

## Terms of reference of the Committee of Experts on the Operation of European Conventions on Co-operation in Criminal Matters (PC-OC)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with [Resolution CM/Res\(2021\)3](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Category: Subordinate body

Duration: 1 January 2024 - 31 December 2027<sup>1</sup>

Programme: Upholding safety, security and integrity of society and persons

Sub-programme: Criminal law - Terrorism

### Deliverables

Under the authority of the Committee of Ministers, and of the European Committee on Crime Problems (CDPC), the PC-OC is instructed to complete the following deliverables, within the following deadlines:

	Category ▼	Priority ▼	Deadline ▼
1. Draft Protocol updating the European Convention on Mutual Legal Assistance in Criminal Matters (ETS 30)	A	1	31/12/2024
2. Practical tools and guidelines on international co-operation in criminal matters	A	2	31/12/2025
3. Subject to the result of the relevant study, draft binding instrument on co-operation with the European Public Prosecutor's Office under the European Convention on Mutual Assistance in Criminal Matters	C	1	31/12/2026
4. Assessment report of the need to update the European Convention on the Transfer of Proceedings in Criminal Matters	C	3	31/12/2027
5. Updated database on the jurisprudence of the European Court of Human Rights relevant to international co-operation in criminal matters	C	3	31/12/2027
6. Updated country profiles regarding international co-operation in criminal matters	C	3	31/12/2027
<b>Key</b> A: deliverable under preparation (2022-2023 terms of reference or Committee of Ministers' decision) or deliverable foreseen in the terms of reference provisionally approved for 2024-2025 and reviewed where relevant in the framework of the preparation of the draft Programme and Budget 2024-2027 B: review of implementation/re-examination foreseen by the recommendation/protocol/convention C: newly proposed deliverable			

### Composition

#### • Members

Governments of member States are invited to designate one or more representatives of the highest possible rank in the field of international criminal law, in particular officials in charge of international co-operation in criminal matters.

The Council of Europe will bear the travel and subsistence expenses of one representative from each member State (two in the case of the State whose representative has been elected Chair).

Each member of the Committee of Experts shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.

In accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, in cases where there is no convention-based body including all the Parties, non-member States are invited to take part, with a right to vote, in the committee meetings pertaining to the conventions to which they are Parties.

#### • Participants

The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- Consultative Council of European Prosecutors (CCPE);
- Consultative Council of European Judges (CCJE);
- European Commission for the Efficiency of Justice (CEPEJ);
- Cybercrime Convention Committee (T-CY);
- Committees or other bodies of the Council of Europe engaged in related work, as appropriate.

The following may send representatives, without the right to vote and without defrayal of expenses:

- European Union (one or more representatives, including, as appropriate, the European Union Agency for Fundamental Rights (FRA));
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- United Nations Office for Drugs and Crime (UNODC);
- International Criminal Police Organisation (INTERPOL);
- United Nations Interregional Crime and Justice Research Institute (UNICRI);
- Office of the United Nations High Commissioner for Human Rights (OHCHR);
- International Criminal Court (ICC);
- European Institute for Crime Prevention and Control (HEUNI);

<sup>1</sup> These terms of reference are approved for the first biennial period 2024-2025. For the second biennial period 2026-2027, they are approved on a provisional basis, subject to confirmation upon the adoption of the budget for 2026-2027.

- Organisation of American States (OAS);
- Ibero-American Network for International Legal Co-operation (IberRed).

- **Observers**

The following may send representatives, without the right to vote and without defrayal of expenses:

- non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities.

Observer status may be requested in accordance with Article 8 of [Resolution CM/Res\(2021\)3](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

## Working methods

The rules of procedure of the Committee are governed by [Resolution CM/Res\(2021\)3](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

	Plenary meetings ▼			Working Group meetings ▼ All member States may send representatives to the work group meeting without defrayal of expenses		
	Members incl. Chair	Meetings per year	Days per meeting	Members	Meetings per year	Days per meeting
2024	47	2	3	9	2	3
2025	47	2	3	9	2	3
2026	47	2	3	9	2	3
2027	47	2	3	9	2	3

The Bureau is composed of the Chair and the Vice-Chair.

The PC-OC will appoint from amongst its members a Gender Equality Rapporteur.

## Budgetary information\*

	Meetings per year	Days per meeting	Members reimbursed	Plenary in €K	Bureau in €K	Working groups in €K	Secretariat (A, B)
2024	2	3	47	120.0	-	22.2	1 A; 1 B
2025	2	3	47	120.0	-	22.2	1 A; 1 B
2026	2	3	47	↔	-	↔	↔
2027	2	3	47	↔	-	↔	↔

\*The costs include the per diem, travel costs, interpretation, translation and document printing. These costs are calculated on the basis of standard costs.