

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Version: 15 February 2016

REGIONAL SEMINAR ON DANGEROUS OFFENDERS

PROGRAMME

19-20 January 2016

Yerevan

Armenia

Background and objectives

Council of Europe member States apply quite different mechanisms when dealing with the phenomenon of dangerous offenders and many states have developed different concepts of what may be considered to be forms of "secure preventive detention" and/or "preventive supervision".

With a view to giving policy guidance to national authorities on the main rules to follow when dealing with dangerous offenders in line with new international and Council of Europe standards, including those regarding the treatment of offenders in custody and the European Prison Rules, the Committee of Ministers adopted on 19 February 2014 the recommendation CM/Rec(2014)3 concerning Dangerous Offenders.

The main objective of the recommendation is to strike the right balance between the protection of public safety and the rights of offenders, particularly in relation to secure preventive detention. Indeed these considerations have been given further weight by several European Court of Human Rights (ECtHR) judgments, in particular *Maiorano and others v. Italy* and *M. v. Germany*.

The recommendation acknowledges that "dangerousness" is not a clear legal concept. It is also vague in scientific terms, in so far as the assessment of criminological dangerousness and individual risk of reoffending in the long term lacks sufficient supporting evidence to ensure an accurate measurement of dangerousness.

In order to strengthen the use of the concept of dangerousness in this particular context, the recommendation stresses the importance of risk assessment and risk management to reduce risk and uphold proportionate durations of detention. The recommendation also regards assessment and management procedures as interrelated, because they have to be repeated at suitable intervals and must adjust to each other when changes in the offender's situation occur.

Aim of the workshop

The aim of this regional seminar is to promote and raise awareness among legal professionals, law enforcement and other professionals working in the field the recommendation adopted by the Committee of Ministers. Whenever a member state does apply such mechanism to deal with the phenomenon of "dangerous offenders" it should take into account the rules contained in the recommendation.







Target audience

The target audience of the regional seminar includes legal professionals, representatives of judicial and enforcement authorities as well as State Prosecutors, Prison Administration staff, researchers, etc.

Speakers

Details of speakers are listed in the appendix of this programme.

Organisation

<i>Venue:</i>		"Tufenkian Hospitality" Hotel
<i>Registration</i>		13h30
<i>Coffee break</i>		(see Programme)
<i>Lunch</i>		(see Programme)
<i>Diner</i>		(see Programme)
<i>Interpretation</i>		Simultaneous interpretation (English/Russian) for all sessions
<i>Proceedings</i>		The proceedings will be published

Tuesday, 19 January 2015

11h00 **Cultural Event organised by the Armenian authorities:**
MATENADARAN Museum of Ancient Manuscripts

12.30 a.m. – 13.30 a.m. ☪ **Lunch**

13h30 **Registration of participants**
14h00 **Opening Session**

OPENING SESSION

- Mr Arman TATOYAN, Deputy Minister of Justice, Armenia
- Mr Oscar Alarcón-Jiménez, Co-Secretary of the European Committee of Crime Problems (CDPC), Council of Europe

Family Picture

SESSION 1

GENERAL FRAMEWORK OF THE RECOMMENDATION

Chair: Mr Oscar Alarcón, Co-Secretary of the European Committee of Crime Problems

- 14h30** **Origin, purpose and Innovative aspects of the Recommendation**
Mr Sławomir Robert Buczma, vice president of the European Committee on Crime Problems (CDPC), Council of Europe
- 14h50** **Definitions and basic principles**
Mr Carlos María Romeo-Casabona, Member of the group of experts of the drafting group on Dangerous Offenders, Professor in Criminal Law, University of the Basque Country, Spain
- 15h15** Discussion

15.15 p.m. - 15.30 p.m. ☪ **Coffee break**

SESSION 2

CURRENT LEGAL TRENDS ON DANGEROUS OFFENDERS

Chair: Ms Dorothee von Arnim, Registry of the European Court of Human Rights, Council of Europe

- 15h30** **General trends on dangerous offenders treatment in Europe**
Mr Marinos Skandamis, Laboratory of Criminological Sciences, Faculty of Law, Democritus University of Thrace, former General Secretary of Crime Policy, Ministry of Justice Transparency and Human Rights, Greece
- 16h00** **Dangerous offenders in the Armenian Penal Code**
Mme Gohar Simonyan, Legal Expert of "Law institute" of the Ministry of Justice, Armenia

16h20 An overview of the Recommendation from the perspective of contemporary criminal policy discussions

Mr Emilio José Armaza-Armaza, Assistant Professor of Criminal Law, University of Deusto, Postdoctoral Researcher of the Inter-University Chair in Law and the Human Genome, University of Deusto – University of the Basque Country, Spain

16h45 Recent developments in treatment of dangerous offenders

Mr Marcin Warchoł, Undersecretary of State, Ministry of justice, Poland

17h15 Discussion

20.00 p.m.



Diner

Wednesday, 20 January 2015

SESSION 3

RISK ASSESSMENT PRINCIPLE AND RISK MANAGEMENT

Chair: Mr Sławomir Robert Buczma, vice president of the CDPC

09h30 Risk assessment principle and Risk management

Mr Václav Jiříčka, Psychologist, Directorate General of the Prison Service, Czech Republic, member of the ad-hoc drafting group on Dangerous Offenders

10h15 Risk assessment principle and Risk management

Mr Hayk Kochinyan, Head of organisational-analytical and international cooperation division of the Penitentiary Service, lieutenant-colonel of justice, Ministry of Justice, Armenia

10h45 Interdisciplinary risk assessment in Switzerland - risk factors replace dangerousness

Mr Dominik Lehner, Head of the Penal Services, Justice and Security Department, Basel (Switzerland)

11.15 a.m. – 11.30 a.m.  **Coffee break**

11h30 Treatment and conditions of imprisonment of dangerous offenders – Norwegian practice and experience

Ms Anne-Li N. FERGUSON, Senior Adviser, Ministry of Justice and Public Security, Legal Unit – The Prison and Probation Department, Norway, member of the ad-hoc drafting group on Dangerous Offenders

12h15 Discussion

12.45 a.m. – 14.00 a.m.  **Lunch break**

SESSION 4

JUDICIAL DECISIONS FOR DANGEROUS OFFENDERS

Chair: Mr Carlos María Romeo-Casabona, Professor in Criminal Law, University of the Basque Country, Spain

- 14h00** **The European Court of Human Rights' case-law and its consequences**
Ms Dorothee von Arnim, Senior lawyer, Registry of the European Court of Human Rights, Council of Europe
- 15h00** **Secure preventive detention and Preventive supervision**
Mr Václav Jiříčka, Psychologist, Directorate General of the Prison Service, Czech Republic, member of the ad-hoc drafting group on Dangerous Offenders
- 15.45 p.m. - 16.00 p.m. ☕ Coffee break*
- 16h00** **Secure preventive detention and Preventive supervision**
Continuation
- 16h30** Discussion

CLOSING SESSION

- 16h45** Mr Oscar Alarcón, Co-Secretary of the European Committee of Crime Problems, Council of Europe
- Mr Hovhannes Poghosyan, Deputy Head of Headquarters, Head of International Cooperation Department, Police, CDPC member, Republic of Armenia
- 17h00** **End of the Seminar**