

Strasbourg, 24 September 2015
cdpc-bu/cdpc-bu (2015) 3

CDPC-BU (2015) 3

EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Bureau Meeting
(CDPC-BU)

Prague, 1 – 2 October 2015

Ministry of Justice
Vyšehradská 16
Praha 2, 128 10

Annotated Agenda

- 1. Opening of the meeting**
- 2. Adoption of the draft agenda and preparation of the next Plenary meeting**

At the next Plenary meeting of the CDPC (1-4 December), the CDPC will have to examine a certain number of important items with relevant texts, most of which could require in-depth discussion in view of their adoption. In this context, the Bureau should prepare a detailed order of business of the Plenary by establishing the prioritised items to be examined in December and subsequently which other items should be postponed to the session in 2016.

- 3. Future activities and priorities of the CDPC for 2016-2017**

Following the excepted adoption of the next terms of reference for the years 2016-2017 by the CM, the CDPC is invited to have a discussion on which issues/aspects the CDPC should focus its work on over the next two years and how the work should be prioritised.

- 4. Review of Council of Europe legal instruments in criminal matters**

- a. Review of the Council of Europe Conventions within the direct responsibility of the CDPC**

Following the CDPC plenary's decision with regard to the document "Review of the Council of Europe conventions within the direct responsibility of the CDPC" (see decision 4a of the CDPC plenary in June 2015), the Bureau will be informed by the Secretariat on developments on these issues. In particular Mr Chiaromonte will report on a meeting he held with CoE colleagues working in the Directorate General Democracy, including the Secretariat members of the Steering Committee for Culture, Heritage and Landscape (CDCPP) (see link: http://www.coe.int/t/dg4/cultureheritage/CDCPP/default_en.asp). They informed of the interest the

CDCPP has showed to work together with the CDPC in its ongoing activities related to the Convention on Cultural Property.

b. Review of the CoE Conventions by other CoE bodies

The Secretariat will inform the CDPC on the implementation/assessment of the conventions for which other CoE committees/bodies are responsible (Group of Parties Lanzarote, PC-OC, T-CY, GRECO, Conference of the Parties CETS No. 198), in accordance with decision n° 9 made by the Committee of Ministers.

5. Drafting a document/report with a view to identifying new forms of behaviour that have emerged in the recent past in connection with the use of modern technologies and that have brought to light possible lacunae in the existing criminal offences/law

The Bureau is invited take note of the information provided by the Secretariat on this item.

6. Follow-up to the 31st Council of Europe Conference of Ministers of Justice (Vienna, 19-21 September 2012): “Responses of Justice to urban violence”

**a. International conference on urban violence (Lisbon, 23-24 October 2014) and
b. Responses of justice to urban violence involving juveniles**

The Bureau should to take note of the information provided by the Secretary to the CDPC, Mr Carlo Chiaromonte, on the follow-up to the conference that took place in Lisbon, Portugal, on the subject of “Urban violence” (October 2014); and 2) on the question of responses of justice to urban violence involving juveniles and decide that the developments related to this activity (notably the setting up of a working group) should be reconsidered during the next biennium, take into account the already busy agenda of the CDPC for its last plenary in 2015.

7. Council for Penological Co-operation (PC-CP)

The Bureau is invited to take note of the reports of the last PC-CP working group meeting (document PC-CP(2015)11) as well as the main outcome of the PC-CP's work and in particular:

- the current work on the draft Guidelines for prison and probation services regarding radicalisation and violent extremism (Doc. PC-CP (2015) 2 rev 3);
- the drafting of a Committee of Ministers Recommendation on the European Rules on community sanctions and measures updating and replacing Recommendations N° (92) 16 and Rec(2000)22 (Docs PC-CP (2015) 9 rev and PC-CP (2015) 10 rev);
- the progress made by the Working Group on Prison overcrowding;
- the preparations for the holding of the 21st Council of Europe Conference of Directors of Prison and Probation Services (CDPPS) (the Netherlands, June 2016)
- SPACE statistics
- the memorandum regarding the forthcoming elections the four new members of the PC-CP Working Group (Doc. PC-CP (2015) 13);
- the draft agenda and draft order of business of the PC-CP plenary meeting (17-19 November 2015) (Docs OJ (2015) 1 plenary and OB (2015) 1 plenary).

a. Radicalisation in Prison

The members of the CDPC Bureau are invited to take note of the information on the progress made in the drafting work on the “Guidelines for prison and probation services regarding radicalisation and violent extremism”.

The PC-CP started working on these Guidelines in February 2015, following the decision by the Committee of Ministers of the Council of Europe to include the issue of radicalisation in prison in the

Action Plan "The fight against violent extremism and radicalisation leading to terrorism" (see document CM(2015)74 add final (item 12 of the CDPC agenda) and in particular point 2.2 of the Action Plan). It is expected that the Guidelines will be ready for adoption by the Committee of Ministers in December 2015.

The comments and observations made at the 20th CDPSS (June 2015, Bucharest, Romania) were taken into consideration and the draft Guidelines were revised accordingly at the meeting of the PC-CP Working Group in September 2015.

The CDPC Bureau is invited to take note that there will be no explanatory memorandum to these Guidelines and that instead Mr Francesco Ragazzi, scientific expert will draft and present a report to the PC-CP plenary in November by which he will introduce the topic and will explain the latest developments, suggested scope and definitions of the Guidelines.

The CDPC Bureau is further requested to take note that in accordance with the decisions taken at the last CDPC plenary in June 2015 the text of the draft Guidelines will be sent in the coming days by mail to all CDPC national delegations in parallel to sending it to the PC-CP national delegations in order to allow both bodies to coordinate the position of their governments in due time for both plenary meetings.

b. 20th Council of Europe Conference of Directors of Prison and Probation Services, 9-10 June 2015, Bucharest

The CDPC is invited to take note of the closing speech made by Mr Mauro Palma at the above Conference and of the general satisfaction of all delegations with the organisation and holding of this important event.

c. Elections

The CDPC Bureau is invited to take note of Doc. PC-CP (2015) 13 and to make any comments it might have in this respect. It is more specifically invited to note that Mr Vivian Geiran is proposed to be the next year's PC-CP Chair and Mr Jörg Jesse is proposed to be the next year's PC-CP Vice Chair and that four new members of the PC-CP need to be elected at the CDPC plenary in December 2015.

8. Prison overcrowding

After the holding of the second meeting of the Drafting Committee on Prison overcrowding under the auspices of the CDPC on 20-21 May 2015 in Strasbourg the Chair of the Drafting Committee, Mr Mauro Palma, its General Rapporteur, Mr. Jesper Hjortenberg and the Secretariat met in July in Rome to revise the draft White Paper on prison overcrowding. The CDPC Bureau is invited to take note of the information provided in this respect by Mr Hjortenberg, to consider Doc . PC-CP (2015) 6 rev 2 and to make any comments and proposals it might have in this respect.

The CDPC Bureau is further invited to note that the draft White Paper will be examined at the next meeting of the Drafting Committee (26-27 October 2015, Paris).

9. Document/guidelines containing "Model provisions" defining a certain number of rules to be duly considered by the expert committees in their drafting work as the basis/model to be followed during future negotiations of any possible convention in a criminal law matter

Following the relevant decision by the CDPC at its last Plenary, the Bureau should decide how to proceed with the examination of this item during the next CDPC Plenary.

10. Committee of Experts on the operation of European conventions on co-operation in criminal matters (PC-OC)

The CDPC Bureau is invited to take note of the list of decisions of the 20th meeting of the PC-OC Mod held on 15-17 September 2015 (document PC-OC Mod (2015)08)

Particular attention is drawn to:

- 1) the finalisation of the joint HELP/PC-OC project for the development of a curriculum and training material on international co-operation in criminal matters, with a special emphasis on human rights which will be presented to the PC-OC plenary at their next meeting (3-5 November) see point 2 of the list of decisions;
- 2) the preliminary discussion held on prison standards in extradition procedures (point 4b);
- 3) the discussion held on the application of Article 16 of the European Convention on Extradition- provisional arrest- by alternative measures to detention, (point 4c);
- 4) the consideration of the replies to the questionnaire on the use and efficiency of CoE instruments as regards international co-operation in the field of seizure and confiscation of proceeds of crime (point 5b);
- 5) the discussions on the possible amendments to the Convention on the Transfer of Sentenced Persons and to the additional Protocol thereto as well as on the proposal to develop an electronic tool to facilitate transfer procedures - E-Transfer proposal (item 6, a,b,c);
- 6) the progress made in the review of the conventions within the remit of the PC-OC (Item 7).

11. Activities related to transnational organised crime; “White Paper”

The Bureau is invited to take note of the information provided by the Chair of the CDPC, Mr Hjortenberg, and by the Secretariat on the developments related to the work carried out to prepare the draft Action Plan and have a discussion on how this activity should be continued in the future. It could also examine the draft Action Plan on TOC (sent by email on 24 September) and make any comment it would consider appropriate. The Action Plan should be examined and approved by the CDPC at its next Plenary.

12. Terrorism

The Bureau is invited to take note of the information provided by the Secretariat on the ongoing work by the CODEXTER on its activities on counter-terrorism matters and in particular on the Additional Protocol to the Convention on prevention of terrorism.

13. Information provided by the Secretariat

The CDPC is invited to take note of the information provided by the Secretariat on sub-items a. to d. below.

- a. **Medicrime**
- b. **Trafficking in human organs**
- c. **Dangerous Offenders**
- d. **Cybercrime**

14. Elections

15. Any other business

16. Dates of the next meetings