

**JOINT EXPERT GROUP (JEG):
PREPARING GUIDELINES ON COMBATING ORGANISED CRIME RELATING TO DRUG
TRAFFICKING, BASED ON THE CASE LAW OF THE EUROPEAN COURT OF HUMAN RIGHTS
(OC-DT)**

I. Terms of Reference of the Joint Expert Group

Role: In line with the Committee of Ministers' decision [CM/Del/Dec\(2024\)133/2b](#) of 17 May 2024, the OC-DT Group was set up. It is tasked with developing comprehensive and effective policy guidelines addressing drug trafficking as one of the forms of organised crime while ensuring respect for human rights and more specifically the case law of the European Court of Human Rights. **Its scope includes:**

- Analysis of relevant case law from the European Court of Human Rights (ECHR) related to drug trafficking and organised crime.
- Identified common patterns, legal principles, and human rights considerations vis-a-vis organised crime and its forms among them the drug trafficking.
- Considering the impact of drug trafficking on individuals, communities, and society.
- Proposing Guidelines for an effective response to Drug Trafficking as a form of Organised Crime.

The OC-DT Group focuses on:

- Reviewing the existing international, regional, and model national legal instruments related to drug trafficking and organised crime.
- Ensuring that policy guidelines align with ECHR jurisprudence, emphasising the protection of fundamental rights.
- Identifying comprehensive strategies to be used for an effective prevention of drug trafficking, enhancement of law enforcement, and dismantling of criminal networks.
- Considering the inclusion and use of interdisciplinary approaches, including public health, social services, and education in addition to those of the domain of the inter-governmental committees that are represented in the OC-DT.
- Promoting international co-operation modalities especially concerning the use of tools aimed at an efficient collaboration with other states and organisations to combat cross-border drug trafficking as a continental threat.

Composition

The OC-DT Group is composed of 9 members: three experts designated by the permanent correspondents of the Pompidou Group, three experts from the intergovernmental committees of the Council of Europe: the [European Committee on Crime Problems \(CDPC\)](#), the [Steering Committee for Human Rights \(CDDH\)](#) and the [Committee of the Convention on counterfeiting of medical products and similar crimes threatening public health \(MEDICRIME Convention\)](#), as well as two independent experts from academia.

Working methods

The Group shall hold 5 meetings (online and in-person) throughout 2025. In its effort, the OC-DT Group will make use of a **Background Study** on European and global legal frameworks pertaining strategies and legal frameworks aimed at combating organised crime relating to drug trafficking, conducted by two independent experts from academia. The Group shall be assisted in its work by four members of the Secretariat of the Council of Europe.

II. Terms of Reference of the Independent Experts

Two expert consultants with academic background, with a strong foundation in criminal law, international law, and human rights (specifically, with familiarity with European Court of Human Rights jurisprudence related to drug trafficking and organised crime), had been sought to provide a **Background Study on European and global legal frameworks pertaining strategies and legal frameworks aimed at combating organised crime relating to drug trafficking**. The Study will represent a briefing document which will be used to inform the Joint Drafting Expert Group prior and during its drafting work/sessions.

The document will serve as an informative brief providing the expected scope, structural elements, challenges and indicate the existing policy framework gaps in order to develop policy guidelines on combating organised crime relating to drug trafficking based on the case law of the European Court of Human Rights.

Tasks

- Identify and take note of the existing European and global legal frameworks pertaining strategies and legal frameworks aimed the organised crime and the relevant and international treaty law.
- Summarise existing research, law and legal precedents related to organised crime and drug trafficking based on the case law of the European Court of Human Rights;
- Compile issues and challenges linked to requirements and restrictions related transborder measures, information exchange, and international cooperation when facing organised crime/drug trafficking.
- Provide a compilation of issues and challenges linked to requirements and restrictions related to criminalisation, investigative techniques, law enforcement, and international cooperation when facing the form of organised crime/drug trafficking.
- Give an overview on the application and /or feasibility of simultaneous financial investigations and of legal frameworks permitting the freezing and seizure of funds and other assets suspected to be proceeded of drug trafficking.
- Give an overview on the application of the existing frameworks (in Europe) with regard to digitalisation of the organised crime, cybercrime and the recruitment of minors and children in drug trafficking as ways of organised crime.
- Analyse pertinent reports and data concerning recent information on the trends and expansion of organised crime with relation to drug trafficking, corruption and terrorism.
- Analyse pertinent (leading) case law of the European Court of Human Rights, illustrating how these rulings impact current practices and policies.
- Co-ordinate with the other expert[s] the content and structure of the future Background Report and jointly participate to up to four bilateral meetings with different secretariat or members of the Council of Europe inter-governmental bodies in view of seeking the latest trends, challenges and enriching the research work as per relevant sector of report (i.e, Human rights and organised crime).