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Strasbourg, 28 October 2011
[PC-OC/Documents 2011/ PC-OC(2011)08 Rev E]

PC-OC (2011) 08 Rev

EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

COMMITTEE OF EXPERTS
ON THE OPERATION OF EUROPEAN CONVENTIONS
ON CO-OPERATION IN CRIMINAL MATTERS
PC-OC

ASSISTING IN JUDICIAL CO-OPERATION¹

Role and activities of the PC-OC
A short overview

¹ This draft leaflet is an update prepared by the Secretariat of an earlier version prepared by Mr Eugenio Selvaggi (Italy). It aims at providing practitioners and people working in the criminal justice process at large with useful information on the possibility of taking benefit from the extensive experience and work done within the PC-OC.

What is the PC-OC?

The Committee of experts on the operation of European Conventions on co-operation in criminal matters(PC-OC) is an intergovernmental committee of the Council of Europe working under the authority of the European Committee on Crime problems (CDPC)².

The Committee, created in 1981, is composed by high level representatives in charge of international cooperation in criminal matters of the 47 member States of the Council of Europe.

Representatives from non-member States including Canada, Holy See, Japan, Mexico, United States of America and Israel and from relevant organs and bodies of the European Union and the United Nations are invited to attend as observers.

What does it do?

The PC-OC seeks to improve international co-operation in criminal matters through the mechanisms established by a series of treaties negotiated in the Council of Europe.

These treaties (Conventions and their protocols) establish a common basis for co-operation in criminal matters across Europe and sometimes beyond. They cover co-operation mechanisms such as extradition, mutual legal assistance and the transfer of sentenced persons but also transfer of proceedings, international validity of criminal judgments, supervision of conditionally sentenced persons or conditionally released offenders³

According to the [Terms of reference](#) given by the Committee of Ministers, the PC-OC monitors the functioning of these treaties both to facilitate their practical implementation and to ensure that the treaties keep in pace with developments in other international frameworks such as the United Nations, the European Union.

In order to facilitate the practical implementation the PC-OC discusses practical difficulties encountered by States Parties and proposes solutions by:

- giving non-binding opinions on the interpretation of the provisions of these conventions, taking due account of relevant case-law of the European Court of Human Rights;
- developing practical solutions which may take the form of informal guidelines on good practice as regards procedure, networks of national experts to enhance bilateral consultation, legal and practical background information to assist practitioners⁴ in the implementation of the treaties etc
- proposing amendments or additions to existing Council of Europe standards (which may be binding or non-binding) to the CDPC and by elaborating these standards according to the instructions received.

In order to monitor the Conventions' compatibility with international developments, the PC-OC follows in particular the standard setting activities in the United Nations and the European Union and proposes measures likely to ensure the ongoing conformity of the Conventions with these developments.

² The CDPC is an advisory Committee to the Council of Europe's Committee of Ministers (a so-called « Steering Committee ») www.coe.int/cdpc

³ These Treaties are to be found on the website of the Council of Europe's Treaty Office under the following references: ETS No. 24 (Extradition, and Additional Protocols ETS Nos 86, 98 and 209), ETS 30 (Mutual assistance in criminal matters and Additional Protocols ETS Nos 99 and 182), ETS 51 (Supervision of Conditionally sentenced or Conditionally released Offenders), ETS 70 (International validity of criminal judgments), 73 (Transfer of criminal proceedings), ETS112 (Transfer of sentenced persons and its Protocol ETS No. 167 [Go to website](#).

⁴ Public officials, judges and prosecutors of States Parties to the Conventions

How does it work?

The PC-OC meets in Strasbourg twice a year. Its Chair and vice-Chair are elected among its members for a period of one year, renewable once. Like all Council of Europe Committees, the Committee is assisted by a Secretariat.

In order to prepare its meetings and to elaborate the draft documents to be considered, the PC-OC has instituted a working group of nine members (the PC-OC-Mod). The working group equally meets twice a year. The members of the working group are elected by the PC-OC but all other PC-OC members are welcome to join.

In between meetings the members of the PC-OC continue discussions and exchange information on issues of common interest on an on-line discussion forum.

Where can I find information?

The public website of the PC-OC (www.coe.int/tcj) contains information on:

- activities of the PC-OC including their upcoming and past meetings and events;
- the standards and useful background material (country information, tools for implementation) to the key areas of work of the PC-OC (extradition, mutual legal assistance, transfer of sentenced persons and other)
- archives on past activities, studies, papers and publications of interest
- [relevant case-law of the European Court of Human Rights]
- [useful links to other websites of interest to the activities of the PC-OC]

Can I ask a question to the PC-OC?

Questions about the functioning and activities of the PC-OC may be sent to the Secretariat at the following e-mail address: Dg1.tcj@coe.int

NOTE:

The PC-OC is invited to discuss and take a decision on ways to allow practitioners to ask practical questions on the implementation of the conventions falling within its remit. A sentence, based on the outcome of this discussion, will be added to this leaflet