

EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

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

**List of decisions taken at the 9th meeting of the restricted Group of experts on international co-operation (PC-OC Mod) enlarged to all PC-OC members
17 – 19 March 2010**

The PC-OC Mod decided to:

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

a) Rule of speciality

- examine a revised proposal for Article 14, paragraph 4 of the European Convention on Extradition (PC-OC (2009) 19), dealing with the rule of speciality and the possibility to restrict the personal freedom of an extradited person before the requested Party consents to the extension of extradition to new offences, as well as written comments sent by nine delegations on this text;
- instruct the Secretariat to prepare a new document in the light of the discussions held within the Group, which should reflect the two options it agreed to propose to the PC-OC plenary, namely:
 - o amending Article 14, paragraph 4, on the basis of a compromise solution it agreed on during the meeting;
 - o leaving out Article 14, paragraph 4, with modifications to the draft explanatory report pointing to the possibility for the requested Party to provisionally authorise under paragraph 1, sub-paragraph a, the detention of the extradited person pending its final decision on consent;
- invite the PC-OC to examine these options at its next plenary meeting;
- invite the PC-OC to note that:
 - o one delegation proposes an alternative version for Article 14, paragraph 4;
 - o two delegations had made suggestions in their written comments to amend the other paragraphs of Article 14 which had been agreed on by the PC-OC at its 57th plenary meeting;

b) Lapse of time

- examine a revised text amending Article 10 of the European Convention on Extradition and its draft explanatory report (PC-OC (2010) 02), prepared by the Secretariat on the basis of the discussions held by the PC-OC at its 57th plenary meeting;
- amend this text and its explanatory report and submit it to the PC-OC for approval;

c) *Ways and means of communication*

- examine a draft text amending the European Convention on Extradition as regards the extradition request and supporting documents, as well as channels and means of communication (PC-OC (2009) 16 rev), in the light of an exchange of views it held with representatives of INTERPOL;
- instruct the Secretariat to prepare a revised draft text and to reflect the discussions held within the Group in this document;
- invite the PC-OC plenary to examine this text at its next plenary meeting;

2. Other issues

- instruct the Secretariat to draw up a discussion paper on the current and future role of the PC-OC, its practical tools and its working methods, to be finalised by the participants through a written procedure, and invite the PC-OC to discuss this document at its next plenary meeting.

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