

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 26 November 2021

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Online mode

Committee of the Parties MEDICRIME Convention

5th Plenary meeting

Draft Annotated Agenda

Teleconference, 1-3 December 2021
Council of Europe

Opening at 10:00 (testing at 9:30), Wednesday
Closing around 12:30, Friday

Document prepared by the Criminal Law Co-operation Unit Secretariat
Directorate General I – Human Rights and Rule of Law



1. Opening of the meeting

The Committee of the Parties (MEDICRIME Committee) is invited to take note of the opening remarks by the Secretariat and have an exchange of view on the recent developments and future perspectives of working methods and activities in the Council of Europe.

2. Adoption of the draft agenda

The MEDICRIME Committee will adopt the draft agenda and order of business of the meeting.

3. Information by the Chair and the Secretariat

The MEDICRIME Committee is invited to take note of the information provided by the Chair on the main outcomes and developments since the last Plenary Meeting (26-27 May 2021), strategic issues of concern to the MEDICRIME Committee, the continuing impact of the ongoing pandemic and the 10th anniversary event.

The MEDICRIME Committee will take note of the meeting report of the 4th plenary meeting of the Committee of Parties of the MEDICRIME Convention held on 26-27 May 2021.

4. Monitoring of the Convention and future work

4.1 Country profile Questionnaire and its replies

The MEDICRIME Committee is invited to consider the country profile Questionnaire and the reply received by Bosnia and Herzegovina to this questionnaire. It is invited to take note of missing replies to the CQP from Albania, Armenia, Belarus, Benin, and Burkina Faso. The new Parties to the MEDICRIME Convention are invited to submit their replies to the Country Profile Questionnaire, as appropriate.

4.2 1st Monitoring round

The MEDICRIME Committee is invited to take note of the answers from the Parties to the 1st Monitoring round to be provided by 30th November 2021. Moreover, it is invited to consider the draft Guidelines for monitoring the implementation of the MEDICRIME Convention, together with the chronology provided for the first thematic monitoring round.

4.3 Guidance note - Definition of “counterfeit” vs “falsified and substandard”

The MEDICRIME Committee is invited to consider and have an exchange of views on the draft opinion on the “Feasibility and the legal nature of a Guidance Note in the context of the MEDICRIME Convention” prepared by Dr Ana Salinas de Frías, Full Professor at the University of Malaga (Spain) and Ad Hoc Judge at the European Court of Human Rights on behalf of Spain.

The MEDICRIME Committee is invited to accept the proposal to launch the process of drafting a legally binding Guidance note on the definition of “counterfeit”.

The MEDICRIME Committee is invited to examine the procedure regarding the adoption of a Guidance note by the CoP and to discuss the Bureau's proposal for its adoption.

4.4 Draft Strategy 2022-2025

The MEDICRIME Committee is invited to examine the preliminary Draft Strategy 2022-2025 prepared by the Secretariat in collaboration with international consultants (Mr. Hugo Bonar, Dr Carlos Romeo Casabona, Full Professor of Criminal Law, University of the Basque Country (Spain) and Dr Asier Urruela Mora, Professor of Criminal Law, University of Zaragoza (Spain)).

The MEDICRIME Committee is invited to agree on the length of the Strategy (2022-2025).

The MEDICRIME Committee is invited to take note of the concept note named 'Proposal for priorities of the future Strategy'.

4.5 Report on criminal activity resulting in leakages from the medical product supply chain

The MEDICRIME Committee is invited to discuss and adopt the draft concept note on criminal activity resulting in leakages from the medical product supply chain.

The MEDICRIME Committee is invited to take note that the Parliamentary Assembly's Committee on Social Affairs, Health and Sustainable Development is currently preparing a report on *Securing safe medical supply chains* (Rapporteur: Ms Jennifer De Temmerman, France, ALDE).

4.6 Report on falsification of medical products for veterinary use

The MEDICRIME Committee is invited to examine and discuss the survey and its replies on falsified veterinary medicines prepared by Dr José María Esteban Fernández, Member Spanish National Health Pharmaceutical Society and Mr Sigita Siriukaitis, Adviser, Veterinary Medicinal Products and Feed Division State Food and Veterinary Service of Republic of Lithuania, with a view to preparing a report on the topic.

The MEDICRIME Committee is invited to consider the Bureau's proposal to publish the data received in the survey.

4.7 Gap analysis study (risk mapping) on fraud and falsified medical products (Title to be confirmed)

The MEDICRIME Committee is invited to consider and discuss the concept note relating to fraud and falsified medical products prepared by Ms. Sandrine Richard (Director of Business Ethics and Business Diplomacy, Cristal Group International) and to welcome the development of a toolkit for national practitioners with a view to its incorporation in the preliminary Draft Strategy for 2022-2025.

5 MEDICRIME 24/7 Network

The MEDICRIME Committee is invited to take note of the date of the first meeting of the Working Group on the implementation of the 24/7 Network with experts (16 December 2021).

The CoP members are invited to inform the Secretariat of any interest to participate at their earliest convenience.

6 Exchange of information, experiences and good practices

6.1 Exchange of views with the Chair of the Committee of Experts on Minimising Public Health Risks Posed by Falsification of Medical Products and Similar Crimes (CD-P-PH/CMED)

The MEDICRIME Committee is invited to take note of the presentation by Ms Lynda Scammell, Chair of the CD-P-PH/CMED, and hold an exchange of views.

6.2 Presentation of relevant initiatives of the Parliamentary Assembly of the Council of Europe

The MEDICRIME Committee is invited to take note of the presentation by a representative of the Committee on Social Affairs, Health and Sustainable Development regarding its latest work relevant to the MEDICRIME Convention.

6.3 Presentation of relevant activities by national authorities, international governmental organisations as well as other services of the Council of Europe

The MEDICRIME Committee is invited to take note of any information by the representatives of national authorities, international governmental organisations, other services of the Council of Europe as well as the observers.

7. Observer status to the CoP MEDICRIME

7.1 Following the MEDICRIME Convention and the Rules of Procedure of the MEDICRIME Committee, representatives of relevant official bodies of the Parties and representatives of civil society, in particular of non-governmental organisations, may be admitted as observers to the MEDICRIME Committee. The MEDICRIME Committee is invited to consider the applications for observer status and take note of the presentations by each applicant: LEEM, Association Internationale des Douaniers Francophones and Fight the Fakes).

The MEDICRIME Committee is invited to vote to grant observer status to all 3 applications, noting the Bureau's position.

8. Information points

8.1 Participation of the MEDICRIME Committee in outside events

The MEDICRIME Committee is invited to take note of the different events where the Chair, vice-Chair or the Committee were invited since the last plenary meeting.

8.2 10th anniversary of the MEDICRIME Convention

The MEDICRIME Committee is invited to consider the programme of the anniversary event which will take place on 2nd December 2021 (one hour and a half format) and hold an exchange of views.

The MEDICRIME Committee is invited to take note of the Communication proposal including a (collage) video for the 10th anniversary prepared by the Secretariat; and take note of all national initiatives on the occasion of this anniversary.

The MEDICRIME Committee is invited to take note that the Bureau has decided to postpone the organisation of the different linguistic seminars for a suitable timing for the Parties. A Russian-speaking seminar will be held in December 2021.

8.3 New accessions to the MEDICRIME Convention

The MEDICRIME Committee is invited to take note that Mali and North Macedonia signed the MEDICRIME Convention on 29 June and 09 September respectively, and to welcome Chile's intention in signing and ratifying the Convention.

To date, the Convention has been ratified by 18 States and another 18 are signatories. Mali is the 7th African country having signed the Convention.

9. Any other business

9.1 Election of Bureau members for 2022-2023

The MEDICRIME Committee is invited to consider and adopt the memorandum on the elections for the Bureau members 2022-2023. It is invited to take note that all current Bureau members agree to be re-elected for the term 2022-2023 with the exception of one country. The MEDICRIME Committee is invited to consider other nominations by Parties.

9.2 Report on falsification of medical devices

The MEDICRIME Committee is invited to consider the concept note for a report on the falsification of medical devices, prepared by OPALS, and hold an exchange of views.

9.3 Future work

The MEDICRIME Committee is invited to submit possible priorities to be dealt by the CoP in the forthcoming plenary meetings.

9.4 Technical co-operation: NA-FAMED project

The MEDICRIME Committee is invited to take note of the final result of the NA-FAMED project and to hold an exchange of views on raising voluntary contributions for the CRIMFAMED project which is a follow-up to the NA-FAMED project which ended on 15 November 2021.

10. Dates of the next meeting

The MEDICRIME Committee is invited to take note of the dates of the Spring CoP Plenary meeting and the date of the forthcoming Bureau meeting, pending the decision of its location and format, which will be subject to both budgetary and sanitary restrictions.

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