

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

CRIMFAMED (2024) 08

MEDICRIME COMMITTEE / *COMITÉ MEDICRIME*

Committee of the Parties to the Council of Europe Convention on the counterfeiting of medical products and similar crimes involving threats to public health /

Comité des Parties à la Convention du Conseil de l'Europe sur la contrefaçon des produits médicaux et les informations similaires menaçant la santé publique

3rd meeting of the Working Group on the 24/7 MEDICRIME Network /
3^{ème} réunion du groupe de travail sur le réseau MEDICRIME 24/7

Lisbon, 4 - 5 July 2024 / *Lisbonne, 4-5 juillet 2024*



This meeting is organised within the framework of the CRIMFAMED Project (Countering falsified medical products - Global programme), financed with a voluntary contribution from France.

1. The meeting of the 3rd Working Group of the 24/7 Network was convened on 4- 5 July 2024 to:
 - exchange views on international cooperation in criminal matters to combat the counterfeiting of medical products and similar crimes;
 - review practical experiences in a criminal law Network;
 - draft a recommendation addressed to the MEDICRIME Committee on whether a 24/7 Network is to be set up.

2. The meeting was held in person at the New Headquarters of the Polícia Judiciária, Lisbon, (Portugal). Participants included:
 - a. 13 representatives from Parties to the MEDICRIME Convention¹;
 - b. 3 representatives from signatory countries to the MEDICRIME Convention² (from which two Council of Europe member States);
 - c. 2 representatives from Council of Europe member States (Non-signatory countries of the MEDICRIME Convention)³;
 - d. International experts⁴;
 - e. Council of Europe Secretariat⁵.

3. The recommendation addressed to the MEDICRIME Committee was decided by technical participants following considerations at five workshops and supporting presentations conducted during the meeting. The options on recommendations available to participants were the following:
 - a. A 24/7 Network on cooperation and information exchange be established to specifically include falsified medical product crimes and related crimes.
 - b. A 24/7 Network on cooperation and information exchange is not established to specifically include falsified medical product crimes and related crimes.
 - c. Medical product crimes and related crimes are not considered as a specific category of crimes to be recorded by countries.

¹ Albania, Armenia, Belgium, Bosnia and Herzegovina, Croatia, France, Hungary, Morocco, Portugal, Slovenia, Spain, Switzerland, Ukraine.

² Italy, Israel and Slovak Republic.

³ Bulgaria, Ireland

⁴ Mr Hugo BONAR, Prof Asier URRUELA MORA, Ms Cecilia FANT, Mark JACKSON, Francisco LUIS (Point of Contact, 24/7 within the Budapest Convention in Portugal).

⁵ Dr. Oscar ALARCÓN-JIMÉNEZ, Henrique SOARES, Ipek DEMIRBUKER.

4. Outcome and conclusions:

The outcomes and conclusions from the workshops highlighted the importance of the implementation at the internal level of the State of the criminal law offences of the MEDICRIME Convention (Article 5-14; Chapter II Substantive criminal law) as this is the basis for obtaining an important level of homogeneity necessary for a 24/7 Network to effectively operate.

Related to the constitution of a 24/7 Network on cooperation and information exchange, the majority of the experts reached a level of consensus on the basis of the following points:

- a. Majority of the participants were favourable to a 24/7 Network which is integrated into an existing cooperation and information exchange network operating with the same staff and recognising medical product-related crimes as a specific crime type. This means that such conducts have to be prosecuted on the basis of specific criminal offences (e.g., manufacturing and trafficking of counterfeit medical products and similar crimes, etc.) and not on the basis of other concurring criminal offences (such as theft, deception and other fraudulent acts).
- b. This would result in excluding the creation of a standalone 24/7 Network for this purpose.
- c. The Network should be open to any country that wishes to participate in it and should not be confined to Parties to the MEDICRIME Convention or Council of Europe member States only.

5. Participants to this 3rd Working Group made the following technical recommendation to the MEDICRIME Committee:

“A 24/7 Network on cooperation and information exchange be established to specifically include falsified medical product crimes and related crimes”.

4-5 July 2024

MEDICRIME COMMITTEE / COMITÉ MEDICRIME

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List of participants / Liste des participants

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Lisbon, 4 -5 July 2024 /
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1. STATE PARTIES TO THE MEDICRIME CONVENTION / ETATS PARTIES A LA CONVENTION MEDICRIME

ARMENIA/ ARMÉNIE

Mr Mikayel Khachatryan, International Expert of Human Rights and Health Law, Professor and Academic Director of Health Law at the Russian-Armenian University, Director of the Center for Research, Education, and Expertise at the Armenian Human Rights Defender's Office of Armenia

Ms Zhenya Stepanyan, Head of the Expertise Service of the Staff of the Court of Cassation of Republic of Armenia

ALBANIA / ALBANIE

Ms Diana Stillo SILA, Head of International Treaties and Judicial Cooperation Unit, Ministry of Justice

BELGIUM / BELGIQUE

Ms Eléni TACK, Inspector Special Investigation Unit

Ms Kristine DE BEULE, Apologized/Excusé

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Ms Verica TRBIC, NCB INTERPOL Sarajevo - Expert Advisor - Direction pour la Coordination des Corps de Police de la Bosnie-Herzégovine. Vice-présidente du Comité MEDICRIME / Vice-Chair of the MEDICRIME Committee.

BURKINA FASO

Apologized / Excusé

CROATIA / CROATIE

Ms Rajka TRUBAN ŽULJ, mr. pharm., spec, Deputy Head for Operations, Croatian Agency for Medicinal Products and Medical Devices.

Mr Tomica KOLAR, Police officer for Cybercrime.

CYPRUS / CHYPRE

Apologised / Excusé

FRANCE / FRANCE

M. Christian TOURNIÉ, Commandement pour l'Environnement et la Santé, CESAN. Chair of the MEDICRIME Committee/ Président du Comité MEDICRIME.

GUINEA / GUINEE

Apologised / Excusé

HUNGARY / HONGRIE

Dr. iur Ivan A. BUJDOS, senior legal advisor, Department of Criminal Law Codification, Deputy Secretariat of State for Criminal Law Legislation, Ministry of Justice.

IVORY COAST / COTE D'IVOIRE

Apologised / Excusé

KINGDOM OF MOROCCO / ROYAUME DU MAROC

Mr Younes ESCAYD, Head of unit for crimes governed by special legislation, Moroccan Public Prosecutor's Office

Mr Jamal LAKRIMAT, Head of the Division for the Fight against Economic and Financial Crime, Directorate of the Judicial Police

PORTUGAL / PORTUGAL

Mr Afonso SALES, Criminal Investigation Coordinator of the Judicial Police

Mr Carlos PEREIRA, Chief Inspector

Mr Francisco LUIS, Point of Contact, 24/7 within the Budapest Convention in Portugal

Mr Jorge LÚCIO, Inspector

REPUBLIC OF SLOVENIA

Apologised / Excusé

SLOVENIA / SLOVÉNIE

Ms Vesna KERMAVT, District state prosecutor, District State Prosecutor's Office of Ljubljana

SPAIN / ESPAGNE

Ms Elena Agüero RAMÓN-LLIN, Prosecutor of the International Cooperation Unit of the General Prosecutor's Office

Mr Juan Pablo ARMENTEROS GENEROSO, Inspector, National Police in Spain

SWITZERLAND / SUISSE

Dr.iur. Richard EHMANN, Investigator Penal Division, Swissmedic (Swiss Agency for Therapeutic Products)

UKRAINE / UKRAINE

Apologised / Excusé

2. SIGNATORIES TO THE MEDICRIME CONVENTION / SIGNATAIRES A LA CONVENTION MEDICRIME

ISRAEL / ISRAEL

Mr Ronny BERKOVITZ, Head of enforcement and inspections, Ministry of Health

ITALY / ITALIE

Ms Giuliana GIULIANO, Public Prosecutor at the Prosecutor's office at the Courte of Naples

SLOVAK REPUBLIC / REPUBLIQUE DE SLOVAQUIE

Mr Marián JÁSZBERÉNYI, National Crime Agency Anti-Drug Headquarters

3. MEMBER STATES OF THE COUNCIL OF EUROPE (NON-SIGNATORIES OF THE MEDICRIME CONVENTION) / ÉTATS MEMBRES DU CONSEIL DE L'EUROPE (NON-SIGNATAIRES DE LA CONVENTION MEDICRIME)

BULGARIA / BULGARIE

Mr Yasen TOKUSCHIEV, Intelligence officer at the Bulgarian State Agency for National Security

GERMANY / ALLEMAGNE

Mr Matthias LOB, SO 31-3 Environmental, Consumer Protection & Pharmaceutical Crime Federal Criminal Police Office (Apologised / Excusé)

IRELAND/ IRLANDE

Mr Chris MCGUIRE, Enforcement Intelligence Lead, Health Products Regulatory Authority

4. EXPERTS

Mr Hugo BONAR, Independent expert.

Dr. iur. Asier Urrela MORA, Independent expert.

Ms Cecilia FANT, international consultant.

Mr Mark Jackson, international consultant.

5. COUNCIL OF EUROPE SECRETARIAT / SECRÉTARIAT DU CONSEIL DE L'EUROPE

DGI - HUMAN RIGHTS AND RULE OF LAW / DGI - DROITS DE L'HOMME ET ÉTAT DE DROIT

Directorate of Social Rights, Health and Environnement / Direction des Droits Sociaux, de la Santé et de l'Environnement

Department of Health, Detention and Addictions /Service de la Santé, de la Détention et des Addictions

Dr. iur. Oscar ALARCÓN-JIMÉNEZ, Executive Secretary to the MEDICRIME Convention / Secrétaire exécutive à la convention MEDICRIME

Mr Henrique SOARES, Junior Project Manager / Chargée de projet junior

Ms Ipek DEMIRBÜKER, Administrative Assistant / Assistante Administrative

Interpreters

Ms Isabel BRANCO

Mr Manuel SANT'IAGO RIBEIRO

Ms Laurence CORRÉARD

Ms Patricia ROMAN