

Strasbourg, 3 October 2014
cdpc/docs 2014/cdpc (2014) 16

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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

DRAFT
OPINION OF THE EUROPEAN COMMITTEE ON CRIME PROBLEMS (CDPC)
ON PARLIAMENTARY ASSEMBLY RECOMMENDATION 2047 (2014) ON
“THE LARGE-SCALE ARRIVAL OF MIXED MIGRATORY FLOWS ON ITALIAN
SHORES”

Secretariat of
the Directorate General of Human Rights and Rule of Law (DGI)

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Opinion on Parliamentary Assembly Recommendation 2047 (2014)

1. Following the adoption by the Parliamentary Assembly of Recommendation 2047 (2014) “The large-scale arrival of mixed migratory flows on Italian shores”, the Committee of Ministers decided to send it to the European Committee on Crime Problems (CDPC) for information and possible comments. The CDPC examined the above recommendation and decided to contribute to the response of the Committee of Ministers by providing the following comments concerning matters within its field of competence.
2. The CDPC refers in particular to paragraph 4.1 of Recommendation 2047 (2014) in which the Parliamentary Assembly calls for a reflection on how best to introduce a new international crime, whether or not defined as a crime against humanity, when a person receives a financial benefit, directly or indirectly, for transporting people in a vessel which is unsafe for the purpose and which may endanger life or cause death or injury at sea. In this regard, the CDPC considers that the crimes mentioned in this paragraph are likely to already be considered to be serious crimes under the legislation of the vast majority, if not of all member States of the Council of Europe. Moreover, the EU has also established a quite comprehensive set of rules in this regard.
3. Taking into account the fact that these acts/behaviours are supposed already to be dealt with by national legislations, the CDPC considers that launching of activities to elaborate a convention on this subject-matter is not necessary to address such a hideous crime.
4. However, the CDPC remains ready to contribute, if invited to do so, to the future activities on this topic by making available its expertise in the criminal law field so as to clarify what is already covered by legislation of the member States of the Council of Europe.