



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Strasbourg, 9 April 2012

**DRAFT TERMS OF REFERENCE
COMMITTEE OF EXPERTS
ON
TRANSNATIONAL ORGANISED CRIME
1 January 2013 - 31 December 2013**

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Name of Committee: **Committee of experts on Transnational Organised Crime**

Category: subordinate body

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

Terms of Reference valid from 1 January 2013 until 31 December 2013. The Committee of Ministers will consider the need for renewing these Terms of Reference for a new period of two years, before their expiry on 31 December 2013.

Main tasks

1. Taking into account the strong political commitment of member states with regard to preventing and combating transnational organised crime and the serious risks to human rights, democracy and the rule of law posed by transnational organised crime, there is a need for the Council of Europe to provide an inter-governmental platform in order to enable a global, overall assessment of the character and dimensions of transnational organised crime in a pan-European context and the development of common policies and exchange of best practices with regard to the prevention and combating thereof. Accordingly, a restricted Committee of Experts on Transnational Organised Crime shall be established under the authority of the European Committee on Crime Problems (CDPC). This Committee shall, in particular, carry out the following tasks:
 - the identification of relevant and emerging transnational organised crime issues which require criminal law response ;
 - the development, in close co-ordination with strategic partners, of pan-European strategies, and where possible, common policies on preventing and combating transnational organised crime;
 - the collection, assessment and exchange of best practices in the prevention of, and fight against, transnational organised crime from all Council of Europe member states;
 - the preparation of a White Paper for consideration by the Committee of Ministers, after validation by the CDPC, on selected trends and developments in transnational organised crime in the Council of Europe member states which may be considered as priority areas, focusing on identifying possible gaps in the criminal law cooperation, taking into account the legal framework available to all member states, and clarifying where additional action by the Council of Europe would be necessary, including an assessment of the financial and organisational consequences for member states
 - The preparation of a user friendly reference tool for practitioners in member states, containing information about all relevant activities undertaken by the Council of Europe in the field of combating transnational organised crime as well as a global overview of relevant legal and other texts adopted by the Organisation.

2. In discharging its tasks, the Restricted Group of Experts shall consider the previous and current work carried out in this field by the relevant international and supranational organisations, notably the European Union, and the previous work of the Council of Europe in this area.
3. The Restricted Group of Experts shall report to the Bureau of the CDPC on a regular basis. The Bureau of the CDPC may issue instructions to the Restricted Group of Experts with regard to its work.

Pillar / Sector / Programme (s)

Pillar : Rule of Law.

Sector : Common standards and policies.

Programme : Development and implementation of common standards and policies.

Expected result (s)

Expected result 1 : A White Paper on selected trends and developments in transnational organised crime in the Council of Europe member states which may be considered as priority areas, focusing on identifying possible gaps in the criminal law cooperation taking into account the legal framework available to all member states, and clarifying where additional action by the Council of Europe would be necessary, including an assessment of the financial and organisational consequences for the member states, is prepared.

Expected result 2 : A user friendly reference tool for practitioners in member states, containing information about all relevant activities undertaken by the Council of Europe in the field of combating transnational organised crime as well as an overview of relevant legal and other texts adopted by the Organisation is prepared.

Composition

Members:

16 representatives of member states of the highest possible rank with recognized expertise in the field of transnational organised crime, criminal law and criminology appointed by the Steering Committee on Crime Problems (CDPC) on a proposal of the respective member states and 1 scientific expert appointed by the Secretary General. The composition of the Committee will reflect an equitable geographic distribution amongst the member states.

The Council of Europe will bear the travel and subsistence expenses of the 16 representatives and of the scientific expert.

Other member states may designate representatives without defrayal of expenses.

Each member of the committee designated by Governments of member states shall have one vote. The scientific expert appointed by the Secretary General shall not have the right to vote.

Participants:

The following may send representatives without the right to vote and at the charge of their corresponding administrative budgets:

- The Parliamentary Assembly
- PC-OC
- MONEYVAL
- GRECO
- GRETA
- T-CY
- CODEXTER
- The Pompidou Group

The following may send representatives without the right to vote and without defrayal of expenses:

- The European Union;
- the states with observer status with the Council of Europe (Canada, Holy See, Japan, Mexico, United States of America);
- United Nations Office for Drugs and Crime (UNODC);
- International Criminal Police Organization (INTERPOL).

Observers:

- relevant International Organisations ;

- civil society and representatives of professional communities (to be determined).

Working methods**Plenary meetings:**

16 members (+ 1 scientific expert), 3 meetings, 2 days

Meetings per year	Number of Days	Members	Plenary	Secretariat (A, B)
3	2	16 + 1 = 17		0.5 A, 0.5 B