

Appendix 10
(Item 11.1, Part 1)

Terms of reference of the Ad hoc Drafting Group on Transnational Organised Crime (PC-GR-COT)

Name of Committee: Ad hoc Drafting Group on Transnational Organised Crime (PC-GR-COT)

Category: Subordinate to the CDPC

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

Duration: **1 January 2013 - 31 December 2013**

Main tasks

Taking into account the serious risks to human rights, democracy and the rule of law posed by transnational organised crime and the strong political commitment of member States with regard to preventing and combating transnational organised crime, there is a need for the Council of Europe to provide an intergovernmental 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, the PC-GR-COT shall be established under the authority of the European Committee on Crime Problems (CDPC). The PC-GR-COT shall, in particular, carry out the following tasks:

- the identification of relevant and emerging transnational organised crime issues which require a 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 developing an integrated strategic approach to combating transnational organised crime and identifying common responses to major threats to the rule of law and security of citizens.

In discharging its tasks, the PC-GR-COT 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.

Pillar / Sector / Programme

Pillar: Rule of law

Sector: Common standards and policies

Programme: Development and implementation of common standards and policies

Expected results

Expected result: a White Paper is prepared 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 co-operation and providing recommendations as to possible action by the Council of Europe in this regard.

Composition

Members:

The Ad hoc Drafting Group shall be composed of 12 representatives of member States of the highest possible rank in the field of transnational organised crime, criminal law and criminology, designated by the CDPC, and 1 scientific expert with established expertise in the same field, appointed by the Secretary General.

The composition of the Ad hoc Drafting Group will reflect an equitable geographic distribution amongst the member States and will take account of the gender equality dimension.

The Council of Europe will bear the travel and subsistence expenses of each member.

The scientific expert shall not have the right to vote.

Other member States may designate representatives without defrayal of expenses.

Participants:

Without prejudice to the provisions of Section III.B.a of Resolution CM/Res(2011)24, the following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- Committee of Experts on the Operation of European Conventions on Co-operation in Criminal Matters (PC-OC);
- Committee of Experts on the Evaluation of Anti-Money Laundering and the Financing of Terrorism (MONEYVAL);
- Conference of the Parties to Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198);
- Group of States against Corruption (GRECO);
- Group of Experts on Action against Trafficking in Human Beings (GRETA);
- Convention Committee on Cybercrime (T-CY);
- Council of Europe Committee of Experts on Terrorism (CODEXTER);
- Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group).

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

- European Union;
- 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:

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

- relevant international organisations;
- representatives of civil society, professional and academic communities.

Working methods

The PC-GR-COT shall report to the Bureau of the CDPC on a regular basis. The Bureau of the CDPC may issue instructions to the PC-GR-COT with regard to its work.

The rules of procedure of the Ad hoc Drafting Group are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.