

European Committee on Crime Problems (CDPC)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods

Terms of Reference valid from: **1 January 2012 until 31 December 2013**

| Main tasks | |
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| <p>Under the authority of the Committee of Ministers, the CDPC's mandate is to identify priority elements for intergovernmental legal cooperation, to propose to the Committee of Ministers areas for action in criminal law and procedure, criminology and penology, to conduct activities in these areas and to advise the Committee of Ministers on all questions within its area of competence, taking due account of relevant transversal perspectives. With this purpose, the CDPC is instructed to:</p> | |
| (i) | steer the legal co-operation among the Council of Europe member states in order to assist member states develop modern penal policies. In particular, it shall develop common standards in the fields of criminal law and preventing and combating organised crime, including both substantive and procedural aspects; |
| (ii) | be responsible for following the functioning of the more than 30 Council of Europe Conventions in the criminal law fields (in particular those on extradition, mutual legal assistance, MEDICRIME, Cybercrime, money laundering, protection of victims of crime, protection of children against sexual exploitation and abuse), for their revision and updating as necessary and for facilitating friendly settlements of any difficulty which may arise out of their execution and implementation; |
| (iii) | be responsible for assisting the member states in the implementation of the European Prison Rules, the European Rules for juvenile offenders, the Council of Europe Probation Rules, as well as the other relevant recommendations in the penitentiary field with a view of ensuring harmonised laws and practices of execution of sanctions and measures throughout Europe. In order to assist member states develop modern penal policies based on validated data and research, it will also ensure the regular collection of the Council of Europe Annual Penal Statistics (SPACE); |
| (iv) | be responsible, in co-operation with the CDDH and CDCJ, for the preparation of the 31st Conference of the Ministers of Justice (Vienna, Austria, 2012) and ensure, as appropriate, the follow-up of any decision taken by the Committee of Ministers subsequent to the Conference. The CDPC will be similarly responsible for the Conferences of Directors of Prison Administration; |
| (v) | enhance co-operation and transversal activities with other Council of Europe relevant bodies (GRECO, MONEYVAL, Pompidou Group, CODEXTER, CEPEJ, CCPE, CCJE); |
| (vi) | provide an intergovernmental setting for the negotiation and finalisation of draft legal instruments or draft amendments to existing legal instruments prepared by ad hoc committees and committees of the parties, tasked by the Committee of Ministers with elaborating them; |
| (vii) | take due account of gender perspective in the performance of the above tasks. |
| Pillar / Sector / Programme | |
| Pillar: | Rule of Law |
| Sectors: | a. Ensuring Justice b. Common standards and policies |
| Programmes: | a. Prisons and Police b. Development and implementation of common standards and policies |

Expected results

- (i) Elaboration of a possible non-binding instrument concerning sentencing, management and treatment of dangerous offenders, to be adopted by the Committee of Ministers in 2013 ;
- (ii) elaboration of i) a draft criminal law convention against trafficking in human organs; and, if appropriate, ii) a draft additional protocol to the aforesaid draft criminal law convention against trafficking in human tissues and cells;
- (iii) ensuring follow-up to be given to Resolutions 1 (on a modern, transparent and efficient justice) and 2 (on prison policy in today's Europe) adopted by the 30th Council of Europe Conference of Ministers of Justice (Istanbul - November 2010) and preparation of the 31st Conference (2012);
- (iv) ensuring follow-up to be given to the 16th Conference of Directors of Prison Administration (October 2011) and preparation of the 17th and 18th Conferences (2012 and 2013);
- (v) developing an integrated strategic approach to combating transnational serious organised crime and identifying common responses to major threats to the rule of law and security of citizens;
- (vi) collection, analysis and dissemination of the annual penal statistics SPACE.

Composition

Members:

Governments of member states are invited to designate one or more representative of the highest possible rank with the following qualifications : senior officials and experts in the fields of criminal law and criminal procedure, penology or criminology, with responsibility at the national level for the planning, development and implementation of policies relevant to the work of the Committee and appointed by their governments to co-ordinate, at national level, all elements of government policy relevant to the work of the Committee.

The Council of Europe will bear the travel and subsistence expenses of one representative from each member state (two in the case of the state whose representative has been elected Chair).

Each member of the committee shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.

Participants:

The following may send representatives without the right to vote and at the charge of their corresponding administrative budgets:

- Parliamentary Assembly of the Council of Europe;
- Congress of Local and Regional Authorities of the Council of Europe;
- European Court of Human Rights;
- the Council of Europe Commissioner for Human Rights;
- Conference of INGOs of the Council of Europe;
- other Council of Europe intergovernmental committees as appropriate;
- the European Committee for the Prevention of Torture and Inhuman and Degrading Treatment (CPT) and any other relevant body of the Council of Europe;
- other Council of Europe intergovernmental committees as appropriate.

The following may send representatives without the right to vote and without defrayal of expenses:

- European Union;
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America.

Observers:

The following may send representatives without the right to vote and without defrayal of expenses:

- civil society and representatives of professional communities (to be determined);
- other relevant International Organisations.

Working methods**Plenary meetings:**

48 members, 2 meetings in 2012, 4 days

48 members, 2 meetings in 2013, 4 days

Bureau:

9 members, 2 meetings in 2012, 2 days

9 members, 2 meetings in 2013, 2 days

The Committee will also appoint a Gender Equality Rapporteur from amongst its members.

The rules of procedure of the Committee are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Subordinate structure(s)

The CDPC provides a coordinating, supervising and monitoring role in the functioning of its subordinate bodies (PC-OC and PC-CP).

- Committee of experts on the operation of European conventions on co-operation in criminal matters (PC-OC);
- Council for penological co-operation (PC-CP).