

Strasbourg, 1 December 2016

CDPC (2016) 21

# EUROPEAN COMMITTEE ON CRIME PROBLEMS (CDPC)

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## LIST OF DECISIONS

### 71<sup>st</sup> PLENARY SESSION

Strasbourg, 29 November – 1 December 2016

Council of Europe  
Main Building, Palais de l'Europe  
Room 9

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The European Committee on Crime Problems (hereafter CDPC), meeting in Strasbourg under the Chairmanship of Dr. Hans-Holger Herrnhof (Germany), decided:

#### 1. Opening of the meeting

- to take note of the opening address by Mr Carlo Chiaromonte, Secretary of the CDPC, on the most recent developments in the Council of Europe (hereafter CoE) since the last CDPC plenary session of June 2016. A particular mention was given to the Cypriot Chairmanship of the Committee of Ministers (hereafter, CM) which attaches great importance to the protection of cultural heritage in particular by promoting the efforts of the CoE to finalise the new draft Convention on offences relating to cultural property. Mr Chiaromonte also stressed the importance of enhancing the common approach between transnational organised crime (hereafter, TOC) and terrorism within the Secretariat. Therefore the related activities and work

of the two competent steering committees should be carried out in closer collaboration. In this regard, he provided a concrete example which is the conference to be organised in 2017 in Málaga (Spain) by both committees involved in these topics (CDPC and the Committee on Terrorism - hereafter, CODEXTER);

- to renew the mandates of the Chair, Mr Hans-Holger Herrnfeld, and the Vice-Chair, Mr Slawomir Buczma, of the CDPC for one additional year;

## **2. Adoption of the draft agenda**

- to adopt the agenda without amendments (the information provided by the Secretariat – item 12 –, the list of participants and the agenda appear in Appendices I, II and III respectively);

## **3. Activities and priorities of the CDPC for 2016-2017**

- to keep this item for discussion at forthcoming meetings;

## **4. Activities related to transnational organised crime: Action Plan**

- to take note that Ms Fabienne Schaller (France) resigned as the co-ordinator on transnational organised crime (hereafter, TOC) given her new professional commitments and thank her for all the work implemented so far in this field and to welcome Mr Jesper Hjørtenberg (Denmark), member of the Bureau of the CDPC, as the new co-ordinator on TOC;
- to examine the document prepared by the Secretariat [CDPC (2016) 13] which contains both the level of implementation of the activities contained in the first preliminary work plan on TOC and the work plan of activities to be implemented in 2017 and to express its support for the activities contained therein;
- to take note of the presentation by the scientific expert, Prof. Lorena Bachmaier-Winter, on the main elements for reviewing Recommendation Rec (2005)9 on the protection of witnesses and collaborators and to congratulate her, and Mr Jesper Hjørtenberg (the co-ordinator on TOC), on their excellent work carried out in both drafting and presenting the above-mentioned document;
- on the basis of this, to hold a debate on the review of Recommendation Rec (2005)9 and agree to proceed with the review using a two-step process by:

Step 1: instructing the Secretariat, with the help of experts:

- to draft a questionnaire on certain aspects related to witness protection and collaborators of justice and to send this questionnaire to all CDPC delegations;
- to analyse the responses to the questionnaire received from the CDPC delegations and, on the basis of these responses, draft an interim report on the needs to update Recommendation Rec(2005)9;
- to submit this report to the CDPC plenary meeting for information and a further decision;

Step 2: following a final decision on reviewing the recommendation, to decide on the Terms of Reference for a possible drafting group to be mandated to review the above-mentioned recommendation;

- to take note with satisfaction that the White Paper on TOC has been translated into Spanish and is available on the Criminal Law Division website;

## **5. Smuggling of migrants**

- to take note of the concept paper and the draft agenda of the conference on the smuggling of migrants to be held in 2017;

- to reiterate the decision taken at its last meeting that, at this point, the focus of future activities of the CDPC on this topic should be concentrated on practical measures to facilitate the fight against the serious crime of smuggling of migrants;
- therefore, to request the Secretariat to organise a conference on the topic of smuggling of migrants, without considering it as a “high-level”, aimed at identifying the major challenges and best practices on this issue and coming up with some elements for a future CoE recommendation on the fight against the smuggling of migrants;

## **6. Council of Europe Convention on Offences relating to Cultural Property**

- to take note of the information provided by the Chair of the Committee on Offences Relating to Cultural Property (PC-IBC), Mr Hans-Holger Herrfeld, on the outcome of the 2nd meeting held on 7-10 November 2016;
- to express some concerns relating to the schedule of the preparation of the draft Convention and consider that the proposed plan to conclude the work of the PC-IBC by February/March 2017 in order to open the new convention for signature in May 2017 is too ambitious. In particular, this short timeframe could be detrimental to the quality of the new draft Convention;
- to examine the document CDPC (2016)12 entitled “*Request for views of the CDPC on issues concerning the draft convention on offences relating to cultural property*” and provide its views and input concerning certain criminal law issues pertaining to the draft Convention, in particular:
  - in relation with Article 3 of the draft Convention (theft and other forms of unlawful appropriation), to advise the PC-IBC to take into account the following proposal:  
*“Each Party shall ensure that the offences of theft and unlawful appropriation under their national law apply to movable cultural property”*
  - in relation with the question of criminal or non-criminal (administrative) sanctions to be included in the draft Convention, to advise the PC-IBC that, should delegations see the need to allow State Parties in respect of all or some of the criminal offences to apply in case of minor offences non-criminal sanctions rather than criminal sanctions, it would be preferable to specifically foresee that possibility e.g. by amending the article entitled “Sanctions and measures” (currently Article 16 of the draft Convention)
- to take note of the willingness of Cyprus to host the opening for signature ceremony of the future Convention on offences relating to cultural property even if the drafting process of the convention is not finalised during the Cypriot Chairmanship of the Committee of Ministers;

## **7. Council for Penological Co-operation (PC-CP) – Exchange of views with the Chair, Mr Vivian Geiran**

- to have an exchange of views with Mr Vivian Geiran (Ireland), Chair of the PC-CP and to take note of the activities carried out by the PC-CP since the last CDPC meeting in June and of the work planned for the future and to thank the committee for its excellent work;

### **a. Draft Recommendation on the European Rules on community sanctions and measures**

- to examine, amend and approve the revised draft Recommendation and its commentary and to send it to the Committee of Ministers for final adoption;

### **b. Radicalisation in Prison**

- to examine, amend and approve the draft Council of Europe Handbook for prison and probation services regarding radicalisation and violent extremism;
- to take note of the recently held meeting of prison and probation staff designated specifically to

deal with radicalisation to violent extremism (Strasbourg, 23-24 November 2016). The good practices identified at the meeting will be published together with the Guidelines and the Handbook on Radicalisation for use by the prison and probation services in their work and training of their staff.

**c. Follow up to the 21st Council of Europe Conference of Directors of Prison and Probation Services and organisation of the 22nd Council of Europe Conference of Directors of Prison and Probation Services**

- to take note that, as a follow-up to the 21st CDPPS and in conformity with the instructions given by the CDPC at its plenary meeting in June 2016, the PC-CP will start work in 2017 on Guidelines for the attention of prison and probation services regarding children of imprisoned parents;
- to take note that the 22nd CDPPS will take place on 20-21 June 2017 at the Norwegian Prison Staff Training Academy in Lillestrøm, Norway, and that its title will be: "Staff recruitment, training and development". It will be preceded by the EuroPris General Assembly and Conference which has proven to be a very positive experience creating useful synergies and is valued by the Directors General of the European prison administrations;

**d. SPACE**

- following the impossibility of Mr Marcelo Aebi, Deputy Director of the School for Criminal Sciences at the University of Lausanne, to participate in the CDPC meeting, instructed the Secretariat to transmit by e-mail the SPACE presentation to all CDPC members and to invite Mr Aebi to one of its next plenary meetings;

**e. Elections**

- to elect Ms Martina Baric (Croatia) as a new member of the PC-CP Working Group for two years, renewable once;

**8. Prison overcrowding**

- to take note that a subgroup will meet on 7 December 2016 with a view to developing proposals of possible follow-up to the White Paper on prison overcrowding;

**9. Committee of Experts on the operation of European conventions on co-operation in criminal matters (PC-OC) – Exchange of views with the vice-Chair, Ms Joana Ferreira**

- to hold an exchange of views with Ms Joana Ferreira (Portugal), vice-Chair of the PC-OC, on the latest activities carried out by the committee and to thank the committee for its excellent work. Particular attention was drawn to:
  - a) the election of Mr Erik Verbert (Belgium) as Chair of the PC-OC and the re-election of Ms Joana Ferreira as its vice-Chair;
  - b) the new website of the PC-OC and the ongoing updating of its content;
  - c) the progress made in the implementation of the Action Plan on TOC by the PC-OC and in particular:
    - the overview of reservations to CoE treaties within the remit of the PC-OC and proposals for follow-up;
    - the draft overview of judicial networks and proposals to promote their interconnection;
    - the decision to use the PC-OC's single points of contact as a network of contact persons for operational questions concerning the fight against TOC;
    - the Special Session on the implementation of the Second Additional Protocol to the Convention on Mutual Assistance in Criminal Matters (ETS No. 182) organised during

the last plenary meeting of the PC-OC and the decision to develop a questionnaire to ensure its follow-up;

- d) the discussion on possible amendments to the Convention on the Transfer of Sentenced Persons (ETS No. 112) in a Second Additional Protocol as well as the adoption of a questionnaire concerning the possible establishment of an e-transfer tool to facilitate the implementation of the Convention;
- e) the discussions on practical questions raised regarding extradition.

## 10. Terrorism

- to take note of the information provided by Mr Kristian Bartholin, Co-Secretary of the CODEXTER, on the continuing work by the CODEXTER on counter-terrorism matters, notably on the amendments to the Recommendation on special investigation techniques, the drafting Committee on Terrorists Acting Alone, the current work on Terrorism and the Internet and the first meeting of the CoE 24/7 Foreign Terrorist Fighters Network of Contact Points.
- to thank Ms Joana Ghorayeb (France) as CDPC representative at the drafting Committee on Terrorists Acting Alone;
- to welcome the work done by both scientific experts (Prof. Ana Salinas and Prof. Peter Neumann) concerning their joint preliminary report on the links between terrorism and organised crime and thank Prof. Salinas for presenting it to the plenary meeting;
- to examine the preliminary joint report and hold an exchange of views with Prof. Salinas;
- to take note of the progress made in the organisation of the forthcoming conference on this topic to be held in Málaga (Spain) in 2017;
- to keep this item under review and provide regular follow-up on the issue of the links between terrorism and organised crime;

## 11. The role of victims within the criminal justice system

- to thank the scientific expert, Ms Anna Wergens, for the report on a possible update of the Convention on Compensation of Victims;
- to hold a discussion on the issue and agree to draft a questionnaire to be sent to all CDPC delegations to find out both the practical difficulties as to the application of the Convention and areas of improvement for its implementation;
- to instruct the secretariat to send out this questionnaire;
- in relation to the more general future work of the CDPC on victims' rights, to discourage the drafting of a new convention but to further consider the idea of drafting a non-binding legal instrument (recommendation) or guidelines on this topic using a more comprehensive and broader approach;
- as far as the scope of this future non-binding legal instrument is concerned, to invite the Secretariat, together with the help of experts, to draft a questionnaire aimed at finding out whether such an instrument could provide more clarity in relation to the practical experiences of member States in the implementation of existing instruments and how member States apply the rules on victims' rights internally, before beginning the work;

## 12. Information provided by the Secretariat

- to take note of the information provided by the co-Secretary of the CDPC, Mr Oscar Alarcón

Jiménez, on sub-items a. to d. (see Appendix I)

**13. Any other business**

- to take note of the information provided by the CDPC Gender Equality Rapporteur, Ms Irene Fuentetaja Cobas, (Spain), on the new initiatives to be implemented by the CDPC in its future work as regards gender equality;
- to thank Ms Fuentetaja for all these initiatives, included at the document [CDPC(2016)15] prepared by Ms Fuentetaja, which were considered and examined by the CDPC;
- after holding a discussion on these initiatives:
  - to postpone the proposed examination of member States' gender approach to legislation regarding hate crimes;
  - to consider the gender perspective in the CDPC's work regarding cyberbullying and victims of crime;
  - to invite the Gender Equality Commission of the Council of Europe to provide a presentation of the Gender Equality achievements, objectives and actions developed by the Council of Europe at the forthcoming CDPC plenary meeting for an exchange of views;
  - to appoint a second Gender Equality Rapporteur within the CDPC

**15. Dates of the next meetings**

- to hold its forthcoming plenary meetings:
  - from Monday 19 June to Wednesday 21 June 2017;
  - from Tuesday 28 November to Friday 1 December 2017.

## Appendix I

### a. Medicrime

- in relation to the status of signatures and ratifications:
  - a) to take note with satisfaction that Belgium and France ratified the MEDICRIME Convention on 1st August and on 21 September respectively;
  - b) to welcome the fact that 9 countries have already ratified the MEDICRIME Convention and only one more country is now needed in order for the Committee of the Parties to be set up;
  - c) to call upon other CoE and third countries to join this Convention;
- to take note of the multiple activities carried out by the Criminal Law Division since the last CDPC Plenary meeting with a view to promoting the MEDICRIME Convention, such as:
  - a) Workshop on the MEDICRIME Convention held in Minsk, Belarus, on 7 July 2016 where the CoE Secretariat was informed of Belarus' intention to sign the Convention by the end of 2016;
  - b) Stakeholders meeting organised by the European Healthcare Fraud and Corruption Network (EHFCN) held at Europol's premises on 13 July 2016 and aimed at sharing experiences, the latest developments and identifying common future actions related to falsified medication;
  - c) MEDICRIME pilot training programme: launched at the Spanish Judicial School, following a request by the CDPC Spanish member. This 10-week training course is aimed at increasing judges' capacities to improve the national implementation of the MEDICRIME Convention by taking into account the latest amendments to the Spanish Criminal Code following the ratification by Spain of the MEDICRIME Convention;
  - d) Round table on the MEDICRIME Convention: organised in Tunis at the request of the Tunisian authorities (14 November 2016) to raise awareness among judicial, law enforcement and health authorities working in the field. This event was organised by the Criminal Law Division in the framework of the programme "Towards Strengthened Democratic Governance in the Southern Mediterranean" funded by the EU and implemented by the Council of Europe;
  - e) Thematic conference on falsified medicines in the Ivory Coast and West Africa (20 October 2016): the Committee of Experts on minimising the public health risks posed by counterfeiting of medical products and related crimes (CD-P-PH/CMED) carried out this activity by appointing an expert to participate in this event. The Criminal Law Division supported this event
  - f) Visit of Iberoamerican judges: a delegation of Iberoamerican judges paid a visit to the Council of Europe (25 November 2016) in the framework of a specialised programme of training on Human Rights. The judges became acquainted, *inter alia*, with the latest criminal law conventions, in particular the MEDICRIME convention and the CoE Convention against the trafficking in Human Organs;
- to take note that the Criminal Law Division is regularly co-operating with both the Committee of Experts on minimising the public health risks posed by counterfeiting of medical products and related crimes (CD-P-PH/CMED) and the Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group) with a view to promoting the MEDICRIME Convention;

- to take note that, given that the online selling of falsified medical products is an ever-growing phenomenon, a report establishing links between the MEDICRIME and the Cybercrime Conventions is in progress and will be presented to the CDPC in 2017. This report is the CDPC's contribution to the Council of Europe Internet Governance Strategy 2016-2019;
- to take note with satisfaction that a World Health Organization (hereafter, WHO) technical working group has provided clarity of what is meant by the term "substandard/spurious/falsely-labelled/falsified/counterfeit" (hereafter, "SSFFC") medical product and recommended to replace the use of "SSFFC medical products" with "substandard and falsified medical products" as the term to be used in its name and in all future documentation on the subject of medical products of this type. This recommendation is a very positive step towards a common global of understanding what constitutes a substandard or falsified medical product, and gives clarity to the legal definitions at an international level.
- in view of the implementation of the forthcoming activities in this field, to invite those delegations which did not yet send their replies to the Criminal Law Secretariat to do so at their earliest convenience, notably:
  - a) the contact details of the point of contact at national level (and the Ministry involved) responsible for the MEDICRIME Convention;
  - b) the translation, where it exists, of the MEDICRIME Convention into their official language;

#### **b. Trafficking in human organs**

- in relation to the status of signatures and ratifications, to take note with satisfaction that Switzerland has signed the CoE Convention against the trafficking in Human Organs (10 November 2016) and there is interest from other countries in signing this convention in the near future;
- to take note that at the request of the Tunisian authorities, a round table on the Convention against trafficking in human organs was organised in Tunis with a view to discussing the benefits and challenges in joining this convention and to raising awareness among judicial, law enforcement and health authorities working in the field. This event was organised by the Criminal Law Division in the framework of the programme "Towards Strengthened Democratic Governance in the Southern Mediterranean" funded by the EU and implemented by the Council of Europe.
- to support the Criminal Law Division's Secretariat in providing co-operation activities by using a coherent approach (health and justice perspective) with a view to raising awareness of this criminal law convention.
- in view of promoting this convention and given the tight links of this convention with other Council of Europe conventions and the work of other Council of Europe steering committees, to invite in a near future the Chairs of both the European Committee on Transplantation of Organs (CD-P-TO) and the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) for an exchange of views on how their committees are raising awareness of this convention;
- to invite all delegations to send to the Criminal Law Secretariat:
  - a) the contact details of the point of contact at national level (and the Ministry involved) responsible for the CoE Convention against the trafficking in Human Organs;
  - b) the translation, where it exists, of the Convention into their official language;

**c. Cybercrime**

- to postpone the presentation of these elements at the forthcoming plenary meeting;

**d. CEPEJ (European Commission for the Efficiency of Justice)**

- to thank the Head of the Division for the independence and efficiency of justice, Mr Stéphane Leyenberger, and the special advisor to CEPEJ, Mr Yannick Meneceur, for the presentation of the work of the CEPEJ, notably the dynamic database on judicial systems (CEPEJ-STAT).

## Appendix II



Strasbourg, 1 December 2016  
[CDPC plenary/2016 plenary\_2/oj lp/cdpc list of participants]

CDPC (2016) LP 1 Fin (Bil)

# EUROPEAN COMMITTEE ON CRIME PROBLEMS COMITE EUROPEEN POUR LES PROBLEMES CRIMINELS (CDPC)

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**71<sup>st</sup> Plenary Session / 71<sup>ème</sup> Session plénière**

**Strasbourg, 29 November – 1 December / 29 novembre – 1 décembre 2016**

**Council of Europe  
Main Building, Palais de l'Europe  
Room 9 / Salle 9**

**List of participants / liste des participants**

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\*\*No nomination / Pas de nomination

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**Chairman of the CDPC / Président du CDPC**

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Mme Anita MARFURT, Juriste, Département fédéral de justice et police, Office fédéral de la justice, Unité Droit pénal international, Bundesrain 20, CH – 3003 BERNE

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**COMMITTEE OF EXPERTS ON THE OPERATION OF EUROPEAN CONVENTIONS ON  
CO-OPERATION IN CRIMINAL MATTERS / COMITE D'EXPERTS SUR LE FONCTIONNEMENT DES  
CONVENTIONS EUROPEENNES DANS LE DOMAINE PENAL  
(PC-OC)**

Mme Joana FERREIRA

**Vice-Chair of the PC-OC/vice-Présidente du PC-OC**

Procurador de la República, Procuradoria Geral da República, Serviços de Cooperação Judiciária Internacional, Rua do Vale do Pereiro n° 2 - 4 e, P - 1200 LISBOA

**COUNCIL FOR PENOLOGICAL CO-OPERATION / CONSEIL DE COOPERATION PENOLOGIQUE  
(PC-CP)**

Mr Vivian GEIRAN

**Chair of the PC-CP / Président du PC-CP**

Director, Probation Service HQ, Haymarket, Smithfield, Dublin 7, Ireland

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**EXPERTS / INTERVENANTS**

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Ms Ana Maria SALINAS DE FRIAS, University Campus of Teatinos, Boulevard Louis Pasteur s/n, 29071 Malaga

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**SECRETARIAT OF THE COUNCIL OF EUROPE /**  
**SECRETARIAT DU CONSEIL DE L'EUROPE**

**Directorate General of Human Rights and Rule of Law /**  
**Direction Générale des droits de l'Homme et Etat de Droit**

Mr Carlo CHIAROMONTE	Head of Criminal Law Division / <b><u>Secretary to the CDPC</u></b> Chef de la Division du droit pénal / <b><u>Secrétaire du CDPC</u></b>
Ms Iliana TANEVA	Deputy Head of Criminal Law Division / Secretary to the PC-CP Chef adjoint de la Division du droit pénal / Secrétaire du PC-CP
Mr Oscar ALARCON JIMENEZ	Administrative Officer / Administrateur Co-Secretary to the CDPC / Co-secrétaire du CDPC
Ms Anita VAN DE KAR-BACHELET	Administrative Officer / Administrateur Secretary to the PC-OC / Secrétaire du PC-OC
Mr Kristian BARTHOLIN	Administrative Officer / Administrateur Co-Secretary to the CODEXTER / Co-secrétaire du CODEXTER
Mr Stéphane LEYENBERGER	Secretary to the CEPEJ / Secrétaire de la CEPEJ The European Commission for the Efficiency of Justice (CEPEJ) / Commission européenne pour l'efficacité de la justice
Ms Marjaliisa JÄÄSKELÄINEN	Assistant / Assistante
Ms Anaïs SCHAAF	Assistant / Assistante

**Interpreters / Interprètes**

Mr Christopher TYCZKA  
 Ms Sylvie BOUX  
 Mr Jean-Jacques PEDUSSAUD

**Appendix III**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 28 November 2016

CDPC-BU (2016) OJ2

**EUROPEAN COMMITTEE  
ON CRIME PROBLEMS  
(CDPC)**

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**AGENDA**

**71<sup>st</sup> Plenary Session**

**Strasbourg, 29 November – 1 December 2016**

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Council of Europe  
Main Building, Palais de l'Europe  
Room 9

Opening at 10.00, Tuesday  
Closing at 18.00, Thursday

dgi-cdpc@coe.int - [www.coe.int/cdpc](http://www.coe.int/cdpc)

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1. **Opening of the meeting**
  
  2. **Adoption of the draft agenda**  
Draft agenda [CDPC \(2016\) OJ 2](#)  
Annotated agenda [CDPC \(2016\) 11](#)  
For information:  
List of decisions of the CDPC Bureau meeting, 10-11 October 2016 [CDPC-BU \(2016\) 7](#)  
List of decisions of the 70<sup>th</sup> CDPC Plenary, 27-30 June 2016 [CDPC \(2016\) 8](#)
  
  3. **Activities and priorities of the CDPC for 2016-2017 (This point and the related documents are only for information)**  
Terms of reference for the years 2016-2017 [Terms of reference](#)  
Resolution on intergovernmental committees and subordinate bodies, their terms of reference and working methods [CM Res \(2011\) 24](#)  
Decisions by the Committee of Ministers, 18 May 2016, Sofia, Bulgaria [Decisions](#)
  
  4. **Activities related to transnational organised crime: Action plan**  
White Paper (Please note the document is 49 pages long) [White Paper](#)  
Council of Europe Action Plan on Combating Transnational Organised Crime (2016-2020) [CDPC \(2015\) 17 Fin](#)  
Methodology of the Action Plan on TOC for 2016 [CDPC \(2016\) 5 Rev](#)  
First preliminary work plan of the Action Plan on TOC: Activities to be implemented in 2016 [CDPC \(2016\) 10](#)  
Work plan of the Action Plan on TOC (2016-2017) [CDPC \(2016\) 13](#)  
Action Plan on TOC (2016-2020): Possible Activities to be implemented by the PC-OC [PC-OC \(2016\) 05](#)  
Review Recommendation Rec (2005)9 on the protection of witnesses and collaborators [CDPC \(2016\) 18](#)  
Draft terms of reference [CDPC \(2016\) 19](#)
  
  5. **Smuggling of migrants**  
Discussion paper on “Criminality and migration” [CDPC \(2015\) 16](#)  
Questionnaire on criminality and migration [CDPC \(2015\) 19](#)  
National Laws Relating to Smuggling of Migrants in Council of Europe Member States [CDPC \(2016\) 3](#)  
Preventing and suppressing the smuggling of migrants in Council of Europe member States – “a way forward” [CDPC \(2016\) 4 Rev](#)  
Concept paper for the Conference [CDPC \(2016\) 16](#)  
Draft Programme of the Conference [CDPC \(2016\) 17](#)
  
  6. **Council of Europe Convention on Offences relating to Cultural Property**  
Terms of reference for a drafting committee on Offences related to cultural property [Terms of reference](#)  
Report of the 2nd Plenary Meeting of the Committee on Offences relating to Cultural Property (PC-IBC), 7-10 November 2016 [PC-IBC \(2016\) 07](#)  
Report of the 1st Plenary Meeting of the Committee on Offences Relating to Cultural Property (PC-IBC), 31 May-1 June 2016 [PC-IBC \(2016\) 04](#)  
Draft Council of Europe Convention on Offences relating to Cultural Property [PC-IBC \(2016\) Conv1](#)  
Draft Explanatory Report [PC-IBC \(2016\) 06](#)
  
  7. **Council for Penological Co-operation (PC-CP) – Exchange of views with the Chair, Mr Vivian Geiran**  
Summary Meeting report of the 6<sup>th</sup> Plenary Meeting of the PC-CP, 19-21 October 2016 [PC-CP \(2016\) 11](#)  
Summary Meeting report of the 13<sup>th</sup> Working Group Meeting of the PC- [PC-CP \(2016\) 10](#)

- CP, 26-28 September 2016  
 Terms of reference for the years 2016-2017 [Terms of reference](#)  
 Election of a new member of the PC-CP Working Group [PC-CP \(2016\) 9](#)
- a. Draft Recommendation on the European Rules on community sanctions and measures**  
 Combination of the draft recommendation and the draft commentary [PC CP \(2016\) misc 2 rev](#)
- b. Radicalisation in Prison**  
 Handbook for prison and probation services regarding radicalisation and violent extremism [PC-CP \(2016\) 2 rev3](#)
- c. Follow up to the 21<sup>st</sup> Council of Europe Conference of Directors of Prison and Probation Services and organization of the 22<sup>nd</sup> Council of Europe Conference of Directors of Prison and Probation Services, 13 – 14 June 2017, Lillestrøm, Norway**  
 Closing comments by the PC-CP Chair [link](#)
- d. SPACE**  
 Presentation by Prof. Marcelo Aebi, University of Lausanne, on SPACE survey 2015
- 8. Prison overcrowding**  
 White Paper on prison overcrowding [CM\(2016\)121-add3](#)
- 9. Committee of Experts on the operation of European conventions on co-operation in criminal matters (PC-OC) – Exchange of views with the Vice-Chair, Ms Joana Ferreira**  
 List of decisions of the 71st Plenary meeting of the PC-OC, 15-17 November 2016 [PC-OC \(2016\)06](#)  
 Draft Agenda of the 71<sup>st</sup> Plenary meeting of the PC-OC, 15-17 November 2016 [PC-OC \(2016\) OJ 2](#)  
 List of decisions of the 22<sup>nd</sup> meeting of the PC-OC Mod, 27-29 September 2016 [PC-OC Mod\(2016\)11](#)  
 Overview of reservations to Council of Europe treaties within the remit of the PC-OC and of relevance to the fight against Transnational Organised Crime [PC-OC Mod\(2016\)5rev Add](#)  
 Overview of existing judicial networks [PC-OC Mod\(2016\) 6 rev](#)  
 Draft questionnaire concerning the possible establishment of an E-transfer tool [PC-OC Mod \(2016\) 07rev2](#)  
 Terms of reference for the years 2016-2017 [Terms of reference](#)
- 10. Terrorism**  
 List of decisions of the 31<sup>st</sup> Plenary meeting of the CODEXTER, 16-17 November 2016 [CODEXTER \(2016\) 25](#)  
 Action Plan – The fight against violent extremism and radicalisation leading to terrorism [CM\(2015\)74 add final](#)  
 Preliminary report by the experts on the links between terrorism and organised crime [CODEXTER \(2016\) 22](#)  
 Draft Recommendation on “special investigation techniques” in relation to serious crimes including acts of terrorism and its explanatory report [CODEXTER \(2016\) 5 rev3](#)  
[CODEXTER \(2016\)18 Rev 2](#)
- 11. The role of victims within the criminal justice system**  
 Report on the standing and rights of victims in criminal proceedings [CDPC \(2010\) 16](#)  
 Article on “Victims’ Reflections on the Protective and Proactive [Article](#)

Approaches to the Offer of Restorative Justice: The Importance of Information” (Tinneke Van Camp and Jo-Anne Wemmers, Canadian Journal of Criminology and Criminal Justice, July 2016)

European Convention on the Compensation of Victims of Violent Crimes (ETS No.116) [Convention](#)

Information document

[CDPC \(2016\) 14](#)

Council of Europe Convention on the compensation of victims of violent crimes

[CDPC \(2016\) 20](#)

## 12. Information provided by the Secretariat

### a. Medicrime

Country visit: Workshop on the MEDICRIME Convention (07.07.2016, Minsk, Belarus) [Programme](#)

Coordination Stakeholders Meeting (13.07.2016, The Hague, the Netherlands) [Programme](#)

Capacity building: bended MEDICRIME Training (21.09.2016, Barcelona, Spain) [Programme](#)

Report on links/gaps between MEDICRIME and Cybercrime Conventions (Outline) [CDPC-BU \(2016\) 6](#)

Country visit to Tunisia: Round table on the MEDICRIME Convention (14.11.2016, Tunis, Tunisia) [Programme](#) (in French only)

### b. Trafficking in human organs

Country visit to Tunisia: Roundtable on the Trafficking in human organs Convention [Programme](#) (in French only)

### c. Cybercrime

Report of the 16<sup>th</sup> Plenary of the T-CY, 14 – 15 November 2016 [T-CY \(2016\)32](#)

Draft Guidance Note on production orders for subscriber information (Article 18 Budapest Convention) [T-CY\(2015\)16](#)

Draft Guidance Note on Terrorism [T-CY\(2016\)11](#)

Criminal justice access to data in the cloud: Recommendations for consideration by the T-CY ([Please note the document is 58 pages long](#)) [T-CY \(2016\)5 Prov](#)

### d. CEPEJ (European Commission for the Efficiency of Justice)

Presentation of the new evaluation reports of judicial system ([Some copies will be available in the meeting room.](#))

- Report “European judicial systems – Edition 2016” [Report](#)

([Please note the document is 242 pages long](#))

- Report “European judicial systems – Edition 2016 – an Overview” [Report](#)

([Please note the document is 56 pages long](#))

- Report “Use of information technologies in European courts – Edition 2016” ([Please note the document is 178 pages long](#)) [Report](#)

## 13. Any other business

Possible items for the new Gender Equality Rapporteur of the CDPC to be dealt with [CDPC \(2016\) 15](#)

## 14. Dates of the next meetings

- 72<sup>nd</sup> CDPC Plenary: week of 19 – 23 June 2017

- 73<sup>rd</sup> CDPC Plenary: week of 28 November – 1 December 2017