



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Bureau Meeting
(CDPC-BU)

Rome, 7-8 October 2010

List of Decisions

At its meeting held in Rome on 7 and 8 October 2010, the Bureau of the CDPC decided to :

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

a. Foreign nationals in prison

- take note of the draft outline structure of the recommendation concerning foreign prisoners ;
- instruct the Secretariat to inform the PC-CP about the outcome of discussions in the Bureau ;
- instruct the PC-CP to consider that, as regards issues related to transfer of foreign prisoners, the work of the PC-CP should concentrate only on their treatment and conditions of detention prior to transfer and to consult the PC-OC to avoid potential overlaps.

b. Dangerous offenders

- take note of the report on sentencing, management and treatment of dangerous offenders and thank the expert for the excellent work done ;
- instruct the Secretariat to send this draft report to all CDPC delegations with a view to verifying the facts contained in the report concerning their respective legislation and to sending their possible comments within one month ;
- invite the expert to finalise the report in the light of the information provided by the CDPC delegations before the next PC-CP meeting in December and to propose possible recommendations on the follow up to be given to this matter ;
- invite the PC-CP to examine the draft terms of reference of a restricted group of experts on dangerous offenders (PC-R-DO) in the light of the finalised report and the discussions of the CDPC Bureau meeting, and to report back to the CDPC Bureau.

c. Exchange of views of the PC-CP with the CPT and the ECtHR on the European Prison Rules and their implementation (at the 65th PC-CP meeting)

- take note of the information provided by the Secretariat concerning the outcome of this exchange of views, welcoming the envisaged close co-operation between the PC-CP and the CPT.

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

- take note of the information provided by the Secretariat on the results of the 10th meeting of the PC-OC Mod (28 – 30 September 2010) and on the current and future activities of the PC-OC ;
- instruct the Secretariat to convey to the PC-OC its proposals for Article 1, paragraph 4 and Article 3, paragraph 4 of the Draft Fourth Additional Protocol to the European Convention on Extradition.

3. Follow-up to decisions taken at the CDPC Plenary meeting

a. Standard model provisions

- Instruct the Secretariat to revise the document in accordance with its discussions and to submit the document to the CDPC with a view to endorsing the approach that this text be sent to future drafting committees for inspiration.

b. Victims in criminal proceedings

- take note of the revised report on the standing and rights of victims in criminal proceedings ;
- circulate the compilation of provisions relating to the standing and rights of victims in Council of Europe instruments to the CDPC delegations for comments and invite the expert to consider attaching this compilation to his report ;
- send the report to the PC-OC for discussion and instruct the PC-OC to take position on the recommendations contained in the report as regards international co-operation.

4. The 30th Council of Europe Conference of Ministers of Justice (Istanbul, November 2010)

- take note of the information provided by the Secretariat on the state of play of preparations for the conference.

5. Scientific proof in criminal matters

- examine and approve with amendments the draft terms of reference of a restricted group of experts on scientific evidence and instructed the Secretariat to submit them to the Committee of Ministers for adoption.

6. Police matters

- examine and approve with amendments the draft terms of reference of a restricted group of experts on police matters and instructed the Secretariat to submit them to the Committee of Ministers for adoption.

7. Opinion of the CDPC on Piracy

- examine the draft Opinion of the CDPC on sea piracy and adopt it with amendments ;
- instruct the Secretariat to circulate the amended draft Opinion to all delegations of the CDPC for comments only related to the amendments introduced by the Bureau as the draft Opinion had already been sent for general comments to all delegations. The new comments should be sent to Secretariat within one week so that the Opinion can be submitted to the Committee of Ministers within the deadline foreseen.

8. Information provided by the Secretariat

- a. **Medicrime**
- b. **Cybercrime**
- c. **Violence against women/domestic violence**
- d. **Trafficking in organs**

- take note of the information provided by the Secretariat on the above said sub-items a – d and, in particular 1) that the Medicrime convention should be adopted by the Committee of Ministers before the end of this year, 2) that the T-CY will examine the issue of jurisdiction on the Internet in relation to certain investigative measures, 3) that 9 States have ratified the Lanzarote Convention and that consequently the Committee of the Parties is likely to start its work very soon, 4) that the decision on follow-up to be given on the issue of the trafficking in organs has been reported by the Committee of the Ministers.

9. Any other business

- a. **Opinion of the CDPC on Reinforcing the effectiveness of Council of Europe treaty law**

- examine and adopt with amendments the opinion of the CDPC on reinforcing the effectiveness of CoE treaty law drafted by the Secretariat and submit it to the Committee of Ministers.

- b. **Committee of Ministers' request for an opinion by the CDPC on the report by CODEXTER on « false identity information as a challenge to immigration authorities »**

- take note of the request of the Committee of Ministers for a possible opinion by the CDPC on this issue ;
- consider that it is not necessary to provide an opinion on the criminal law aspects of the report.

- c. **Criteria and procedure to be followed as regards the accession of non-member states to the Council of Europe Conventions (new item)**

- take note of the decision of the Committee of Ministers that has "invited the CDPC to provide an opinion to the Committee of Ministers on the criteria and procedure to be followed as regards the accession of non-member states to the Council of Europe Conventions in the criminal law field in order to contribute to the extension of these Conventions beyond Europe";
- instruct the Secretariat to start preparing some preliminary working material which will be used to draft the opinion to the Committee of Ministers on the accession of third States to criminal law instruments of the Council of Europe;

- Mr Herrfeld and Mr Rogacev expressed their interest in working on that matter and preparing the draft opinion with a view to submitting a first draft at the next Bureau meeting.

d. Appointment of CDPC members to other Council of Europe committees

- instruct the Secretariat to contact those representatives of the CDPC in other committees, who should be replaced, and report back to the Bureau.

e. Date of the next meeting

- hold its next meeting in the second half of January 2011.