

Strasbourg, 16 October 2024

PC-RAC(2024)14\_rev

# **COMMITTEE OF EXPERTS ON CRIMINAL ASSET RECOVERY (PC-RAC)**

**3RD MEETING**

**14-16 OCTOBER 2024**

**STRASBOURG, PALAIS DE L'EUROPE, ROOM 5**

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**Abridged meeting report**

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Document prepared by the Secretariat

Directorate General I - Human Rights and Rule of Law

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At its third meeting (Strasbourg, France, from 14 to 16 October 2024), held in conformity with its terms of reference as adopted by the Committee of Ministers, and chaired by Mr Cornel-Virgiliu Calinescu (Chair of PC-RAC, Romania), and by Mr Borja Aguado Delgado (Vice-Chair of PC-RAC, Andorra) on 15 October afternoon, the Committee of Experts on Criminal Asset Recovery (hereinafter referred as “the PC-RAC” or “the Committee”):

<b>Agenda Item 1.</b>	<b>Opening of the meeting</b>
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Took note of the opening remarks of Mr Cornel-Virgiliu Calinescu, Chair of the Committee;

<b>Agenda Item 2.</b>	<b>Adoption of the Agenda and Order of business, and 2nd Meeting Report</b>
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Adopted the agenda of the meeting;

Adopted the report of the 2nd meeting of the Committee;

<b>Agenda item 3.</b>	<b>Information by the President and Secretariat</b>
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Took note of the information provided by the Chair on the upcoming events of relevance for the Committee, notably the meetings to be attended by the Chair and Secretariat to present the work and progress of the PC-RAC: the Bureau meeting of the European Committee on Crime Problems (CDPC) on 15 October 2024 , the 16th meeting of the Conference of Parties to CETS No. 198 on 17 and 18 October 2024, and the 86th Plenary meeting of the CDPC from 18 to 22 November 2024;

Welcomed the newly appointed member from Portugal;

Informed the Committee on the change of representatives of Estonia and the Netherlands and welcomed the newly designated representatives;

Invited Germany, Iceland, Liechtenstein, and Lithuania to consider appointing their representatives before the next meeting;

<b>Agenda item 4.</b>	<b>Reading of the zero-draft additional protocol supplementing the Council of Europe Convention on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism (CETS no. 198)</b>
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Welcomed the written contributions from Andorra, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, the Republic of Moldova, Monaco, Norway, San Marino, the United Kingdom, the European Union (position prepared by the European Commission services), and the Kingdom of Morocco, and invited them to intervene when relevant provisions are discussed;

Invited delegations which have not provided written contributions to intervene and share their comments and drafting proposals during discussions;

Carried out a preliminary reading of the Zero-Draft protocol supplementing the Council of Europe Convention on laundering, search, seizure, and confiscation of the proceeds from crime and on the financing of terrorism (hereinafter referred to as “Zero-Draft”) and took note of the comments and suggestions made on each draft provision, including the written submissions received before the meeting;

Agreed to postpone the discussions on the preamble, purpose and use of terms, until the text of the draft Protocol is more advanced;

Agreed to revise the text of the provisions of the “Zero-Draft” on the freezing, seizure and confiscation, management of seized, confiscated and repatriated assets, investigative powers and techniques, legal remedies, money laundering offenses, postponement of domestic suspicious transactions, and international co-operation;

Instructed the PC-RAC Secretariat to prepare the first draft of the Protocol on the basis of the “Zero-Draft”, the results of the discussions at the first three meetings, the written comments and the drafting proposals for the provisions of the Protocol submitted by members, observers and participants, and to present the first draft version of the additional protocol at the fourth meeting of the Committee;

Took note of the information provided by Ms. Ana Gomez from the Directorate of Legal Advice and Public International Law of the Council of Europe (DLAPIL) on the possibilities of introducing amending provisions by means of an additional protocol;

Instructed the PC-RAC Secretariat to liaise with the DLAPIL as appropriate during the preparation of the first draft of the additional Protocol supplementing the CETS No. 198, including for the purpose of clarifying any applicable processes for amending the CETS No. 198 if necessary, and to inform the Committee accordingly before the next meeting;

<b>Agenda item 5.</b>	<b>Information exchange on developments of relevance to the work of the PC-RAC</b>
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Took note of the information that Albania officially opened the EU accession negotiations on 15 October 2024;

Took note of the information shared by the Cybercrime Division of the Council of Europe and aspects of the work of the Council of Europe Cybercrime Convention Committee that may be relevant for the PC-RAC, notably those related to crypto-assets and international co-operation;

<b>Agenda item 6.</b>	<b>Date and place of next meetings</b>
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Decided to hold the 4th meeting of the PC-RAC in Strasbourg from 24 to 26 March 2025;

Decided to hold the 5th meeting of the PC-RAC in Strasbourg from 21 to 23 May 2025;

Decided to hold the 6th meeting of the PC-RAC in Strasbourg from 24 to 26 September 2025;

<b>Agenda item 7.</b>	<b>Any other business</b>
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Took note that no issues were raised under item 7;

<b>Agenda item 8.</b>	<b>Adoption of the list of decisions and close of the meeting</b>
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Adopted the abridged meeting report at the end of the meeting.