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## EUROPEAN COMMITTEE ON CRIME PROBLEMS (CDPC)

Meeting of the Bureau  
(CDPC-BU) (Strasbourg, 14 June 2005)  
and  
the Enlarged Bureau (Strasbourg, 15–17 June 2005)

### SUMMARY REPORT

#### BRIEF FOREWORD

The Bureau of the CDPC discussed and took a number of decisions concerning the CDPC's workplan, including as regards the follow-up to the 26<sup>th</sup> Conference of European Ministers of Justice and the Warsaw Summit. Work on this question will continue at its meeting in October, with a view to proposing a workplan to the plenary next April 2006.

It also held an initial discussion as concerns the themes of the 26<sup>th</sup> Conference of European Ministers of Justice, planned to be held in Armenia in September 2006.

As regards working methods, the Bureau discussed both its own methods of work and the issue of interface between specialised sub committees and the plenary meeting. A position on this latter point will be decided by the Bureau meeting in October.

The Bureau agreed to propose to the CDPC an increase in the number of members of the Council for Penological Co-operation (PC-CP) and proposed to the CDPC draft terms of reference for the PC-CP to prepare draft European Rules for Juveniles.

The enlarged Bureau, which met subsequently, discussed and revised the draft European Prison Rules. These will be finalised by the Bureau further to any comments received from the CDPC delegations, and then submitted to the Committee of Ministers for adoption.

The CDPC is invited to note that:

- the Bureau requested the Committee of Experts on the Operation of European Conventions in the Penal Field (PC-OC) to report to the next meeting of the CDPC on matters relating to dispute settlement mechanisms (see § 11 to 16 below);
- the Bureau requested the Secretariat to consult, in writing, the CDPC heads of delegation concerning the theme of the next Conference of European Ministers of Justice (Armenia, September 2006) (see § 17 to 19 below);
- the CDPC will be requested at its next meeting to elect: \*a member of its Bureau (see § 26 below): \* members of the Council for Penological Co-operation (PC-CP) (see § 27 below)  
\* possibly members of the Criminological Scientific Council (PC-CSC) (see § 28 & 29 below)
- the Bureau has finalised the draft terms of reference for the PC-CP to prepare draft European Rules for Juveniles which will be submitted to the CDPC for approval through the written consultation procedure (see Item 8 below)
- the enlarged Bureau finalised the draft European Prison Rules (EPR) and commentary and invited CDPC delegations to send their comments (see Item 11 below)

The CDPC is invited to take note of the report as a whole.

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## **BUREAU**

**14 June 2005**

### **1. Opening of the meeting**

1. The meeting was opened by Mr Claude DEBRULLE (Belgium), Chair, who welcomed especially Mr Alexander ZMEYEVSKIY (Russian Federation), participating for the first time as a Bureau member. He noted that apologies for absence had been sent by Ms Andreja LANG (Slovenia) and Mr Jesper HJORTENBERG (Denmark), as well as by Mr Mario AFFENTRANGER (Switzerland) who had been obliged to resign his position as a Bureau member due to other professional commitments.

2. The list of participants is set out in Appendix I.

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

3. The CDPC Bureau adopted the agenda, with the addition of a point of information under item 9 regarding the Seminar "Protecting Human Rights while Fighting Terrorism", which both Mr DEBRULLE and Mr BOHACIK had attended.

The agenda which also lists the working documents of the meeting, is set out in Appendix II

### **3. 2005/2006 work plan for the CDPC and its subordinate committees – establishing priorities**

#### **a. Workplan**

##### **i. general questions**

4. The Bureau examined the document prepared by the Secretariat setting out the major lines of action of the CDPC and its subordinated committees. In order to complete this document for discussion by the Bureau meeting in October – and subsequent presentation to the plenary in 2006, the Bureau instructed the Secretariat to ask, in its name, the Council for Penological Co-operation (PC-CP), the Criminological Scientific Council (PC-CSC) and the Committee of Experts on the Operation of European Conventions in the Penal Field (PC-OC) to provide detailed information as to their work, their priorities and their deadlines. They should also be asked (the PC-CSC in particular) for any proposals they may have for future activities. Once this information is received the Bureau will be in a better position to make proposals for the future role and work of the PC-CSC.

5. Some concern was expressed that, although some activities were indicated, no meeting of the relevant sub committee had been convened for this year. Furthermore, in defining priorities, it was important to finish work that had been started before tackling other issues. However, the Bureau recognised that the issue of budgetary constraints and the outcome of both the Helsinki Conference of European Ministers of Justice and the Warsaw Summit had to be taken into consideration when presenting the proposal to the plenary in April 2006 for decisions as to the CDPC's work plan over the next year or two.

6. The Bureau considered it would be useful to establish a list of short and long term activities/priorities. It asked its Secretariat to prepare this document for October, on the basis of the replies received from the sub committees as well as on the basis of any budgetary decisions which will have been taken by then.

7. Short term activities would include items for discussion/decision at the plenary in March 2006, for example, decisions should be taken on assistance to victims of terrorism and to victims of serious crime in

general, while a discussion could take place as to the opportuneness of proposing that instruments relating to counterfeiting (of medicine, or in general), and to sexual exploitation of children be elaborated. As regards the former, it was probably best to wait until after the seminar to be held in September (see § 50 below). As to the latter, the Secretariat would prepare, for the Bureau meeting in October a note as to what instruments already exist (e.g. the Palermo Protocol, at the E.U. level, etc) as opposed to the known lacunae (e.g: the protection of child victims during the execution of criminal proceedings; prescription and extra territorial jurisdiction).

8. More long term developments, which might depend on the outcome of the 27<sup>th</sup> Conference of Ministers of Justice (see b. below), could include other specific categories of victims (such as victims of violations of international humanitarian law, victims of domestic violence, vulnerable groups such as women, children, victims of trafficking, etc).

9. At the same time, the Bureau considered the input and role of the CDPC, in accordance with its mandate to ensure the coherence of the Council of Europe's intergovernmental activities in the penal field (for example the recent work of CODEXTER or CAHTEH) as well as with regard to relations with other international organisations.

10. In this context the Bureau agreed that it would be useful to append to the work plan a short list of other Council of Europe activities of interest to the CDPC (e.g. CODEXTER, CDDH, CAHDI).

## **ii. dispute settlement mechanisms**

11. More specifically, the Bureau referred to Resolution No 5 of the 26th Conference of European Ministers of Justice on the functioning of the Council of Europe Conventions on judicial co-operation in the criminal field.

12. It noted that the 925<sup>th</sup> meeting of Ministers' Deputies, as requested by the European Ministers of Justice in Resolution No 5, had entrusted the CDPC to:

“examine, taking into account best practices developed by member states and the work already being carried out by the Council of Europe in this area, the effective implementation of co-operation mechanisms provided for by the Council of Europe conventions in criminal matters, any difficulties resulting therefrom, as well as possible improvements that could be made, and to make any necessary proposals in this regard.”

13. The Bureau noted in particular the need to provide an effective solution to settle disputes which may arise from the application of the Council of Europe conventions. The European Convention on Extradition and the European Convention on Mutual Assistance in criminal matters were of particular interest, as these texts do not foresee any dispute settlement mechanisms.

14. The Bureau recognised the important role of the Committee of Experts on the Operation of the European Conventions in the penal field (PC-OC) in finding ways and means for an effective operation of the criminal conventions.

15. In order not to lose any time, the Bureau therefore requested the PC-OC, at its 50<sup>th</sup> meeting (27-29 June 2005), to consider the question of the dispute settlement mechanisms foreseen in the Council of Europe conventions. The PC-OC was requested, in particular, to report to the CDPC, before its next plenary meeting, on:

- the various types of mechanisms envisaged in the conventions,
- the efficiency of these mechanisms and the problems encountered,
- the further work it could carry out in this field and in particular by making concrete suggestions indicating how to promote the effective implementation of co-operation mechanisms provided for by the Council of Europe conventions in criminal matters.

16. In the light of the above matters, the Bureau instructed the Secretariat to prepare a document setting out the matters for discussion by the PC-OC.

**b. 27<sup>th</sup> Conference of European Ministers of Justice – Armenia September 2006**

17. One theme which has been proposed for this conference (by the European Committee on Legal Co-operation (CDCJ) at its meeting in April 2005) is the issue of victims. The Bureau considered that this would be an appropriate area which falls both within the civil and criminal areas and, indeed, next March the CDPC should be in a position to adopt the revision of Recommendation (87) 21 on Assistance to Victims. A report would be sent to the CDPC at the end of June by the PC-S-AV on the more specific issue of victims of terrorism.

18. One possible result of the 27<sup>th</sup> Conference to be aimed for could be that the Ministers of Justice recommend that a binding instrument be developed in this regard.

19. The Bureau noted that this was only a first suggestion and further to its discussions, asked the Secretariat to consult, in writing, the CDPC heads of delegation, as to whether they agree with this suggestion or have any other specific ideas, on the following bases:

- it is important to have a theme which interfaces civil and criminal law,
- one possible important theme could be victims, especially vulnerable victims as per the Helsinki Resolution 2 (e.g. victims of domestic violence),
- whether or not they consider this theme of victims (specific types or in general) to be appropriate,
- whether they have any other suggestion, which should be specified.

**c. 4th Multilateral Consultation on the implications of the ratification of the Rome Statute of the International Criminal Court (ICC) on the domestic order of the member states of the Council of Europe.**

20. These consultations are a joint initiative of the Committee of Legal Advisers on Public International Law (CAHDI) (Foreign Ministries) and the CDPC (Ministries of Justice). They usually take place just before or after the CAHDI meeting and include the participation of the President and the Prosecutor of the ICC.

21. The 4th consultation might be convened in either March or September of 2006, subject to the availability of budgetary means, which is not very clearly established at the present time.

22. In response to a question by the Chair, it was agreed that a possible subject would be bilateral co-operation agreements between member states and the ICC as regards prisoners, protection of witnesses, etc. An exchange of good practice in this area could prove to be of use. Another suggested topic was how treaty crimes are transformed into national law in different legal systems.

**4. Working methods of the Bureau**

23. As the Bureau has now been increased to 9 members, it discussed the idea of assigning its work (in a first instance), as well as the question of “external relations” of the CDPC to rapporteurs or groups of rapporteurs. There was no firm consensus on this matter, some Bureau members considering it a good way to face the increasing workload, others feeling that it was important for the Bureau to act /take decisions on a collegial basis. It was agreed that the approach could be, initially, to treat certain questions arising on an ad-hoc basis – for example Mr BRADLEY would be responsible for reporting on relations with the European Union institutions (given the UK’s present Presidency of the Union). The Bureau would, however, review this question again.

## **5. Interface between specialised committees and the CDPC Plenary**

24. As a result of the discussions of the draft revised European Prison Rules (EPR) in the March 2005 plenary, the Bureau was mandated, along with the Secretariat, to examine modalities for ensuring that, once a committee with a limited membership or dealing with technical matter has completed its work, a wider consultation is carried out before presentation of a draft text to the CDPC plenary.

25. The Bureau agreed that these issues would only arise with respect to a limited number of specific documents and considered that it would be useful to provide to the CDPC plenary a list of activities contained in the work plan for which such extra consultation would be necessary as well as a proposed procedure. Such a procedure could be via a written consultation the results of which the specialised committees would be asked to take into account when preparing a final draft for presentation to the CDPC. It asked the Secretariat to draw up a note on these lines for its meeting in October.

## **6. Elections:**

### **a. Bureau member to replace Mr Mario-Michel AFFENTRANGER**

26. The Bureau noted, with regret, that Mr AFFENTRANGER had had to resign due to other professional commitments. He will be replaced by an election at the CDPC plenary in March. It asked the Secretariat to prepare a letter, in the name of the Bureau, expressing their thanks and appreciation for all his work, the fact that they would miss his in depth knowledge and wide experience and their regret that they were not able to convey these sentiments to him in person.

### **b. new members of the Council for Penological Co-operation (PC-CP) – and possible enlargement**

27. The Bureau noted that three members of the PC-CP will reach the end of their mandates in 2006 and that the Chair will be resigning his position as soon as the work of the revised European Prison Rules is accomplished. Given the decisions taken by the CDPC in March, the PC-CP will be called upon to prepare/comment upon texts in a number of relatively specialised areas – remand prisoners, the feasibility of a European Prisons Charter, juveniles, probation and aftercare. The Bureau considered that the consequent workload and need for special expertise, as well as the recent enlargement of the Bureau itself (the PC-CP has always had the same number of members as the Bureau, also for reasons of geographic representation) justified an enlargement of the PC-CP. The Bureau will therefore propose to the plenary in March 2006 that the membership of the PC-CP be increased from seven to nine members. If the CDPC were to accept this proposal then the plenary at its next meeting in April 2006 would have to elect five (or six) new members of the PC-CP, two of whom would be elected subject to the agreement of the Committee of Ministers to the increase in membership.

### **c. new members of the Criminological Scientific Council (PC-CSC)**

28. The terms of office of Ms Mariavaleria DEL TUFO and Mr Pierre TOURNIER expired at the end of the March 2005 plenary session. At that meeting the CDPC noted that, as the PC-CSC would not be meeting in 2005, it was therefore not necessary to elect replacements. Some members of the CDPC having expressed concern with this situation (as the PC-CSC might be called upon, possibly by the Committee of Ministers to provide an opinion), the CDPC asked its Bureau to look into this matter and to make proposals to ensure the continuity of this Committee, in light of the importance of its activities, in particular in making proposals for future activities.

29. The Bureau agreed that elections should be held at the plenary in March 2006 to replace the two outgoing members. It also asked the Secretariat to ask the remaining members of the PC-CSC to provide their opinion as to priority work for their committee. Having noted that there were some questions as to the

role of the PC-CSC, the Bureau agreed that, with the help of one of the members of the PC-CSC, their terms of reference should be reviewed and updated.

30. The enlarged Bureau meeting should be informed of the calls for candidatures for the PC-CP and the PC-CSC which will be made in the autumn of this year.

## **7. European Prisons Charter – Feasibility**

31. The Bureau instructed the Secretariat to proceed to a written consultation with the PC-CP and the Committee for the Prevention of Torture (CPT) on the feasibility of a European Prisons Charter.

## **8. European Rules for Juvenile Offenders – Draft Terms of Reference**

32. At their recent meeting (23 – 25 May 2005) the PC-CP revised the draft terms of reference mandating the PC-CP to draw up draft European Rules for Juvenile Offenders. The Bureau approved these draft terms of reference and asked its Secretariat to submit them to the CDPC for approval through the written consultation procedure as agreed by the CDPC at its last meeting (see CDPC (2005) 12 § 68. It was stressed that there was a clear need for three scientific experts.

## **9. Information provided to the Bureau**

### **a. Committee of European Ministers – adoption of Conventions, recommendations, etc (20 April and 3 May 2005 meetings)**

33. The Bureau took note of the decisions of the Committee of Ministers, which had adopted all the texts proposed by the CDPC <sup>1</sup>with the exception of the terms of reference for the Consultative Council of European Prosecutors (CCPE) (n.b. these terms of reference were adopted on 13 July 2005<sup>2</sup>).

### **b. 26<sup>th</sup> Conference of European Ministers of Justice - Helsinki, 7 – 8 April 2005**

34. The Bureau recalled that the Ministers adopted five resolutions, four of which concern the CDPC and are therefore reflected in the work plan referred to under point 3 above. The Bureau recalled the clear success of this conference and requested Mr Vesterbacka to convey their appreciation to the Minister of Justice for the excellent organisation and warm hospitality.

### **c. Conclusions of the CATS meeting 29 April 2005**

35. The Chair presented the conclusion of the CATS meeting to the Bureau. He noted that as regards the work of the CDPC, the activities of the EU in this domain were concentrated on mutual recognition and on harmonisation, although progress in the latter was moving very slowly. In this context he did not consider that there was an overlap in the work of the EU and the Council of Europe except perhaps as regards the transfer of sentenced prisoners.

### **d. 11<sup>th</sup> Congress of the UN on the Prevention of Crime**

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<sup>1</sup> See appended:

[CM/Del/Dec\(2005\)924/10.3aE / 25 April 2005](#), [CM/Del/Dec\(2005\)924/10.3bE / 25 April 2005](#),  
[CM/Del/Dec\(2005\)924/10.3cE / 25 April 2005](#), [CM/Del/Dec\(2005\)925/10.8E / 10 May 2005](#)

<sup>2</sup> See appended :

[CM/Del/Dec\(2005\)935/10.2E / 18 July 2005](#)



36. Mr MIKLAU, who had attended this conference, informed the Bureau about its content and conclusions. The Bangkok declaration, on which it had been hard to achieve consensus, represented, in his view, a statement of general criminal policy. He noted that the current trends were in the fields of victims, restorative justice, and “new” crimes (such as cyber crime, terrorism, environmental crimes).

37. One element which was clear from the conference was the importance of technical assistance in tackling crime – in particular the transfer of knowledge between countries, to help especially those countries with limited financial and other resources to improve their systems with assistance from experts in the international field.

**e. Third Summit of Heads of State – Warsaw 16 - 17 May 2005**

38. The Bureau noted that the Declaration and Action Plan of the Warsaw Summit refer to a number of issues which are within the remit of the CDPC, including the regular updating of the European Prison Rules; and work on terrorism, corruption, organised crime, trafficking, cybercrime and money laundering.

39. It also noted the importance attached by the Heads of State to the European Convention on Human Rights and the need for efficacy of the Court, the proposals to review European architecture (EU/COE/OSCE) and the Russian proposal to hold a summit of summits involving these three organisations.

**f. Conventions ETS 90, 190 and CETS 196, 197, 198 – update on the status of signatures and ratifications**

40. The Bureau took note of the information provided and requested that updates be provided at all Bureau and plenary meetings in the future.

**g. CPGE Budapest**

41. The Bureau noted with interest the conclusions of the Budapest Conference of Prosecutors General, in particular the “Budapest Guidelines”.

**h. Seminar “Protecting Human Rights while Fighting Terrorism”**

42. Mr BOHACIK informed the Bureau about this seminar, noting that two points of interest to the CDPC had been discussed – that of diplomatic assurances in the field of extradition and that of the specific grounds on which mutual legal assistance could be refused. For example, as regards the latter, while it was clear that extradition could be refused, could mutual legal assistance also be refused if there was a possibility of inhuman treatment? To what extent could evidence obtained in countries where inhuman treatment in practised be used to convict a person?

**10. Dates of the next meeting of the Bureau and the CDPC**

43. The Bureau decided to hold its next meeting on 12–14 October 2005. This would enable the Bureau to have a joint meeting with the CDCJ Bureau to discuss the themes of the 27th Conference of Ministers of Justice and, if the Bureau so wishes, to have a meeting with the Committee of Experts on Transnational Criminal Justice (PC-TJ) committee.

44. It further decided that the next Plenary Session should be held from 3–7 April 2006.

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## **ENLARGED BUREAU**

**15 – 17 June 2005**

### **1. European Prison Rules (EPR)**

45. Under the Chairmanship of Mr Debrulle, the enlarged CDPC Bureau (members of the Bureau and other CDPC delegations attending at their own expense), together with the Chair of the PC-CP and one of its scientific experts met from 13-15 June 2005 to revise the texts of the European Prison Rules and their commentary<sup>3</sup>.

46. The list of participants is set out in Appendix III.

47. The texts of the European Prison Rules and its commentary, as revised, would be sent to all CDPC delegations by the end of June, with a request for any comments to be forwarded to the Secretariat by 15 September 2005. On the basis of those comments the Bureau, at its meeting in October, will, as agreed by the CDPC at its last meeting (see CDPC (2005) 12 § 54) finalise the texts and forward them to the Committee of Ministers for adoption.

### **2. Elections - PC-CP and PC-CSC**

48. The enlarged Bureau was informed as regards the need to elect PC-CP, PC-CSC and Bureau members and forewarned that the call for candidatures would be launched in the autumn (see 6 b and c above).

### **3. Information and upcoming Seminars and Conferences**

49. The enlarged Bureau was provided with the information indicated under points 9 a, b, e and f above.

50. The enlarged Bureau was also informed of the following upcoming seminars and conferences:

- A seminar entitled "Counteract the Counterfeiters! Limiting the risks of counterfeit medicines to public health in Europe by adequate measures and mechanisms" will be held in Strasbourg, 21-23 September 2005. All CDPC delegations are invited and strongly encouraged to attend. The enlarged Bureau was further informed that the voluntary contributions received for this seminar are sufficient to cover the expenses (traveling and subsistence) of one expert of the law enforcement sector from each of the following member states: Albania, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Georgia, Kosovo-UNMIK, Serbia and Montenegro, Romania, Russian Federation, Ukraine.
- In the framework of the Portuguese Presidency the Council of Europe and the Ministry of Justice of Portugal are organising a "Conference on Combating Economic Crime" from 28 to 30 September in Cascais, Portugal (near Lisbon). The aims of the conference are:
  1. To take stock of new developments and trends with regard to economic crime.
  2. To elaborate proposals for further action on economic crime to be taken by the Council of Europe.

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<sup>3</sup> Working Documents : PC-CP(2004)08 rev 6 and PC-CP (2004) 09 rev 5

- As a result of these two important conferences at the end of September the conference being organised by the Turkish Ministry of Justice and the Council of Europe on Probation and Aftercare would now be held in November, in Istanbul.
- A conference entitled “Cybercrime: A Global Challenge, a Global Response” will be organised by the Council of Europe and the Government of Spain in Madrid, on 12-13 December 2005.

**APPENDIX I**

**List of Participants / Liste des participants**

**AUSTRIA / AUTRICHE**

Mr Roland MIKLAU, Director General, Criminal Law, Ministry of Justice, VIENNA

**BELGIUM / BELGIQUE**

M. Claude DEBRULLE, **Chairman of the CDPC / Président du CDPC**, Directeur Général, Ministère de la Justice, BRUXELLES

**DENMARK / DANEMARK**

Mr Jesper HJORTENBERG, Deputy Director of Public Prosecution, Office of the Director of Public Prosecution, COPENHAGEN K  
*Apologised / Excusée*

**FINLAND / FINLANDE**

Mr Esa VESTERBACKA, Head of the Department of Criminal Policy, Ministry of Justice, HELSINKI

**RUSSIAN FEDERATION / FEDERATION DE RUSSIE**

Mr Alexander ZMEYEVSKIY, Director, Department on the Issues of New Challenges and Threats, Ministry of Foreign Affairs, MOSCOW

**SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE**

Mr Branislav BOHÁČIK, **Deputy Chairman of the CDPC / Vice-Président du CDPC**, Director – Division for Judicial Co-operation in Criminal Matters, Ministry of Justice, BRATISLAVA

**SLOVENIA / SLOVENIE**

Ms Andreja LANG, Head of the Department for Criminal Legislation, Directorate for the Preparation of Legislation, Ministry of Justice LJUBLJANA  
*Apologised / Excusée*

**SWITZERLAND / SUISSE**

M. Mario-Michel AFFENTANGER, Chef de la Section des Traités Internationaux, Division de l'Entraide Judiciaire Internationale, Office Federal de la Justice, BERNE  
*Resigned / Démissionné*

**UNITED KINGDOM / ROYAUME-UNI**

Mr Richard BRADLEY, Head of Judicial Co-operation Unit, LONDON

\* \* \* \* \*

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

**Department of Crime Problems / Service des Problèmes Criminels**

Mrs Margaret KILLERBY, Head of the Department of Crime Problems / Chef du Service des Problèmes Criminels

Ms Bridget O'LOUGHLIN, Head of the Criminal Justice Division / Chef de la Division de la justice pénale  
**Secretary to the CDPC / Secrétaire du CDPC**

Ms Iina TANEVA, Head of the Prisons and Probation Unit / Chef de l'Unité des prisons et probation

Ms Claire ROBINS, Assistant / Assistante

\* \* \* \* \*

**INTERPRETERS / INTERPRETES**

Mme Sylvie BOUX

Mme Isabelle MARCHINI

Mme Corinne McGEORGE

## APPENDIX II

### Agenda

1. **Opening of the meeting / Ouverture de la réunion**
2. **Adoption of the draft agenda / Adoption de l'ordre du jour**  
*CDPC-BU (2005) OJ 4rev – revised draft agenda / projet d'ordre du jour révisé*
1. **a. 2005/2006 work plan for the CDPC and its subordinate committees – establishing priorities**  
*2005/2006 organisation du travail du CDPC et ses comités subordonnés – établissement des priorités*  
*CDPC-BU (2005) 8rev – Work plan / Programme du travail 2005-2006*  
*CDPC-BU (2005) 9 – List of CDPC subordinate committees / liste des comités subordonnés au CDPC*
- b. 27<sup>th</sup> Conference of Ministers of Justice – Armenia, September 2006**  
*27<sup>e</sup> Conférence des Ministres de la justice – Arménie, septembre 2006*  
*PC-S-AV (2005) 5 – Elements adopted by the PC-S-AV on victims of terrorism/Victimes du terrorisme -*  
*Eléments adoptés par le PC-S-AV*
- c. 4th Multilateral Consultation on the implications of the ratification of the Rome Statute of the ICC on the domestic order of the member States of the Council of Europe.**  
*4<sup>e</sup> Consultation multilatérale sur les implications de la ratification du Statut de Rome de la CIC sur l'ordre domestique des Etats membres du Conseil de l'Europe*
2. **Working methods of the Bureau**  
*Méthodes de travail du Bureau*
3. **Interface between specialised committees and the CDPC Plenary**  
*Interface entre les comités spécialisés et la plénière du CDPC*
4. **Elections / Elections**
  - a. **of a Bureau member to replace Mario-Michel Affentranger**  
*d'un nouveau membre du Bureau à remplacer Mario-Michel Affentranger*
  - b. **of new members of the Council for Penological Co-operation (PC-CP) – and possible enlargement**  
*des nouveaux membres du Conseil de Coopération pénologique (PC-CP) – et son élargissement éventuel*

*Rules of the PC-CP / Règlement du PC-CP*  
CDPC (2005) 3 Secretariat memorandum concerning the elections for the CDPC and subordinate committees/Note du secrétariat concernant les élections au CDPC et à ses comités subordonnés

- c. of new members of the Criminological Scientific Council (PC-CSC)?**  
*des nouveaux membres du Conseil scientifique criminologique (PC-CSC) ?*

*Rules of the PC-CSC / Règlement du PC-CSC*  
CDPC (2005) 3 Secretariat memorandum concerning the elections for the CDPC and subordinate committees/Note du secrétariat concernant les élections au CDPC et à ses comités subordonnés

- 5. European Prisons Charter – Feasibility**  
*Charte Pénitentiaire Européenne - faisabilité*

- 6. European Rules for Juveniles – Draft Terms of Reference**  
*Règles européennes pour les délinquants juvéniles – Projet de mandat*  
*PC-CP (2004) 10 rev 3 – draft terms of reference / projet de mandat*

**9. Information**

- a. Committee of Ministers – adoption of Conventions, Recommendations, etc. (20 April meeting)**  
*Comité des Ministres – adoption des Conventions, Recommandations, etc. (réunion du 20 avril)*

*CM/Del/Dec(2005)924 – Decisions adopted (concerning the CDPC) /*  
*CM/Del/Dec(2005)925 - Décisions adoptées (concernant le CDPC)*

- b. 26<sup>th</sup> Conference of Ministers of Justice - Helsinki, 7 – 8 April 2005**  
*26<sup>e</sup> Conférence des Ministres de la justice – Helsinki, 7 – 8 avril 2005*  
*Resolution N° 2 – The Social Mission of the Criminal Justice System - Restorative Justice /*  
*La mission sociale du système de justice pénale*  
*Resolution N° 3 – on combating terrorism / relative à la lutte contre le terrorisme*  
*Resolution N° 4 – on updating the European Prison Rules and on the possibility of a European Prisons Charter /*  
*relative à l'actualisation des Règles pénitentiaires européennes*  
*et à une éventuelle Charte pénitentiaire européenne*  
*Resolution N° 5 – on the functioning of the Council of Europe conventions*  
*on judicial co-operation in criminal matters /*  
*relative au fonctionnement des conventions du Conseil de l'Europe de coopération judiciaire*  
*dans le domaine pénal*  
*CM/Del/Dec(2005)925 – Decisions adopted (concerning the Conference) /*  
*Décisions adoptées (concernant la Conférence)*

- c. Conclusions of the CATS meeting, 29 April 2005**  
*Conclusions de la réunion CATS, 29 avril 2005*  
*DG I (2005) 7 - Report of the meeting between the Troïka of the Article 36 Committee*  
*of the European Union and the Council of Europe (Strasbourg, 29 April 2005) /*  
*Rapport de la réunion entre la Troïka du Comité de l'Article 36*  
*de l'Union européenne et le Conseil de l'Europe*

- d. **11<sup>th</sup> Congress of the UN on the Prevention of Crime**  
*11<sup>e</sup> Congrès des Nations Unies sur la prévention du crime*
  
- e. **Third Summit of Heads of State – Warsaw, 16 -17 May 2005**  
*Troisième Sommet des Chefs d'Etat – Varsovie, 16-17 mai 2005*  
*Warsaw Declaration / Déclaration de Varsovie*  
*Action Plan / Plan d'action*
  
- f. **Conventions ETS 90, 190, 196, 197, 198 – update on the status of signatures and ratifications**  
*Conventions STE 90, 190, 196, 197, 198 – mise à jour de l'état des signatures et ratifications*
  
- g. **CPGE Budapest**  
*CPGE Budapest*  
  
*CPGE (2005) 16 - Conclusions of the Conference of Prosecutors General of Europe, 6<sup>th</sup> Session/ CPGE (2005) 05 – European Guidelines on ethics and conduct for public prosecutors, "The Budapest Guidelines", adopted by the 6<sup>th</sup> Conference of Prosecutors General of Europe/ Lignes directrices européennes sur l'éthique et la conduite des membres du Ministère public, « Les lignes directrices de Budapest », adoptées a la 6<sup>ème</sup> Conférence des Procureurs généraux d'Europe*

**10. Dates of the next meeting of the Bureau and the CDPC**  
*Dates de la prochaine réunion du Bureau et du CDPC*

**Proposed Dates/Dates proposées:**

Bureau – 12-14 October 2005  
Plenary – 3-7 April 2006



**APPENDIX III**

**List of participants of the Enlarged Meeting of the Bureau**  
**Liste des participants - Réunion Élargie Du Bureau**

**AUSTRIA / AUTRICHE**

Mr Roland MIKLAU, Director General, Criminal Law, Ministry of Justice, 1070 VIENNA

**BELGIUM / BELGIQUE**

M. Claude DEBRULLE, Ministère de la Justice, BRUXELLES

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

**DENMARK / DANEMARK**

Mr Jesper HJORTENBERG, Deputy Director of Public Prosecution, Office of the Director of Public Prosecution, COPENHAGEN Apologised / Excusé

**FINLAND / FINLANDE**

Mr Esa VESTERBACKA, Director General, National Prison and Probation Administration, HELSINKI

**RUSSIAN FEDERATION / FEDERATION DE RUSSIE**

Mr Alexander ZMEYEVSKIY, Director, Department on the Issues of New Challenges and Threats, Ministry of Foreign Affairs, MOSCOW

**SLOVAKIA / SLOVAQUIE**

Mr Branislav BOHÁČIK, Director, Division for Judicial Co-operation in Criminal Matters, Ministry of Justice, BRATISLAVA

**Deputy Chairman of the CDPC / Vice- Président du CDPC**

**SLOVENIA / SLOVENIE**

Ms Andreja LANG, Head of the Department for Criminal Legislation, Directorate for the Preparation of Legislation, Ministry of Justice, LJUBLJANA Apologised / Excusé

**SWITZERLAND / SUISSE**

M. Mario-Michel AFFENTRANGER, Chef de la Section des Traités Internationaux, Division de l'Entraide Judiciaire Internationale, Office Fédéral de la Justice, BERNE Resigned / Démissionné

**UNITED KINGDOM / ROYAUME-UNI**

Mr Richard BRADLEY, Head of the Judicial Co-operation Unit, LONDON

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**MEMBER STATES / ETATS MEMBRES**

**ALBANIA / ALBANIE**

Apologised / Excusé

**ANDORRA / ANDORRE**

Apologised / Excusé

**ARMENIA / ARMÉNIE**

Apologised / Excusé

**AUSTRIA / AUTRICHE**

Mr Roland MIKLAU, Director General, Criminal Law, Ministry of Justice, VIENNA

**AZERBAIJAN / AZERBAÏDJAN**

Apologised / Excusé

**BELGIUM / BELGIQUE**

Mme Marie-Françoise BERRENDORF, Conseiller, SPF Justice, DG Exécution des peines et des mesures, BRUXELLES

M. Claude DEBRULLE, Directeur Général, Direction Générale de la Législation, des Libertés, et Droits fondamentaux, Ministère de la Justice, BRUXELLES

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

Mme Vicky DE SOUTER, Attaché, SPF Justice, DG Législation et Droits Fondamentaux, Service de principes de droit pénal et de procédure pénale, BRUXELLES

**BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE** Apologised / Excusé

**BULGARIA / BULGARIE**

Apologised / Excusé

**CROATIA / CROATIE**

Apologised / Excusé

**CYPRUS / CHYPRE**

Mrs Androula BOULARAN, Criminological Research Officer, Ministry of Justice and Public Order, NICOSIA

**CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE**

Apologised / Excusé

**DENMARK / DANEMARK**

Mrs Anette ESDORF, Deputy Director General, Department of Prisons and Probation, Ministry of Justice, COPENHAGEN

Mr Jesper HJORTENBERG, Deputy Director of Public Prosecution, Office of the Director of Public Prosecution, COPENHAGEN

Apologised / Excusé

Mrs Helle HÜBERTZ KROGSOE, Chief Adviser, Ministry of Justice, COPENHAGEN

**ESTONIA / ESTONIE**

Apologised / Excusé

**FINLAND / FINLANDE**

Mrs Ulla MOHELL, Counsellor of Legislation, Department of Criminal Policy, Ministry of Justice, HELSINKI

Mr Esa VESTERBACKA, Director General, National Prison and Probation Administration, HELSINKI

**FRANCE**

Mme Stéphanie KRETOWICZ

M. Eric RUELLE, Magistrat, Chef de Bureau des Négociations Pénales, Ministère de la Justice, PARIS

**GEORGIA / GÉORGIE**

Apologised / Excusé

**GERMANY / ALLEMAGNE**

Mrs Gudrun TOLZMANN, Leiterin des Referats Strafvollzug und Bewährungshilfe, Federal Ministry of Justice, BERLIN

**GREECE / GRÈCE**

Apologised / Excusé

**HUNGARY / HONGRIE**

Apologised / Excusé

**ICELAND / ISLANDE**

Apologised / Excusé

**IRELAND / IRLANDE**

Mr Denis GRIFFIN, Assistant Principal Officer, Prisons Policy Division, Department of Justice, DUBLIN

Mr James MARTIN, Assistant Secretary General, Responsible for Prisons Policy Division, Department of Justice, DUBLIN

**ITALY / Italie**

Apologised / Excusé

**LATVIA / LETTONIE**

Apologised / Excusé

**LIECHTENSTEIN**

Apologised / Excusé

**LITHUANIA / LITUANIE**

Apologised / Excusé

**LUXEMBOURG**

M. Jean-Pierre KLOPP, Procureur Général d'Etat, LUXEMBOURG

**MALTA / MALTE**

Apologised / Excusé

**MOLDOVA**

Apologised / Excusé

**MONACO**

Apologised / Excusé

**NETHERLANDS / PAYS-BAS**

Mrs Marjorie BONN, Senior Legal Adviser, Legislation Department, Ministry of Justice, THE HAGUE

Mr Jacob STRUYKER BOUDIER, Ministry of Justice, THE HAGUE

**NORWAY / NORVÈGE**

Mr Magne FROSTAD, Adviser, Royal Ministry of Justice and Police, OSLO

**POLAND / POLOGNE**

Apologised / Excusé

**PORTUGAL**

Mrs Maria José MATOS, Sub-Director of the Prison Services General Direction, LISBON

**ROMANIA / ROUMANIE**

Apologised / Excusé

**RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE**

Mr Oleg FILIMONOV, Deputy Head, Central Department of Execution of Punishments (GUIN), Ministry of Justice, MOSCOW

Ms Irina SILKINA, Third Secretary, Department for New Challenges and Threats, Ministry of Foreign Affairs, MOSCOW

Mr Alexander ZMEYEVSKIY, Director, Department on the Issues of New Challenges and Threats, Ministry of Foreign Affairs, MOSCOW

**SAN MARINO / SAINT-MARIN**

Apologised / Excusé

**SERBIA AND MONTENEGRO / SERBIE-MONTENEGRO**

Apologised / Excusé

**SLOVAKIA / SLOVAQUIE**

Mr Branislav BOHÁČIK, Director, Division for Judicial Co-operation in Criminal Matters, Ministry of Justice, BRATISLAVA

**Deputy Chairman of the CDPC / Vice- Président du CDPC**

**SLOVENIA / SLOVÉNIE**

Ms Andreja LANG, Head of the Department for Criminal Legislation, Directorate for the Preparation of Legislation, Ministry of Justice, LJUBLJANA

Apologised / Excusé

**SPAIN / ESPAGNE**

Apologised / Excusé

**SWEDEN / SUÈDE**

Mr Pehr SANDELL, Special Advisor, Expert in Penology and criminology, Ministry of Justice, STOCKHOLM

**SWITZERLAND / SUISSE**

Apologised / Excusé

**“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” / Apologised / Excusé**  
**«L'EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE»**

**TURKEY / TURQUIE**

Apologised / Excusé

**UKRAINE**

Apologised / Excusé

**UNITED KINGDOM / ROYAUME-UNI**

Mr Richard BRADLEY, Head of the Judicial Co-operation Unit, Home Office, LONDON

Mr Bob DAW, Offender Policy and Rights Unit, National Offender Management Service, LONDON

**COUNCIL FOR PENOLOGICAL CO-OPERATION**  
**CONSEIL DE COOPÉRATION PÉNOLOGIQUE**  
**(PC-CP)**

Mr Bertel ÖSTERDAHL, Former Director General, National Prison and Probation Administration,  
JÄRFÄLLA **Chairman of the PC-CP / Président du PC-CP**

Mr Dirk VAN ZYL SMIT, Professor of Comparative and International Penal Law, University of Nottingham,  
NOTTINGHAM  
**Scientific Expert of the PC-CP / Expert scientifique du PC-CP**

\* \* \* \* \*

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

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Head of the Department of Crime Problems /  
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Ms Bridget O'LOUGHLIN

Head of the Criminal Justice Division / **Secretary to the CDPC**  
Chef de la Division de justice pénale / **Secrétaire au CDPC**

Ms Ilina TANEVA

Head of the Prisons and Probation Unit /  
Chef de l'Unité des prisons et probation

Mrs Claire ROBINS

Assistant / Assistante

**Interpreters / Interprètes**

Mme Sylvie BOUX

Mme Isabelle MARCHINI

Mme Corinne McGEORGE