

EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

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

**List of decisions taken at the 6th meeting of the restricted Group of experts on international co-operation (PC-OC Mod) enlarged to all PC-OC members
30 September – 2 October 2008**

The PC-OC Mod decided to:

1. Preparation of normative texts concerning the European Convention on Extradition

a) Simplified extradition

- amend the draft 3rd Additional Protocol to the European Convention on Extradition and the Draft Explanatory Report thereto;
- instruct the Secretariat to revise these documents in the light of the discussions held during the meeting of the Group and to send them to all PC-OC members as soon as possible;
- request all delegations wishing to amend the revised draft 3rd Additional Protocol and its Explanatory Report, to send to the Secretariat concrete, written drafting proposals, accompanied if necessary by a short explanation, by 24 October 2008;
- instruct the Secretariat to compile these drafting proposals in a single document in order to facilitate discussions;
- invite the PC-OC plenary to examine these revised documents on this basis and adopt them;

b) Compensation of persons

- have a preliminary discussion on the replies to the questionnaire PC-OC (2007) 10 rev and the summary of replies prepared by the Secretariat (PC-OC (2008) 21) and invite delegations who have not already done so to reply to this questionnaire before the next PC-OC plenary meeting;
- while considering that other issues concerning the modernisation of the European Convention on Extradition should remain the priority of the PC-OC for the time being, agree that compensation of persons is a very important question, in particular as it affects Human Rights, which would deserve further consideration by the PC-OC at a later stage;
- invite the plenary to pursue discussions on this item and consider reporting the results of its stock-taking exercise to the CDPC and ask the latter for further guidance as to future action to be taken;

c) Rule of speciality

- on the basis of the replies to the questionnaire PC-OC (2008) 01 rev, the summary of replies prepared by the Secretariat (PC-OC (2008) 12), a concrete proposal submitted by Mr Per Hedvall (Sweden) and elements submitted by Mr Branislav Boháčik (Slovakia), discuss the various elements which need to be taken into account for amending the European Convention on Extradition regarding the rule of speciality;
- thank Mr Boháčik and Mr Hedvall for their contributions and invite them to submit a revised proposal to the attention of the next PC-OC plenary, in the light of these discussions and possible future comments sent by delegations;
- invite the PC-OC plenary to examine this proposal with a view to its finalisation;

d) Lapse of time

- discuss the issue of lapse of time on the basis of a background information document prepared by the Secretariat and a concrete proposal submitted by Mr Vladimir Zimin (Russian Federation);
- thank Mr Zimin for his contribution;
- invite the plenary to pursue discussions on this item on the basis of a document to be prepared by the Secretariat, which shall include these proposals, as well as the text of Article 8 of the EU Convention on Extradition, which a number of delegations considered relevant in this respect;
- invite the plenary to take note of the fact that Mr Zimin's contribution also concerns issues other than lapse of time and to have an exchange of views also on these other proposals, while concentrating on issues for which the CDPC has already mandated the PC-OC;

2. Follow-up of the 28th Conference of the European Ministers of Justice (25-26 October 2007, Lanzarote) : the relationship between asylum procedures and extradition procedures

- having taken note of the replies by 13 States to the questionnaire PC-OC (2008) 13 Bil, and considering that more replies were needed to have a representative overview of the relevant issues, request all delegations, who have not already done so, to reply to this questionnaire by 24 October 2008;
- invite the PC-OC plenary to have a preliminary exchange of views on these replies;

3. Dates of the next meeting

- confirm the dates of the 55th plenary meeting of the PC-OC as 4-7 November 2008.