



Medicrime Convention

Background, Origins and objectives

Hugo. K Bonar

Larnaca, Cyprus

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Introduction

- Background
- Concepts
- Objectives and Scope
- The Convention



Key development milestones

- 2004 – COE Ad Hoc Committee on Counterfeit medicines actions
- 2005 – Combat the Counterfeiters Seminar, Strasbourg
- 2006 – Europe against Counterfeit medicines, Moscow
- 2007 – 2009 – Drafting Committees
- 2010 – Conference for implementation, Basel
- 2010 – Adoption by COM
- 2011 – Open for signature, Moscow
- 2015 – 5th Ratification of the Medicrime Convention



Background

- **Demands** for an international convention
- **The options** discussed
 - WHO – IMPACT
 - A wider UN Convention
 - 10-15 years to develop and negotiate
- **Council of Europe**
 - Decision to draft
 - Timeframe to draft and complete



Background – The Needs of a convention

- 4 Pillars
 - Purpose
 - Protect Public Health
 - Mechanism
 - Criminal Law
 - Impact
 - Victims
 - Sustainability
 - Follow-up Mechanism



Concepts

- Concept 1 – Provide a legal basis
- Concept 2 – Produce the single basket of powers
- Concept 3 – Enable contact and exchange
- Concept 4 – Protect the victims
- Concept 5 – a living instrument



Purpose – The Convention Art 1

- Protect Public health
 - Prevent and combat threats to public health
 - Criminalisation of certain acts
 - Protect the rights of victims of offences established under the Convention
 - Promote national and international cooperation
- Provide for the implementation of the Convention provisions

Establish a follow-up mechanism



Scope – Art 3

- Medicines
- Investigational medicines
- Active substances
- Excipients
- Medical devices
- Parts and materials -designated for production of
- Accessories -designated for use in





What is in the Convention - overview

- **Chapter I** (Art 1-4)

Object and purpose, principles of non-discrimination,
Scope and Definitions

- **Chapter II** – Substantive criminal law (Art 5-14)

Provision of offences, jurisdictional matters, Corporate liability, Sanctions, Aggravating circumstances, Previous convictions

- **Chapter III** – Investigation, prosecution and procedural law

Initiation and continuation of proceedings, Criminal investigations



Medicrime Convention - Overview

- **Chapter IV** – Cooperation of authorities and information exchange

National measures of cooperation and information exchange

- **Chapter V** – Measures for Prevention

- **Chapter VI** – Measures for Protection

Protection of victims, Standing of victims in criminal investigations and proceedings



Medicrime Convention - overview

- **Chapter VII** – International co-operation
 - in criminal matters, on prevention and other administrative measures
- **Chapter VIII** – Follow-up mechanism
 - Committee of the Parties, Other representatives, Functions of the Committee of the Parties
- **Chapter IX** - Relationships with other international instruments
- **Chapter X** – Amendments to the Convention
- Chapter XI – Final clauses
 - Signature and entry into force, territorial application, reservations, friendly settlement, denunciation and notification



contact

QUESTIONS

Hugo K. Bonar
Enforcement Manager
Health Products Regulatory Authority
+353 1 6343436 (o)
+353 86 8271032 (m)
Hugo.bonar@hpra.ie
enforcement@hpra.ie
Website: www.hpra.ie