



MJU-26 (2005) Resol. 5 Final

*26th CONFERENCE OF EUROPEAN MINISTERS OF JUSTICE*  
(Helsinki, 7-8 April 2005)

**RESOLUTION No 5**  
**on**  
**the functioning of the Council of Europe conventions**  
**on judicial co-operation in criminal matters**

THE MINISTERS, participating in the 26<sup>th</sup> Conference of the European Ministers of Justice (Helsinki, 7 and 8 April 2005):

1. Convinced that one of the roles of the Council of Europe is to define appropriate instruments to promote co-operation between member States to prevent and fight criminality, while preserving human rights guarantees;
2. Bearing in mind the existing 28 European treaties dealing with the various aspects of co-operation in criminal matters;
3. Considering that, among these treaties, the European Convention on Extradition of 1957 and the European Convention on Mutual Assistance in Criminal Matters of 1959, are of particular relevance in setting up co-operation mechanisms between the member States;
4. Noting that the evolution of criminality towards a growing trans-border phenomenon has led to the need to update the existing instruments and notably to the adoption of the two protocols to the European Convention on Extradition (in 1975 and 1978) and of the two protocols to the European Convention on Assistance in Criminal Matters (in 1978 and 2001);
5. Taking into consideration the role of the European Committee on Crime Problems (CDPC) in the adoption and updating of such instruments, as well as its role and the role of its subordinated committees in developing a continued reflection on the effective operation of the criminal conventions;
6. INVITE the Committee of Ministers to entrust the CDPC to examine, taking into account best practices developed by member states and the work already being carried out by the Council of Europe in this area, the effective implementation of co-operation mechanisms provided for by the Council of Europe conventions in criminal matters, any difficulties resulting therefrom, as well as possible improvements that could be made, and to make any necessary proposals in this regard.