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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

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

Draft terms of reference 2016-2017

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Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution [CM/Res\(2011\)24](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Type of committee: Subordinate body

Terms of reference valid from: **1 January 2016 until 31 December 2017**

Main tasks
<p>Under the supervision of the European Committee on Crime Problems (CDPC), the Committee is instructed to:</p> <ul style="list-style-type: none"> (i) monitor and evaluate the operation of the conventions (mentioned in Appendix 1) on international co-operation in criminal matters with a view to facilitating their practical implementation; (ii) discuss practical difficulties encountered by States Parties concerning the European conventions on international co-operation in criminal matters and express non-binding opinions concerning the implementation of the provisions of these Conventions; (iii) consider various steps and initiatives to improve the efficiency of international co-operation in criminal matters, including in particular to improve practical co-operation as well as developing normative texts in accordance with the given instructions by the CDPC; (iv) follow developments in other international frameworks (e.g., United Nations, European Union) in the fields covered by these conventions and, where appropriate, propose measures likely to ensure their conformity with such developments; (v) follow the application of the European Convention on Human Rights with regard to international co-operation in criminal matters; (vi) carry out other specific mandates given by the CDPC; (vii) in accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, carry out, at regular intervals, within the limits of the available resources and bearing in mind its priorities, an examination of some or all of the conventions for which the Steering Committee (CDPC) has been given responsibility, in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers.
Pillar/Sector/Programme
<p>Pillar: Rule of Law Sector: Common standards and policies Programme: Development and implementation of common standards and policies</p>
Specific tasks
<ul style="list-style-type: none"> - Improve the functioning of the Convention on the Transfer of Sentenced Persons and its Additional Protocol, including by the drafting of new standards and the development of practical guidelines and tools;

- Contribute to the implementation of the Action Plan adopted by the CDPC to the White Paper on Transnational Organised Crime ;
- Propose solutions to legal or practical issues affecting the effective operation of Council of Europe Conventions on international co-operation in criminal matters. These issues include, for example, the further development and interconnection of existing networks of practitioners, those affecting the seizure and confiscation of proceeds of crime, mutual legal assistance for the purpose of proceedings against legal entities and in respect of special investigative techniques;
- Identify, at the earliest stage possible, concrete problems experienced by Parties to the conventions, by discussion during meetings and on the online forum, propose practical solutions, such as procedural guidelines or notes for practitioners, and facilitate bilateral consultation;
- Continue improving the PC-OC website as a user-friendly and reliable source of legal and practical information for practitioners (including, for example, country information, legal standards, case law, practical guidelines, model forms, thematic background papers and non-binding opinions of the PC-OC) needed to implement the conventions on international co-operation in criminal matters.

Appendix 1 - List of Conventions

PC-OC	
24	European Convention on Extradition
86	Additional Protocol to the European Convention on Extradition
98	Second Additional Protocol to the European Convention on Extradition
209	Third Additional Protocol to the European Convention on Extradition
212	Fourth Additional Protocol to the European Convention on Extradition
30	European Convention on Mutual Assistance in Criminal Matters
99	Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters
182	Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters
51	European Convention on the Supervision of Conditionally Sentenced or Conditionally Released Offenders
70	European Convention on the International Validity of Criminal Judgments
73	European Convention on the Transfer of Criminal Proceedings
112	Convention on the Transfer of Sentenced Persons
167	Additional Protocol to the Convention on the Transfer of Sentenced Persons
141	Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime