

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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Extract
English only

EUROPEAN COMMITTEE ON CRIME PROBLEMS

(CDPC)

COMMITTEE OF EXPERTS

ON THE OPERATION OF EUROPEAN CONVENTIONS

ON CO-OPERATION IN CRIMINAL MATTERS

(PC-OC)

EXTRACT of the

**List of decisions taken at the 72nd meeting of the PC-OC
under the Chairmanship of Mr Erik Verbert (Belgium)
22-24 May 2017**

4. Implementation of the Action Plan on Combating Transnational Organised Crime (TOC)

b. Discussion on ways to identify reservations to Council of Europe treaties creating obstacles to the fight against TOC and to promote their update or withdrawal where possible

The PC-OC referred to the catalogue of reservations made to the European Convention on Extradition and the Additional Protocols thereto, the European Convention on Mutual Assistance in Criminal Matters and the Additional Protocols thereto, the European Convention on the Transfer of Proceedings in Criminal Matters, the Convention on the Laundering, Search, Seizure and Confiscation of the Proceeds of Crime as well as the Convention on the Transfer of Sentenced Persons and the Additional Protocol thereto [PCOC Mod (2016)05rev3] as well as the overview of these reservations prepared by the Secretariat [PC-OC Mod (2016)05rev3Add].

Experts agreed with the PC-OC Mod that it would be important to identify those reservations and declarations that create obstacles to efficient co-operation, including as regards the fight against TOC. The PC-OC examined the proposal to create several groups of persons within the PC-OC to identify such reservations or declarations and contact the Parties concerned to see whether any update or withdrawal of these reservations or declarations would be possible. Account was taken of the information by the Treaty office that reservations may not only be withdrawn but also partially withdrawn or modified to this effect.

The PC-OC agreed on the working methods and decided to:

- create three working groups, each devoted to a group of treaties, who would share their work in written consultation under the guidance of a co-ordinator:
 1. Group A dealing with the extradition treaties will be composed by Ms Joana Ferreira (Portugal), Ms Katia Panova (Bulgaria), Ms Barbara Goeth (Austria) and Mr Eugenio Selvaggi (Italy);
 2. Group B dealing with the treaties on mutual legal assistance including ETS N°141, composed by Ms Gabriela Gonzalez Cofré (Chile), Ms Céline Guillet (France), Ms Marianu Radu (Romania) and Ms Antonella Sampo-Couma (Monaco);
 3. Group C dealing with the treaties on the transfer of sentenced persons, as well as on the Convention on the Transfer of Proceedings, composed by Mr Aviad Elya (Israel, co-ordinator); Ms Tetiana Shorstka (Ukraine); Ms Malgorzata Skoczelas (Poland) and Ms Paula Wolff (USA).
- ask the Secretariat to provide each of the groups with guidelines and a template to be completed by 1 September;
- ask the PC-OC Mod to consider the results and report to the plenary.
