

EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

64th Plenary Session

Strasbourg, 28-31 May 2013
Palais, Room 5

List of Decisions

The European Committee on Crime Problems (CDPC), meeting in Strasbourg under the Chairmanship of Mr Lorenzo Salazar, decided:

1. Opening of the meeting

- to take note of the opening address of Mr Jan Kleijssen, Director of the Information Society and Action against Crime Directorate, Directorate General of Human Rights and Rule of Law, on the most recent developments in the Council of Europe, in particular the priorities of the current and former Armenian and Andorran Chairmanships respectively, relevant to the work of the CDPC.

2. Adoption of the draft agenda

- to adopt the agenda without amendments (the list of participants and the agenda appear in Appendices I and II respectively).

3. Future activities and priorities of the CDPC

- to take note of the information provided by the Secretariat on the state of preparation of the terms of reference of the Council of Europe's (hereafter CoE) intergovernmental committees for the years 2014-2015;
- to consider the decisions of the Committee of Ministers (hereafter CM) on the Report by the Secretary General of the CoE: "Review of CoE conventions";
- to examine the proposals made by the Bureau of the CDPC as new tasks that could be dealt with by the CDPC over the next two years and to include them in its terms of reference for 2014-2015;
- to examine the draft terms of reference of the CDPC for 2014-2015, to make some amendments, to approve them and to instruct the Secretariat to send them to the CM for consideration.

4. Follow-up to the 31st Council of Europe Conference of Ministers of Justice (Vienna, 19–21 September 2012): “Responses of Justice to Urban Violence”

- to examine the concept paper prepared by the Secretariat on a possible international conference on the subject of “Urban violence”, to approve the main purposes contained in it and to welcome the idea of holding such a conference in 2014 as a follow-up of and as required by the decisions taken by the CM at its 1156th meeting on 28 November 2012 (item 5);
- in relation to the place where such a conference could be organised, to make a call to the delegations of the CDPC concerning the possibility of the conference being hosted in one of their countries and, should there be no candidate(s), to take note that the conference may be held in Strasbourg;
- to take note of the comments made by Mr Gerhard Kreutzer, representative of INTERPOL, on the concept paper and in particular of INTERPOL’s interest in such a conference;
- in accordance with the relevant decision of the CDPC at its last plenary in December 2012, to examine a document prepared by the Secretariat containing a compilation of the existing CoE recommendations on juvenile offenders as well as legal instruments on this matter produced by other international organisations (UN and EU);
- to instruct the Secretariat to entrust a consultant with the task of drafting – on the basis of the above-mentioned compilation - a working paper aimed at taking stock of the existing legal instruments on the subject of juvenile offenders, specifically when they are involved in urban violence, determining in particular whether or not these instruments still produce the desired results at the present time and identifying possible future steps/activities to be carried out in this field as a follow-up of and as required by decisions taken by the CM at its 1156th meeting on 28 November 2012 (item 4);
- to instruct its Bureau to follow closely the preliminary work carried out in this field;
- in relation to the forthcoming 32nd CoE Conference on Ministers of Justice, to make a call to the delegations of the CDPC concerning the possibility of the conference being hosted in one of their countries.

5. Dangerous offenders

- to take note of the information provided by Mr Slawomir Buczma, Chair of the ad hoc drafting group on Dangerous Offenders (PC-GR-DD), with the regard to the 1st and 2nd meetings of the PC-GR-DD and on the progress made in the drafting exercise of the future recommendation on dangerous offenders and to thank him for the excellent work carried out by the group;
- to welcome the draft recommendation on dangerous offenders, in particular taking into consideration the short time frame within which the PC-GR-DD has prepared it;
- to examine the draft recommendation, make general comments on it, endorse its content and provide some guidelines to the PC-GR-DD with a view to the final approval of the draft recommendation by the group at its next meeting in September 2013;
- to decide to examine the final version of the draft recommendation on dangerous offenders and its draft commentary for approval at its next plenary session (December 2013).

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

- to hold an exchange of views with Mr André Vallotton, Chair of the PC-CP, on the current and future activities of the PC-CP;
- to take note of the outcome and the decisions of the last PC-CP plenary meeting (6-8 March 2013);
- to agree that prison overcrowding should remain high on the agenda of the PC-CP’s work.

a. Preparation of the terms of reference for the years 2014-2015

- to examine the draft terms of reference of the PC-CP for 2014-2015;
- to take note of the general low attendance of the plenary meetings of the PC-CP and subsequently to have an exchange of views on whether holding a plenary meeting in which such a small number of member states are represented is still a useful exercise and beneficial to both the CDPC and

PCCP's activities;

- to instruct the Secretariat to bring this issue to the PC-CP itself for careful consideration;
- to introduce in the draft terms of reference that up to two plenary meetings of the PC-CP should be held for the period 2014-2015 and should be convened in consultation with the CDPC especially if important legal instruments are to be approved by the PC-CP before submitting them to the CDPC, in order to ensure a proper and appropriate intergovernmental examination of the legal texts drafted by the PC-CP;
- to approve the draft terms of reference of the PC-CP for 2014-2015 and to instruct the Secretariat to send them to the CM for consideration.

b. Follow-up to the conclusions adopted at the 17th Council of Europe Conference of Directors of Prison Administration (CDAP)

- to take note of the information provided on the follow-up to the 17th CDAP, namely the intention to keep the issue of overcrowding and the idea to continue to associate judges and prosecutors in this debate, in particular in association with the CCJE and the CCPE, high on the agenda of the 18th CDAP.

c. Electronic monitoring

- to take note of the information on the work related to electronic monitoring and to examine the preliminary draft recommendation and its draft commentary;
- to congratulate the PC-CP for the quality of the draft texts and to underline their usefulness as a source of guidance to national authorities;
- to make a certain number of specific comments on the draft recommendation and its draft commentary which are to be considered at the next meeting of the PC-CP Working Group in June 2013, notably regarding Rules 3, 7, 8, 15, 17, 18 and 27 of the draft Recommendation and proposals for introducing additional clarifications to certain rules in the draft commentary and to invite the delegations of CDPC to send possible additional comments in writing to the Secretariat;
- to decide that the draft recommendation and its commentary will be considered at its next plenary session (December 2013) with a view to their approval;
- to assist the PC-CP in collecting answers to a questionnaire on the use of electronic monitoring which was sent to the national probation services in order to complement the draft recommendation and its commentary with an analysis of the current situation in Europe.

d. Violence in juvenile detention centres

- to take note of the fact that, at its last plenary, the PC-CP discussed the issue of violence in places of detention for juveniles and that it was of the opinion that there is a need for a more in-depth study on the causes of violence involving juveniles and on ways of dealing with it;
- to agree that this work should be included on the list of forthcoming activities of the PC-CP which should, in turn, lead to the drafting of a report on the subject.

e. SPACE

- to take note of the presentation made by Prof. Marcelo Aebi on the results of the 2011 SPACE I survey (prisons) and of the 2011 SPACE II survey (community sanctions and measures);
- to take note of the presentation made by Ms Natalia Delgrande regarding prison inflation and prison overcrowding trends in Europe in the course of the last ten years;
- to congratulate the team of experts on the excellent work carried out which helps national authorities take informed decisions regarding penal policies and practices;
- to take note of the fact the SPACE will celebrate its 30th anniversary in 2013 and of the request expressed by the experts responsible for SPACE to hold a meeting of the SPACE national correspondents in order to adjust further the terminology and methodology used for collecting data;
- to instruct the Secretariat to assess the possibility of holding such a meeting.

7. Promotion of the Integrity of Sport against the Manipulation of Results, notably match-fixing

a. Possible Council of Europe Convention against Manipulation of Sports competitions

- to take note of the detailed information provided by Ms Valérie Berset Hemmer, vice-Chair of the EPAS drafting group, on the ongoing and planned future activities concerning the possible CoE convention against manipulation of sports competitions, in particular:
 - a) that 43 countries have been involved in the drafting exercise of this future CoE legal instrument, including non-European countries;
 - b) that the preparatory work for this future convention is strongly supported by *inter alia* the International Olympic Committee, the Union of European Football Associations (UEFA) and followed by the European Union;
 - c) with regard to the *calendar* of the drafting process, that additional meetings of the EPAS drafting group are scheduled in 2013 (in June and two others to be confirmed in September - in Rome - and in November) and the intention to finalise the text of the convention by the end of 2013;
 - d) with regard to the *criminal law provisions*, which are still currently under consideration by the EPAS drafting group, that two proposals were tabled during the negotiations: one option (called the “soft” criminal law approach) and a second one that provided for a set of more compulsory provisions covering some specific behaviors needing to be criminalised. The question of whether or not criminal law provisions should be included in the future convention also remains open.
- to take note of the information provided by Ms Helena Lisuchova and Ms Fabienne Schaller, members of the CDPC Bureau, in their quality as CDPC representatives in the EPAS drafting group;
- that it is clearly too premature for the CDPC to take a final decision with regard to the drafting of a text containing criminal law provisions to be included in the draft convention prepared by the EPAS, notably due to the fact that it does not appear clear at this stage of the drafting exercise by the EPAS what is the scope of the convention, which behaviors are covered by the convention and would need to be criminalised and even whether or not criminal law provisions should be included in the future convention at all;
- to note that the drafting process of the future convention is still at a preliminary phase: only 5 articles of the text have been provisionally approved;
- to invite Ms Valérie Berset Hemmer, vice-Chair of the EPAS drafting group, to request that the drafting group, at its forthcoming meeting in two weeks’ time, focuses its work on clearly defining the scope of the convention and identifying possible lacunae in the existing regulation that could require additional criminal law provisions so that the CDPC could decide upon the nature and the scope of the possible criminal law provisions;
- to propose that the EPAS sets up a joint working group, composed equally of EPAS and CDPC representatives, and entrusted with the task of drafting the required specific criminal law provisions that would be needed to be included in the future convention;
- to consider the proposed text prepared by the Secretariat entitled “Criminal law provisions on the draft convention against the manipulation of sports competitions” (CDPC (2013)6) containing a proposal for the criminal law provisions as a basis for possible future drafting work.

b. Feasibility of an Additional Protocol to the Council of Europe Criminal Law Convention on Corruption (ETS No. 173)

- to take note of the replies received by delegations from the CDPC and/or the GRECO to the questionnaire concerning the issue of the feasibility of an Additional Protocol to the Council of Europe Criminal Law Convention on Corruption (ETS No. 173) and of the document prepared by the Secretariat summarising all these replies;
- to agree, in particular, with its conclusions that “in the majority of countries that replied (...) corrupt practices in the non-profit sector are covered by existing legislation” ;
- to come to the conclusion that there is no need for such a protocol;
- to instruct the Secretariat to inform the GRECO about this decision with a view to jointly transmitting this response to the CM.

8. Trafficking in human organs

- not to reopen any further discussion on the draft convention against Trafficking in Human Organs (THO) and only examine the comments made by two delegations on the draft Explanatory Report;
- to take note of the final version of the draft Convention against THO as finalised by the Secretariat following the CoE Editorial Unit's, the Legal Advice Department's and the Treaty Office's comments on the text of the draft Convention as approved by the CDPC in December 2012;
- to approve the draft Explanatory Report after rejecting the amendments submitted by Germany and the United Kingdom;
- to remove the footnotes from the final text of the draft convention as they all will be covered in the accompanying note (see below);
- to instruct the Secretariat to transmit the draft convention against THO and its draft Explanatory Report to the CM for further procedure;
- to agree that the Secretariat prepares a note accompanying the two draft texts explaining that:
 - a) the draft convention against THO was approved in December 2012 by a majority vote with one country against and three abstentions;
 - b) the draft Explanatory Report was approved in May 2013 by a majority vote with four countries against and one abstention;
 - c) with regard to certain provisions of the draft convention, the voting result in favour or against some specific issues was very close and the results of this voting as they appeared in the footnotes of the draft convention will be reported in the accompanying note, indicating the number of states which voted in favour and against;
- to welcome the work achieved during the entire long drafting process on a difficult subject of high importance;
- to support and welcome the proposal from Spain to host the opening ceremony of the signature of this convention once the CM has completed all the necessary procedures.

9. Committee of Experts on the Operation of European Conventions on Co-operation in Criminal Matters (PC-OC)

- to hold an exchange of views with Ms Selma de Groot, Chair of the PC-OC, concerning the ongoing and future activities of the PC-OC;
- to take note of the decisions adopted by the PC-OC during its 64th plenary meeting (28-30 May 2013);
- to examine the draft terms of reference of the PC-OC for 2014-2015, to approve them and to instruct the Secretariat to send them to the CM for consideration.

10. Activities related to transnational organised crime

- to wish a quick recovery to Mr Timohir Kralj, member of the CDPC Bureau, appointed as representative of the Bureau to the ad hoc drafting Group on Transnational Organised Crime (PC-GR-COT);
- to take note of the information provided by the Secretariat on the planned activities related to transnational organised crime and in particular that the PC-GR-COT will hold its 1st meeting on 24-26 June 2013 in Paris, France.

11. Activities related to piracy

- to encourage all delegations who have not yet done so, to answer on voluntary basis the questionnaire and send it to the Secretariat;
- to invite:
 - a) the Secretariat to transmit all the replies received to the Russian Federation;
 - b) on the basis of the replies received, the Russian Federation to consider to prepare a working paper to be submitted for consideration at one of the next CDPC meetings;
 - c) the Secretariat to include this item on the agenda of the forthcoming plenary session.

12. Alternative measures to imprisonment

- to agree to entrust the PC-CP with the examination of the issue of quasi-compulsory measures as an alternative to imprisonment also in the context of the general priorities as established for the PC-CP (see item 6).

13. Information provided by the Secretariat

- to take note of the information provided by the Secretariat on the following sub-items:
 - a) Medicrime:**
 - to take note of the Secretariat's activities, in co-operation with the EDQM Secretariat, related to the promotion of the MEDICRIME Convention;
 - to take note of the information provided by Mr Alexey Ilyashenko, Ukrainian representative to the CDPC, on the first regional conference on the MEDICRIME Convention to be organised in Kyiv, Ukraine, on 11-12 June 2013 and to encourage those CDPC members from the neighbouring countries to Ukraine, that have not yet done so, to appoint their participants;
 - to welcome the proposal from Spain to host a regional conference on the MEDICRIME Convention during the second semester of 2013.
 - b) Review of Council of Europe Conventions**
 - to take note of the information provided by the Secretariat regarding the decisions taken by the CM regarding the review of the CoE conventions.
 - c) Terrorism**
 - to take note that a conference entitled "International Conference on the use of special investigation techniques to combat Terrorism and other forms of serious crime" took place on 14–15 May 2013 in Strasbourg, France, co-organised by the Council of Europe in close co-operation with the UN Security Council Counter-Terrorism Committee Executive Directorate (CTED), the Organisation for Security and Co-operation in Europe (OSCE) and the League of Arab States and that the vice-Chair, of the CDPC, Mr Jesper Hjortenber, participated as a key speaker;
 - take note that the question of the possible updating of recommendation Rec (2005) 10 of the Committee of Ministers to member states on "special investigation techniques" in relation to serious crimes including acts of terrorism was at the core of the conclusions of this conference.

d) Co-operation activities in the criminal field

- to take note of the information provided by Ms Tanja Rakusic-Hadzic on the on-going co-operation projects in the field of prisons and the police.

e) Consultative Council of European Prosecutors (CCPE)

- to continue the co-operation with the CCPE in common fields of interest and consider the possibility of inviting its chair to the forthcoming plenary meeting for an exchange of views.

14. Any other business

- to take note of the presentation made by Mr Alexey Ilyashenko, Ukrainian representative to the CDPC, following his participation at the regional meeting on the Strategic Guidance Framework for International Police Peacekeeping held in Kyiv, Ukraine, on 18-22 March 2013.

15. Dates of the next CDPC Bureau and Plenary meetings

The CDPC is invited to take note of the dates of the next Bureau meeting (30 September -1 October 2013) and the plenary session (2-5 December 2013).

Appendix I



Strasbourg, 31 May 2013
[CDPC plenary/2013 plenary_1/oj lp/cdpc list of participants]

CDPC (2013) LP 1 fin (Bil)

EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

COMITE EUROPEEN POUR LES PROBLEMES CRIMINELS
(CDPC)

64th Plenary Session / 64^{ème} Session plénière

Strasbourg, 28 - 31 May / 28 – 31 mai 2013

Main Building / Palais de l'Europe

Room / Salle 5

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

MEMBER STATES / ETATS MEMBRES**ALBANIA / ALBANIE**

Ms Alma KASA, Department of International Organisations, Sector of OSCE and Council of Europe
Ministry of Foreign Affairs of Albania, Blv. Gjergj Fishta, Tirana

ANDORRA / ANDORRE

M. Alfons C. ALBERCA SANVICENS, Procureur Général

ARMENIA / ARMÉNIE

Mr Hovhannes POGHOSYAN, Deputy Head of Headquarters, Head of International Cooperation Department,
Police of the Republic of Armenia, 0025 YEREVAN, str.Nalbandyan 130, Republic of Armenia

AUSTRIA / AUTRICHE

Mr Christian MANQUET, President of the GMCP, Federal Ministry of Justice, Law Legislation Section, Museum
Strasse, 7, 1070 WIEN, Austria

AZERBAIJAN / AZERBAÏDJAN

Ms Saadet YUSIFOVA, Senior Advisor to the Department for Coordination of Law Enforcement Agencies,
Administration of the President of the Republic of Azerbaijan, 19 Istiqlaliyyet Street, AZ-1009 BAKU

Mr Huseyn AKHUNDOV, Deputy to the Permanent Representative of the Republic of Azerbaijan to the Council
of Europe, 2, rue Westercamp, 67000 Strasbourg

BELGIUM / BELGIQUE

M. Claude GILLARD, Conseiller, Direction générale de la Législation, Des Droits et Libertés fondamentales,
Service Infractions et Procédures particulières, Ministère de la Justice, 115 Boulevard de Waterloo, 1000
BRUXELLES, Belgique

Mme Huguette OWANDJI, Attaché, SPF Justice, Direction générale de la Législation, Des Droits et Libertés
fondamentales, Service Infractions et Procédures particulières, 115 boulevard de Waterloo, 1000 Bruxelles

M. Freddy GAZAN, Conseiller, Service public fédéral Justice, Avenue de la Porte de hal, 5, B-1060 BRUXELLES

M. Pedro FERREIRA MARUM, Directeur du Centre national de surveillance électronique, Maison de Justice,
Rue de Louvain 38, 1000 Bruxelles

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Mr Edin JAHIC, Chief of the Section for Combating Organised Crime and Corruption, Ministry of Security of Bosnia
and Herzegovina, Trg Bosne i Hercegovine 1, BiH - 71000 SARAJEVO

BULGARIA / BULGARIE

**No nomination / Pas de nomination

CROATIA / CROATIE

Apologised/Excusé

CYPRUS / CHYPRE

Mme Androula BOULARAN, Criminological Research Officer, Ministry of Justice and Public Order
125, Athalassas Avenue, CY-1461 NICOSIA

CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE

Ms Helena LISUCHOVA, Acting Head, International Cooperation Department, Ministry of Justice, Vyšehradská 16,
CZ - 128 10 PRAGUE 2

DENMARK / DANEMARK

Mr Jesper HJORTENBERG, National Member of Denmark for EUROJUST, Maanweg 174, 2516 AB The Hague,
The Netherlands

Mr David NEUTSKY WULFF, Ministry of Justice, Slotsholmsgade 10, DK-1216 Copenhagen K

ESTONIA / ESTONIE

Apologised/Excusé

FINLAND / FINLANDE

Ms Ulla MOHELL, Counsellor of Legislation, Ministry of Justice, Finland/Department of Criminal Policy, PO BOX 25,
FIN-00023 Government

FRANCE

Mme Fabienne SCHALLER, Chargée de Mission pour les négociations internationales et européennes, Direction
des Affaires criminelles et des grâces, Ministère de la Justice, 13 place Vendôme, 75007 Paris

M. Olivier RABOT, Magistrat, Direction des Affaires criminelles et des grâces, Ministère de la Justice, 13 place
Vendôme, 75007 Paris

GEORGIA / GÉORGIE

**No nomination / Pas de nomination

GERMANY / ALLEMAGNE

Dr Ralf RIEGEL, Head of Division, International Criminal Law, European and Multilateral Cooperation in Criminal
Matters, Federal Ministry of Justice, Mohrenstraße 37, D-10117 Berlin

Dr Hans-Holger HERRNFELD, National Member (Germany) of EUROJUST, Maanweg 174, 2516 AB Den Haag,
The Netherlands

Prof. Dr. Bertram SCHMITT, Judge at the Federal Court of Justice, Herrenstraße 45a, D-76133 Karlsruhe

GREECE / GRÈCE

Apologised/Excusé

HUNGARY / HONGRIE

Dr Tünde FORMAN, Head of Department, Department of International Criminal Law, Ministry of Public
Administration and Justice, 1055 Budapest, Kossuth tér 4. Hungary

ICELAND / ISLANDE

Mr Robert R. SPANÓ, Professor, Dean of Faculty, University of Iceland, Lögberg, 101, Reykjavik

IRELAND / IRLANDE

Mr Brian KELLY, Executive Officer, International Policy Division, Department of Justice & Equality, 7-11 Montague Court, Montague Lane, Dublin 2

Mr James MOLONEY, Deputy to the Permanent Representative of Ireland, Permanent Representation of Ireland to the Council of Europe, 11 Bld Président Edwards, F- 67000 STRASBOURG

ITALY / ITALIE

Mr Lorenzo SALAZAR

Chairman of the CDPC / Président du CDPC

Directeur du Bureau des questions législatives, internationales et des grâces, Direction Générale de la Justice pénale, Ministère de la Justice, Via Arenula 70, I – 00186 ROMA

Ms Roberta PALMISANO, Judge, Department of Penitentiary Administration, Ministry of Justice, Largo Luigi Daga n. 2, Rome 00164

LATVIA / LETTONIE

Ms. Indra GRATKOVSKA, Head of the Criminal Law Department, Ministry of Justice, Brivibas blvd. 36, LV – 1536 RIGA

LIECHTENSTEIN

M Carlo RANZONI, Juge, Fürstliches Landgericht, Vaduz

LITHUANIA / LITUANIE

Ms Agnė VERŠELYTĖ, Chief specialist of the Division of International Treaties Law of the Department of International Law, Ministry of Justice of the Republic of Lithuania

LUXEMBOURG

Apologised/Excusé

MALTA / MALTE

**No nomination / Pas de nomination

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDOVA

Ms Diana ROTUNDU, Deputy Head of international legal assistance and european integration Division, General Prosecutor's Office of the Republic of Moldova, prosecutor, permanent expert

MONACO

M. Alexis POYET, Administrateur à la Direction des Services Judiciaires, Monaco

MONTENEGRO

Ms Duška VELIMIROVIĆ, Ministry of Justice and Human Rights, Department for International Legal Assistance and EU Integrations, Division for International Legal Assistance
Vuka Karadžića 3, 81 000 Podgorica

NETHERLANDS / PAYS-BAS

Mrs Marjorie BONN, Senior Legal Adviser, Legislation Department, Ministry of Justice, Legislation Department
P.O. Box 20301, 2500 EH The Hague, The Netherlands

NORWAY / NORVÈGE

Ms Linda Katharina DRAZDIK, Senior Adviser, Section for European and International Affairs, Ministry of Justice and the Police, P.O. Box 8005 DEP, N - 0030 OSLO

Ms Anne-Li N. FERGUSON, Adviser, Ministry of Justice and the Police, Correctional Service Department, P.O. Box 8005 DEP, N-0030 Oslo

POLAND / POLOGNE

Mr Rafal KIERZYNKA, Judge detached to the Ministry of Justice, Criminal Law Department, Ministry of Justice, al. Ujazdowskie 11, PL - 00-950 WARSAW

Mr Sławomir BUCZMA

Chair of the PC-GR-DD / Président du PC-GR-DD

National Expert, General Secretariat of the Council of the European Union, Rue de la Loi, 175, B-1048 Brussels, Belgium

PORTUGAL

Mr António FOLGADO, Head of Unit of Criminal Justice, International Affairs Department, Directorate General for Justice Policy, Ministry of Justice, Av. D. João II, n.º 1.08.01 E, Torre H, Pisos 2/3 – 1990-097 LISBON

ROMANIA / ROUMANIE

Ms Mariana RADU, Head of Division for International Judicial Cooperation in Criminal Matters, National Correspondent to European Judicial Network, National Correspondent to Eurojust, Directorate for International Law and Judicial Cooperation, Ministry of Justice of Romania, 17, Apolodor Street, 5th Sector, RO – 050741 BUCAREST

RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE

Mr Ilya ROGACHEV, Director of Department of New Challenges and Threats, Ministry of Foreign Affairs of the Russian Federation, Directorate of New Challenges and Threats, 32/34 Smolenskaya-Sennaya Square, RU - 121200 MOSCOW

Mr Dmitry SHALYAGIN, Head of the Chair of Human Rights & International Law, Moscow University of the Ministry of Interior of the Russian Federation

Mr Vladimir ZIMIN, Deputy Head of the Main Department of international legal cooperation, Prosecutor General's Office of the Russian Federation

Mr Konstantin KOSORUKOV, Deputy for Legal Affairs to the Permanent Representative of the Russian Federation at the Council of Europe

SAN MARINO / SAINT-MARIN

**No nomination / Pas de nomination

SERBIA / SERBIE

Mr Jovan COSIC, Head of the Department for normative affaires, Ministry of Justice and State Administration of the Republic of Serbia, 22 – 26 Nemanjina str., 11000 Belgrade, Serbia

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Mgr. Dagmar FILLOVÁ, Director, Judicial Co-operation in Criminal Matters Division, Ministry of Justice of the Slovak Republic, Župné námestie 13, 813 11 Bratislava, Slovak Republic

SLOVENIA / SLOVÉNIE

Ms Tanja TRTNIK, Senior Adviser, Ministry of Justice of the Republic of Slovenia, Župančičeva 3, 1000 Ljubljana,

SPAIN / ESPAGNE

Ms Almudena DARIAS DE LAS HERAS, Assistant Deputy Director for Justice Affairs in the EU and IIOO, Ministry of Justice, c / San Bernardo, E - 62-28015 MADRID

SWEDEN / SUÈDE

Mr Walo VON GREYERZ, Legal Adviser, Ministry of Justice, Division for Criminal Law, SE-103 33, Stockholm

SWITZERLAND / SUISSE

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

M. Bernardo STADELMANN, Chef Droit pénal, Département fédéral de justice et police, Office fédéral de la justice, Domaine de direction Droit pénal, Bundesrain 20, CH-3003 BERNE

**“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” /
“L’EX-REPUBLIQUE YOUGOSLAVE DE MACEDOINE”**

**No nomination / Pas de nomination

TURKEY / TURQUIE

Mr İlyas PEHLIVAN, Head of Department, Directorate General for International Law and Foreign Relations, Ministry of Justice, Adalet Bakanlığı Ek Bina Mustafa Kemal Mahallesi 2151. Cad. No: 34/A Söğütözü/Ankara

Mr. Fazlı DOĞAN, Deputy Director General, Directorate General for International Law and Foreign Relations, Ministry of Justice, Adalet Bakanlığı Ek Bina Mustafa Kemal Mahallesi 2151. Cad. No: 34/A Söğütözü/Ankara

UKRAINE

Mr Oleksiy ILLIASHENKO, Deputy Head of International Relations Department, of the Ministry of Interior of Ukraine

UNITED KINGDOM / ROYAUME-UNI

Mr Ebrima I CHONGAN, European & G8 Criminal Justice and Eurojust Policy, Data Sharing and Criminal Justice Team, International Directorate, Home Office, 1th Floor, Peel Building (NE Quarter), 2 Marsham Street, London SW1P 4DF

Mr Christopher VOLUME, European Criminal Justice and Rights, European and International Division, Ministry of Justice, 6.02, 102 Petty France, London SW1H 9AJ

Ms Nadya STEWART, Senior Procurator Fiscal Depute, International Cooperation Unit, Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA

* * * *

CDPC BUREAU / BUREAU DU CDPC
(CDPC-BU)

CROATIA / CROATIE

Mr Tihomir KRALJ, univ. spec. crim., Deputy Director General, Customs directorate of the Republic of Croatia, Zagreb, 10000, Alexandera Von Humboldta 4a

Apologised/Excusé

DENMARK / DANEMARK

Mr Jesper HJORTENBERG, National Member of Denmark for EUROJUST, Maanweg 174, 2516 AB The Hague, The Netherlands

FRANCE

Mme Fabienne SCHALLER, Chargée de Mission pour les négociations et la transposition des normes pénales internationales, Direction des affaires criminelles et des grâces, Ministère de la Justice et des libertés, 13, place Vendôme, F-75042 PARIS Cedex 01

GERMANY / ALLEMAGNE

Dr Hans-Holger HERRNFELD, National Member (Germany) of EUROJUST, Maanweg 174, 2516 AB Den Haag, The Netherlands

ITALY / ITALIE

Mr Lorenzo SALAZAR

Chairman of the CDPC / Président du CDPC

Directeur du Bureau des questions législatives, internationales et des grâces, Direction Générale de la Justice pénale, Ministère de la Justice, Via Arenula 70, I – 00186 ROMA

POLAND / POLOGNE

Mr Sławomir BUCZMA

Chair of the PC-GR-DD / Président du PC-GR-DD

National Expert, General Secretariat of the Council of the European Union, Rue de la Loi, 175, B-1048 Brussels, Belgium

RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE

Mr Ilya ROGACHEV, Director of Department of New Challenges and Threats, Ministry of Foreign Affairs of the Russian Federation, Directorate of New Challenges and Threats, 32/34 Smolenskaya-Sennaya Square, RUS - 121200 MOSCOW

UNITED KINGDOM / ROYAUME-UNI

Mr Ebrima I CHONGAN, European & G8 Criminal Justice and Eurojust Policy, Data Sharing and Criminal Justice Team, International Directorate, Home Office, 1th Floor, Peel Building (NE Quarter), 2 Marsham Street, London SW1P 4DF

* * * *

**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)

Ms Selma DE GROOT **Chair of the PC-OC / Président du PC-OC**
Legal Adviser, Ministry of Justice, International Legal Assistance in Criminal Matters Division, Schedeldoekshaven
100, Postbus 20301, NL - 2500 EH DEN HAAG

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

M. André VALLOTTON **Chair of the PC-CP / Président du PC-CP**
Ancien Délégué du Conseil d'Etat aux Affaires pénitentiaires, Département de la Sécurité et de l'Environnement,
Chef de projet, Unité d'appui au Programme d'appui de la réforme du Système pénitentiaire, Ministère de la Justice
c/o DGAPR, rue du 11 Décembre 1960, EL Biar, Alger, ALGERIE

Mr Marcelo AEBI **Scientific Expert / Expert scientifique**
Professeur, Vice-directeur, Ecole des sciences criminelles, Université de Lausanne, ICDP - Sorge - Batochime, CH-
1015 LAUSANNE

Ms Natalia DELGRANDE **Scientific Expert / Expert scientifique**
Criminologue, Responsable de recherche, chargée de cours, Ecole des sciences criminelles, Université de
Lausanne, ICDP - Sorge - Batochime, CH-1015 Lausanne

**COMMITTEE OF EXPERTS ON TRAFFICKING IN HUMAN ORGANS /
COMITE D'EXPERTS SUR LE TRAFIC D'ORGANES, DE TISSUS ET DE CELLULES HUMAINS**
(PC-TO)

Dr Hans-Holger HERRNFELD **Chair of the PC-TO / Président du PC-TO**
National Member (Germany) of EUROJUST, Maanweg 174, 2516 AB Den Haag, The Netherlands

**ENLARGED PARTIAL AGREEMENT ON SPORT (EPAS) /
ACCORD PARTIEL ELARGI SUR LE SPORT (APES)**

Mme Valérie BERSET HEMMER, Senior Advisor, Office fédéral de la justice, Unité projets et méthode législatifs,
Vice-présidente du groupe de rédaction d'un projet de convention internationale contre la manipulation des
compétitions sportives, Bundesrain 20, CH-3003 Berne

Mr Nicolas WEVELSIEP, Administrateur, Enlarged Partial Agreement on Sport / Accord Partiel Élargi sur
le Sport, Human Rights and Antidiscrimination Directorate / Direction des droits de l'Homme et de l'anti-
discrimination, Council of Europe, F-67075 STRASBOURG Cedex

* * * * *

**OBSERVERS WITH THE COUNCIL OF EUROPE /
OBSERVATEURS AUPRES DU CONSEIL DE L'EUROPE**

HOLY SEE / SAINT-SIÈGE

**No nomination / Pas de nomination

UNITED STATES OF AMERICA / ÉTATS-UNIS D'AMÉRIQUE

**No nomination / Pas de nomination

CANADA

**No nomination / Pas de nomination

JAPAN / JAPON

Mr Hideaki GUNJI, Consul (Attorney), Consulate-General of Japan, Consulate-General of Japan, "Tour Europe"
20 Place des Halles, 67000 Strasbourg

MEXICO / MEXIQUE

Mr José Humberto LÓPEZ-PORTILLO SÁNCHEZ, Deputy Attaché for Legal Affairs, Legal Attaché Office for
Europe of the Attorney, General of Mexico, Embassy of Mexico, Carrera de San Jeronimo 46, 5° piso, 28014
MADRID, SPAIN

M. Alejandro MARTINEZ PERALTA, Chargé d'affaires, Mission permanente du Mexique auprès du Conseil de
l'Europe, 8, boulevard du Président Edwards, 67000 Strasbourg, France

* * * * *

EUROPEAN UNION / UNION EUROPÉENNE

Mr Nicolas SERRANO, EU Delegation to the Council of Europe. 18 Boulevard de l'Orangerie, F-67000,
Strasbourg

I.C.P.O. INTERPOL

Mr Gerhard KREUTZER, Legal Officer, Office of Legal Affairs, ICPO - INTERPOL, General Secretariat 200, Quai
Charles de Gaulle, 69006 Lyon, France

* * * * *

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 Jan KLEIJSEN	Director, Information Society and Action against Crime Directorate / Directeur, Direction de la Société de l'Information et de la Lutte contre la Criminalité
Mr Ivan KOEDJIKOV	Head of Action against Crime Department / Chef de la Service de la Lutte contre la Criminalité
Mr Carlo CHIAROMONTE	Head of Criminal Law Division / <u>Secretary to the CDPC</u> Chef de la Division du droit pénal / <u>Secrétaire du CDPC</u>
Mr Oscar ALARCON JIMENEZ	Administrative Officer / Administrateur Co-Secretary to the CDPC / Co-secrétaire du CDPC Secretary to the PC-GR-DD / Secrétaire du PC-GR-DD
Ms Tanja RAKUSIC-HADZIC	Administrative Officer / Administrateur Head of Criminal Law Co-operation Unit / Chef de l'Unité de coopération en matière de droit pénal
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
Ms Anita VAN DE KAR-BACHELET	Administrative Officer / Administrateur Secretary to the PC-OC / Secrétaire du PC-OC
Ms Marjaliisa JÄÄSKELÄINEN	Assistant / Assistante

Interpreters / Interprètes

Mr Nicolas GUITTONNEAU
Ms Bettina LUDEWIG

Appendix I



Strasbourg, 24 May 2013
CDPC/CDPC 2013plenary_1/OJ+LP/cdpc (2013) OJ1 – E

CDPC (2013) OJ 1

EUROPEAN COMMITTEE ON CRIME PROBLEMS (CDPC)

64th Plenary Session

Strasbourg, 28 (2.00 pm) – 31 May 2013 (1.00 pm)

AGENDA

Council of Europe

Main Building, Palais de l'Europe

Room 5

1. **Opening of the meeting**
2. **Adoption of the draft agenda**
 Draft agenda [CDPC \(2013\) OJ1](#)
 Annotated agenda [CDPC \(2013\) 9](#)
 For information:
 List of decisions of the CDPC Plenary, 4-7 December 2012 [CDPC \(2012\) 20](#)
3. **Future activities and priorities of the CDPC**
 Preparation of the Terms of reference for the years 2014-2015 [Draft terms of reference](#)
 Terms of reference of the CDPC for the years 2012-2013 [Terms of reference](#)
 Resolution on intergovernmental committees and subordinate bodies, their terms of reference and working methods [CM Res \(2011\) 24](#)
 List of decisions of the CDPC Bureau, 11-12 April 2013 [CDPC-BU \(2013\) 2](#)
 Decision by the Committee of Ministers on the review of the Council of Europe Conventions [CM decision](#)
4. **Follow-up to the 31st Council of Europe Conference of Ministers of Justice (Vienna, 19-21 September 2012) : “Responses of Justice to urban violence”**
 Resolution on responses of justice to urban violence [MJU-31 \(2012\) RESOL. E](#)
 Decision of the Committee of Ministers [Decision](#)
 SG report on Vienna [CM \(2012\) 145](#)
 Concept paper on an international conference on urban violence [CDPC \(2013\) 2](#)
 Comments by Interpol on the concept paper [Comments](#)
 General information on juvenile delinquency justice for children [CDPC \(2013\) 7](#)
 Compilation of legal instruments related on justice for children and juvenile delinquency (**Please note the document is 259 pages long**) [Compilation](#)
5. **Dangerous offenders**
 Terms of reference of the Ad hoc Drafting Group on Dangerous Offenders (PC-GR-DD) [Terms of reference](#)
 Summary Meeting reports of the PC-GR-DD, 17-19 December 2012/ 24-26 April 2013 [PC-GR-DD \(2012\) 5](#)
 Draft recommendation [PC-GR-DD \(2013\) 2](#)
[PC-GR-DD \(2013\) 1 rev 3](#)
6. **Council for Penological Co-operation (PC-CP)**
 Exchange of views with the Chair, Mr André Vallotton
- a. **Preparation of the Terms of reference for the years 2014-2015**
 Terms of reference of the PC-CP for the years 2012-2013 [Draft terms of reference](#)
 List of decisions and report of the 3rd Plenary Meeting of the PC-CP, 6-8 March 2013 [Terms of reference](#)
[PC-CP \(2013\) 4](#)
- b. **Follow-up to the conclusions adopted at the 17th Council of Europe Conference of Directors of Prison Administration (CDAP)**
 Conclusions of the CDAP [Conclusions](#)
 Conclusions of the meeting on prison overcrowding [Conclusions](#)
- c. **Electronic monitoring**
 Draft recommendation [PC-CP \(2013\) 1 rev 2](#)
 Draft commentary [PC-CP \(2013\) 2 rev](#)
- d. **Violence in juvenile detention centres**

- Report by the Secretariat for information [PC-CP \(2013\) 7rev](#)
- e. **SPACE**
 Annual Penal Statistics: SPACE I, Survey 2011 (Please note the document is 165 pages long) [PC-CP \(2013\) 5](#)
 Annual Penal Statistics: SPACE II, Survey 2010 (Please note the document is 85 pages long) [PC-CP \(2013\) 6](#)
7. **Promotion of the Integrity of Sport against the Manipulation of Results, notably match-fixing**
 Decision of the Committee of Ministers [CM decision](#)
- a. **Possible Council of Europe Convention against Manipulation of Sports Competitions**
 CDPC proposal for criminal law provisions on the draft convention against manipulation of sports competitions [CDPC \(2013\) 6](#)
 Preliminary draft Convention against manipulation of sports competitions (Please note the document is 77 pages long) [EPAS \(2013\) 16rev](#)
 Framework and timetable for the process of negotiating a draft international convention to combat the manipulation of sports results [EPAS \(2012\) 23rev1](#)
 Feasibility study on criminal law on Promotion of the integrity of sport against manipulation of results, notably match-fixing (Please note the document is 102 pages long) [CDPC \(2012\) 1](#)
 Letter of the Chair of the CDPC [letter](#)
 Letter of the Chair of the Governing Board of EPAS [letter](#)
- b. **Feasibility of an Additional Protocol to the Council of Europe Criminal Law Convention on Corruption (ETS No. 173)**
 Questionnaire [Questionnaire](#)
 Replies to the questionnaire [CDPC \(2012\) 19 Bil rev.](#)
 Summary of the replies [CDPC \(2013\) 3](#)
8. **Trafficking in human organs**
 Draft Council of Europe Convention against Trafficking in Human Organs [CDPC \(2013\) 4 FINAL](#)
 Draft Explanatory Report [CDPC \(2013\) 5 rev 2](#)
 Comments by two delegations on the draft Explanatory Report [CDPC \(2013\) 8](#)
9. **Committee of Experts on the operation of European conventions on co-operation in criminal matters (PC-OC)**
 Exchange of views with the Chair, Mrs Selma de Groot
 Preparation of the Terms of reference for the years 2014-2015 [Draft terms of reference](#)
 Terms of reference of the PC-OC for the years 2012-2013 [Terms of reference](#)
 List of decisions of the 15th meeting of the PC-OC Mod [PC-OC Mod \(2013\) 03](#)
 Draft agenda of the 64rd Plenary meeting of the PC-OC [PC-OC \(2013\) OJ 1](#)
 Project on effective practical tools to facilitate judicial co-operation in criminal matters [DG-HL \(2010\) 6](#)
10. **Activities related to transnational organised crime**
 Terms of reference of the Ad hoc Drafting Group on Transnational Organised Crime (PC-GR-COT) [Terms of reference](#)
11. **Follow-up to the decision adopted by the Plenary on activities related to piracy**
 Background working paper [CDPC \(2012\) 11](#)
 Appendices (Please note the document is 108 pages long) [Appendices](#)
 Questionnaire [CDPC \(2012\) 15](#)
 Replies to the questionnaire (Please note the document is 73 pages long) [CDPC \(2012\) 16 Bil](#)

- 12. Alternative measures to imprisonment**
Existing Council of Europe instruments and activities pertaining to quasi-compulsory measures (PCM) [CDPC \(2012\) 13 rev](#)
- 13. Information provided by the Secretariat**
- a. Medicrime**
Council of Europe Convention on the counterfeiting of medical products and similar crimes involving threats to public health (Medicrime Convention) (CETS No. 211)
Draft programme of the Conference in Kyiv, 11-12 June 2013 [Chart of signatures and ratifications](#)
[Draft programme](#)
- b. Review of Council of Europe Conventions**
Report by the Secretary General
(Please note the document is 64 pages long)
Decisions by the CM [SG/Inf\(2012\)12](#)
[CM decision](#)
- c. Terrorism**
List of decisions of the CODEXTER meeting, 16-17 May 2013
Draft programme of the International Conference on the Use of Special Investigation Techniques to Combat Terrorism and Other Forms of Serious Crime [CODEXTER \(2013\) 7 Programme](#)
- d. Co-operation activities in the criminal field**
Ongoing projects
- e. Consultative Council of European Prosecutors (CCPE)**
Recommendation of the Committee of Ministers “on the role of public prosecution in the criminal justice system” [Rec\(2000\)19](#)
- 14. Any other business**
- 15. Dates of the next meetings**
CDPC Bureau: 30 September – 1 October 2013
CDPC Plenary: 2 December at 9.30 am – 5 December at 1.00 pm