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**COMMITTEE OF THE PARTIES
COUNCIL OF EUROPE CONVENTION ON THE
COUNTERFEITING OF MEDICAL PRODUCTS AND SIMILAR
CRIMES INVOLVING THREATS TO PUBLIC HEALTH
(T-MEDICRIME)**

2nd meeting of the Committee of the Parties
(Strasbourg, 12-13 December 2019)

(draft) MEETING REPORT

Council of Europe,
Agora Building, Room G.03

Document prepared by the Criminal Law Cooperation Unit Secretariat
Directorate General Human Rights and Rule of Law (DGI)

Item 1: Opening of the meeting

1. The second meeting of the Committee of the Parties (hereafter, CoP) to the Council of Europe Convention on the counterfeiting of medical products and similar crimes involving threats to public health [CETS N°211] (hereinafter the MEDICRIME Convention) was opened by Mr Jan Kleijssen, Director, Information Society - Action against Crime, Directorate General Human Rights and Rule of Law. He welcomed all the participants (the Parties and the representatives from other Council of Europe Committees). In his opening remarks, he referred to the important role that the Committee should play in removing obstacles to the implementation of the MEDICRIME Convention and in advising on the best ways to translate its provisions into effective laws and policy measures. He informed that the MEDICRIME Convention was ratified so far by 16 Parties and that a few new accessions were expected in the coming months. Furthermore, he mentioned that the MEDICRIME Convention was signed by another 16 States and urged all Member States which had not already done so to sign it and ratify it.
2. Mr Kleijssen continued by highlighting the main role of the CoP, which will be to collect, analyse and exchange experiences and good practices between Parties. He stressed that sharing experiences would allow national authorities to benefit from a wide range of expertise, knowledge and practices and would foster harmonisation of policies among the Parties and develop synergies for finding practical solutions to common problems. He continued by pointing out that the role of the CoP should also be to identify possible problems and a few sensitive issues which must be addressed during this process.
3. He stressed the role of the CoP in its effective implementation of the Convention, by making proposals to facilitate or improve the effective use and implementation of the Convention. Mr Kleijssen concluded his speech by explaining that the Secretariat of the CoP would be ensured by the Criminal Law Co-operation Unit, within the Directorate General Human Rights and Rule of Law.

Item 2: Election of the Chair and Vice-Chair

4. The Committee unanimously elected Mr Sergei Glagolev (Russian Federation) as Chair of the Committee and Mr Christian Tournié (France) as Vice-Chair. Three other members were chosen as members of the Bureau: Ms Judith S. Voney (Switzerland), Mr Mkrtych Shakaryan (Armenia), Ms Sonia Nuez Rivera (Spain).
5. The newly elected Chair expressed his gratitude for the confidence which the Committee showed in him and underlined the important responsibility of the Committee in ensuring the follow-up to its reports on the implementation of the Convention by the Parties.

Item 3: Adoption of the Agenda

6. The Committee adopted the agenda as it appears in Appendix I.

Item 4: Information by the Secretariat

7. Mr Oscar Alarcón-Jiménez, Programme Manager at the Criminal Law Co-operation Unit, provided the CoP with practical information on the meeting. Given that the members and the participants did not know each other, he invited everyone to introduce her/himself in a *tour de table*. After the presentation of all the participants, Mr Alarcón-Jiménez then introduced the draft Rules of Procedure (T-MEDICRIME(2019)01_en) prepared by the Criminal Law Co-operation Unit at the request of the Parties during the first meeting of the CoP. He stressed that its sole purpose was to facilitate the first discussions of the CoP and specified that the draft Rules of Procedure (hereafter RoP) were inspired in large part from the Rules of Procedure of other monitoring committees, as well as from Resolution CM/Res(2011)24 of the Committee of Ministers on intergovernmental committees and subordinate bodies, their terms of reference and working methods,.

Item 4: Adoption of the Rules of Procedure of the Committee of the Parties

8. The CoP proceeded with the first reading of the draft RoP and went through Part I (The MEDICRIME Committee), Part II (Monitoring of the implementation of the Convention), Part III (exchange of information, experiences and good practices) and Part IV (amendments to the rules of procedure and entry into force). After a round of general remarks and comments, the following suggestions for redrafting and amendments were made:

Introductory part:
- To introduce “protection of the rights of victims and promotion of national and international co-operation” in the text;

Part I
Rule 1.2 Exchange of information, experiences and good practices
- To introduce at the end of the article the following elements: a) “facilitate the exchange of information on significant legal, policy or technological developments; b) express an opinion on any question concerning the application of the Convention”.

Rule 2.2 Participants
- It was suggested to distinguish among those participants that “shall appoint” representatives to participate at the CoP and those participants that “may appoint” representatives to participate at the CoP following the Convention.

Rule 18 – Voting
- Given the lack of consensus among the Parties on this item, the CoP decided to proceed with a vote on this rule. The two options on the decision-making process under examination were: simple majority or qualified majority. The CoP applied the Committee of Ministers Resolution ¹ , and the result of the vote showed that the CoP decisions will be taken by a simple majority.

Part II – Monitoring of the implementation of the Convention

Rule 25 – Thematic monitoring

- The CoP discussed this rule and considered it of utmost importance. It expressed a preference for beginning monitoring the Convention by means of a thematic approach instead of opting for a provision-by-provision or chapter-by-chapter monitoring procedure.
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Rule 27 – Implementation reports

- Parties requested the Secretariat to redraft this rule and make it clearer by distinguishing between implementation reports prepared for each Party or thematic report for all parties.

Part IV – Amendments to the Rules and entry into force

- The CoP decided that the RoP may be amended through a proposal decided by a two-thirds majority

9. After a second reading, the CoP adopted the RoP at the end of the meeting.
10. The Secretariat informed that the adopted RoP were to be sent to the Treaty Office for a final check and after their publication to be sent to all CoP members for information.

¹ Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods, (Adopted by the Committee of Ministers on 9 November 2011 at the 1125th meeting of the Ministers' Deputies).