" should be used, in recognition of the exceptionally high standards and special skills and knowledge required in this field.
c) Registration should impose an obligation on interpreters to abide by the Code of Conduct. The Code should form part of the compulsory syllabus for interpreters.
d) Registration should only last a fixed period, with extension dependent on attested CPD or other quality assurance or monitoring systems.
e) Adequate remuneration for all legal interpreters and translators is crucial: becoming qualified, obtaining and maintaining registration would be expensive and this should be reflected in standard rates and legal aid allowance.

24. Adequate time and facilities: Members agreed that the Explanatory Memorandum and text of the framework decision should expressly refer to the need for *adequate time and facilities* for interpreting and translation, reflecting the language of Article 6 itself, specifically the need for the defendant to understand *in detail,* in a language he understands, the nature and cause of the accusation.

25. Information to suspects: police authorities were often unable to explain the reasons for detention or arrest well enough to enable the non-national suspect to understand *in detail* the nature and cause of the accusation. It would be preferable if this explanation had to be provided in writing, translated where necessary.

Item 3: Disadvantages faced by non-nationals in applications for bail

26. JR introduced this topic by noting that the Commission had recently recommended a review of bail in cross-border proceedings. KM then gave a presentation, concluding that bail was rarely granted to non-nationals and that where non-custodial supervision orders were made they were usually more coercive than those against nationals/residents. Most member states use two criteria in deciding bail applications: the likelihood of further criminal behaviour and the risk of absconding (usually determined by reference to proof of a permanent residence). Non-nationals have difficulty demonstrating evidence of ties with the community required by courts considering bail. When bail is denied, such defendants find themselves cut off from family, friends and work, making effective defence and future rehabilitation harder to achieve than if bail had been granted.

27. Excessively high bail: HM discussed a case[1] in which he is intervening on behalf of various interested parties in connection with Spain's earlier prosecution of the captain of a ship which capsized causing pollution in Spain. HM noted that in cases like this, courts fixing bail often considered future civil claims and who would pay damages. Similar bail arrangements could be anticipated in *partie civile* cases where damages are claimed by victims of crime.

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[1] ***Mangouras v. Spain*** (no. 12050/04) The application was lodged with the European Court of Human Rights on 25 March 2004. On 8 January 2009, the Court held unanimously that there had been no violation of Article 5 § 3. On 5 June 2009 the case was referred to the Grand Chamber.

28. Andrew Symeou – Greece: GP discussed Andrew Symeou's recent unsuccessful attempt to obtain bail in Greece. In such cases, and following surrender under an EAW, judges dealing with bail applications can either order conditional release (for example signing at a police station every 15 days), or pre-trial custody for up to 18 months. Non-nationals are generally deemed ineligible for conditional release. Arguably this can be justified when the defendant is not an EU national or resides in a country not party to the EAW system. But Greek courts consider *all* non-residents potential fugitives from justice, particularly when they resist extradition as in this case. Symeou appealed and offered to stay at a specified Greek address, but the system makes no provision for this situation.

29. Germany: OW noted that in Germany, courts had ruled that given the EAW's ability to bring fugitives back easily, the lack of an address in Germany was no longer a ground to refuse bail. Ordering the defendant to put up bail money is seen by German courts as the best way to address flight risk. In reality this means many non-nationals, for example drugs mules, do not get bail because they have no funds.

30. France: DT said decisions on bail use the same criteria as those on pre-trial custody, ie: is there a risk that evidence or witnesses would be interfered with, or would public opinion be shocked by releasing the person or granting bail pending trial? A new scheme is being piloted between France and the UK with the involvement of Prisoners Abroad, who are acting as "civil protection officers" formally undertaking to the French judge that they will monitor the defendant's conduct and contact the court about any non-compliance. If this is effective, it could be introduced in other states. Members broadly welcomed such a system.

31. Netherlands: JRt said the Dutch system resembled the German but noted that Dutch nationals are rarely granted bail overseas. Dutch courts only surrender defendants on EAWs if the requesting state (1) guarantees they will be returned to Holland after trial and (2) agrees it will permit the sentence to be converted. Since other states know Dutch courts frequently convert lengthy sentences to much shorter ones, this system has the overall result of making it far harder for Dutch people to get bail. The root problem is the way framework decisions have been adopted before national procedural laws on custody and bail had been sufficiently harmonized. This resulted, for example, in Italy being required under its constitution to refuse to return Dutch nationals on bail because it could not accept the two conditions referred to.

32. Romania: DH said there is no practice of granting bail in Romania despite the power being contained in the criminal procedure code. Instead, suspects are either held pending trial or granted liberty. If there is a risk of absconding or witness interference, custody is imposed. Pre-trial custody periods range from 29 to 180 days. Non-nationals held on remand are often severely prejudiced by being separated from work and family contacts and the same is often seen with nationals who have lived and worked overseas for long periods.

33. Italy: PI said that in Italy bail was not granted where there was a risk of reoffending, evidence manipulation or absconding. Non-nationals were seen as a greater flight risk: this seemed inappropriate and discriminatory in light of the EAW and Schengen systems.

34. UK: EM said in minor offences defendants were often given the choice between pleading guilty and paying a fine or being refused bail and held in custody for a week. She recalled the case of a Dutch lorry driver whose owners' insurers had paid bail so that he could continue working till the trial. In another case a pregnant woman accused of drug smuggling was

refused bail, but a police officer involved in the case set up a supervision arrangement through a police contact in the Netherlands, enabling her to be released until after the birth, then return for trial.

35. Freedom of movement: NM referred to a case in which the Aire Centre is intervening, seeking a prisoner's (post-conviction) transfer. (See below, para 41.) As a matter of EU law, if a citizen of an EEA country is seen as a flight risk, their passport can be taken and they can be required to attend a police station weekly: refusal to allow this in appropriate cases is discriminatory and violates the Citizens Directive, which gives EEA citizens unconditional right to remain in the state of their choice and move freely between states.

36. Legal aid and advice, bail applications and appeals: MP argued that legal aid must be extended so it covers appeals against bail refusal decisions; and defence lawyers must be required to advise their clients of relevant time limits for such appeals, as in his experience clients sometimes missed their chance to appeal, being unaware of their right to do so or the relevant time limit.

European Supervision Order ("ESO")

37. JB introduced the topic with a presentation on the key provisions of the Framework Decision and Explanatory Memorandum. Members agreed that the ESO was in essence a positive development, so long as the process was sufficiently consensual, and that in time it could become a helpful tool for defendants to seek release in appropriate circumstances. The following specific points were made.

a) Likely reception of ESO in member states: As the system is discretionary it is hard to predict how national courts will apply it, how it will interact with the EAW in relevant cases, and how the "Roadmap" measure of a Green Paper on Pre-trial Detention would affect the ESO system. It was unclear how the ESO would work if, for example, courts did not know enough about other countries' arrangements relating to supervision or the monitoring of bail conditions.
b) Germany: OW doubted investigating judges in Germany would use the system, at least pre-trial, due to having insufficient time to consider it, their time being fully taken up by requests from the prosecuting authorities to investigate cases. Once a case had reached court there were better prospects a judge would use the ESO: pre-trial, all decisions are taken by investigating judges.
c) Greece: GP said in Greece, too, investigating judges had too much to deal with to consider using ESOs except where doing so would facilitate their own work.
d) Romania: DH added that in Romania no-one could manage without having identity papers with them at all times so it was difficult to imagine how a supervision order involving surrender of such papers would be beneficial to a defendant.
e) UK: JE believed the ESO could work well for low level offences given the obvious appeal for judges to be able to send defendants back if they were sure the proceedings would not be compromised by subsequent absconding or the other state's failure to re-surrender the person. But where there was a risk of reoffending in serious offences such as sex crimes, there was little chance judges would risk using the ESO. There were also likely to be practical and resourcing difficulties in meeting conditions imposed, for example, insufficient bail hostels.

Comments on ESO's provisions

38. "Issuing authority": Contradicting provisions exist on "issuing authority" (in the ESO) and "judicial authority" (in the Explanatory Memorandum, section 3). Members were concerned about non-judicial authorities being granted powers over a person's liberty when they did not have the same accountability as courts. On the separate issue of transfer of proceedings, non-judicial "competent authorities" could similarly be nominated to take decisions about transfer of proceedings. Members agreed that only judicial authorities should take decisions on bail, custody and transfers of proceedings. If prosecutors decide such matters, there is a risk of conflict of interest. (In many countries, prosecutors are judicial authorities: of all civil law countries in the EU, only Spain kept prosecution and judicial functions separate.)

39. Medical treatment: The prospect of "medical treatment" being a condition an issuing authority could impose raised concern. NM referred to the ECtHR ruling in *Aerts v Belgium*, where it was held permissible to impose an order requiring the defendant to undergo psychiatric treatment: there had been a similar ruling in a case involving treatment for alcoholism.

40. Legal aid cover: A note of caution was also sounded about the extra work that making use of the ESO system might generate for defence lawyers, for example collecting the necessary evidence to satisfy courts that the conditions were capable of being complied with, the probation service could handle the matter, and so on. If legal aid did not reimburse defence lawyers for this further work, it was unrealistic to hope they would make the best possible use of the ESO for their clients. This and similar framework decisions made no express allowance for the obvious increase in costs which the greater number of cross-border cases would result in.

Item 4: Other matters

41. Transfer of prisoners: NM outlined the case of *HS v UK*[2] in which a 70 year old British national with medical problems seeks relief under Article 8 following the refusal of the English court to transfer him to Holland where he had resided for 20 years and had a family. The court had refused to accept the Dutch authorities' agreement to convert the sentence to match that imposed by the UK if he were transferred. The court also considered that the defendant might reoffend if allowed to return to Holland. NM said there were no previous prisoner transfer cases in the ECJ, merely admissibility rulings in cases involving Hungary and Ireland. Whilst transfer decisions are always discretionary, in this case the UK had undertaken to give the application consideration. DH noted that there are several transfer cases proceeding through the ECtHR at present. Germany was seeking to transfer many detainees to Romania.

42. Consular assistance: JR noted the tendency of member states to rely on support from neighbouring member states' consulates. This was a major concern, given the overall trend towards reduction in consular support for suspects and detainees.

Summary of Proceedings

JR summarized the key findings as follows:

a) discrimination could be tackled by looking at infringements to free movement rights as well as arguing the point within the framework of discriminatory operation of criminal justice law and procedure in different states;

b) members welcomed the proposal for a framework decision on translation and interpretation, though they felt its detailed provisions needed further work to ensure that defendants did not suffer significant disadvantage due to lack of linguistic competence. It

[2] ECJ, no 16477/09

would be an important tool for achieving better facilities for defendants. Practical issues had been discussed including building in satisfactory time periods and the need to record interviews and testimony to allow for mistakes in interpretation to be identified and the record corrected;

c) non-nationals generally had less chance of getting bail; they also had less understanding of legal proceedings and their rights by virtue of being non-nationals. Members broadly welcomed the ESO framework decision, while questioning the extent to which it would be used and highlighting concerns over non-judicial authorities taking decisions on bail or imposing constraints on liberty. Over time, as defence lawyers seek to maximize its potential for clients, test cases in the ECJ might emerge.

The next LEAP meeting

43. JR reminded members that FTI would aim to convene three LEAP meetings each year. The next meeting would take place on a Friday in late January or early February 2010. Topics for consideration at future meetings were as follows:

a) It would be useful to revisit the issues, and the recent practice of national courts, surrounding the EAW and interpretation and translation, for part of the next meeting;

b) As agreed at the May 2009 meeting, the topic of legal aid could be considered. ECBA are currently preparing a detailed study on legal aid;

c) The need for additional safeguards at the investigation stage of proceedings, for example, the recording of police/prosecution interviews;

d) Prisoner transfers between EU member states;

e) Quality and extent of information/guidance given in different member states to suspects and detainees about their rights to legal aid, interpretation, bail, appeals, and prison transfers.

44. It was agreed that FTI would consider these ideas further, particularly in light of any feedback from members, and then inform all LEAP members of the topic identified for the next meeting. Further ideas should be emailed to Catherine.Heard@fairtrials.net.

Close

JR thanked the members for attending the meeting. It was agreed that minutes and a final paper on the content of the discussions would be sent to all members within three weeks.