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**EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)**

Drafting Committee on prison overcrowding

4th meeting

**Strasbourg, 21-22 April 2016
9.30 am - 5.00 pm
Council of Europe, Agora building**

EXECUTIVE SUMMARY

Document prepared by the Secretariat
Directorate General I - Human Rights and Rule of Law

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The Drafting Committee on prison overcrowding:

- Approved its meeting agenda and took note of the information provided by its Chair regarding the meeting held on 25 January 2016 between the Chair, the General rapporteur and the Secretariat in order to re-draft the White paper following the comments and proposals made at its 3rd meeting, as well as the time line for finalising the document, namely at the CDPC plenary meeting in June 2016;
- Took note of the comments and proposals made by the CDPC Bureau at their meeting on 14-15 April 2016 as well as of their overall very positive opinion regarding the quality and the utility of the text of the draft White paper;
- Expressed gratitude for the excellent work carried out by Mr Hjortenbergh, Mr Palma and the Secretariat which has significantly improved the quality of the text, considered the revised the draft White Paper and made some final comments and suggestions for additions;
- Took note of the fact that the text will also be considered at the next PC-CP Working Group meeting on 11-13 May 2016 before it is forwarded to the CDPC plenary for adoption;
- Revised the final conclusions and agreed on the possible follow-up action to be taken before and after the sending of the document to the Committee of Ministers for adoption, namely:
 - to ensure that a follow up is given to the White Paper by the national authorities ;
 - to update at some point in the future the White Paper and its findings and conclusions based on information regarding the measures taken for the implementation of Recommendation No. R (99)22 and the rates of imprisonment and prison capacity in the different European countries ;
 - to send the document to the Court, the HR Commissioner, the CPT, CCJE, CCPE, PC-CP, PC-OC, PACE and the Department for the Execution of the Court's judgements for information with the request to reflect on future steps to be taken for its implementation in their field of competence;
 - to request the CDPC to examine the issue of the existing national standards related to calculating the space each prisoner is entitled to;
 - to include the White Paper on the agenda of the 22nd CDPPS in 2017;
 - to include in the agenda of the next Council of Europe Conference of Ministers of Justice the topic of prison overcrowding.

AGENDA / ORDRE DU JOUR

1. Opening of the meeting / Ouverture de la réunion

2. Adoption of the draft agenda / Adoption du projet d'ordre du jour

3. Information provided by the Secretariat / Informations fournies par le Secrétariat

4. Finalising of the draft White Paper on prison overcrowding / Finalisation du Projet de Livre Blanc sur la surpopulation carcérale

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5. Drafting of the final conclusions and recommendations / Rédaction des conclusions et recommandations finales

6. Follow-up to be given to the White Paper / Suites à donner au Livre blanc

7. Any other business / Questions diverses

LIST OF MEMBERS / LISTE DES MEMBRES

Committee of Experts on the Operation of European Conventions on Co-operation in Criminal Matters (PC-OC) / Comité d'experts sur le fonctionnement des conventions européennes sur la coopération dans le domaine pénal (PC-OC)

Barbara GOETH-FLEMMICH (*Apologised / Excusée*)

Director, Head of Division for International Penal Law, Ministry of Justice (Austria) / Présidente de la Commission des questions juridiques et des droits de l'homme (AS/Jur) de l'APCE

Imbi MARKUS

Legal Counselor, International Judicial Co-operation Unit, Estonian Ministry of Justice (Estonia) / Conseiller juridique, unité de la coopération judiciaire internationale, Ministère de la justice (Estonie)

Consultative Council of European Judges (CCJE) / Conseil consultatif de juges européens (CCJE)

Bart VAN LIEROP (**The Netherlands**) / (Pays-Bas)

Consultative Council of European Prosecutors (CCPE) / Conseil consultatif de procureurs européens (CCPE)

Cedric VISART DE BOCARMÉ (*Apologised / Excusé*)

Member of the CCPE Bureau (Belgium) / membre du bureau du CCPE (Belgique)

Council for Penological Co-operation (PC-CP) / Conseil de coopération pénologique (PC-CP)

Mauro PALMA

Chair of the Drafting Committee (Italy), National Guarantor of the Rights of Detainees / Président du Comité de rédaction, Garant national des droits de détenus (Italie)

Alina BARBU

Former PC-CP Vice-Chair (Romania), Directorate of Drafting Legislation, Ministry of Justice / Vice-présidente du PC-CP, Direction pour la rédaction des lois, Ministère de la justice (Roumanie)

European Committee on Crime Problems (CDPC) / Comité européen pour les problèmes criminels (CDPC)

Jesper HJORTENBERG

General rapporteur, CDPC Bureau member (Denmark) / Rapporteur général, Membre du Bureau du CDPC (Danemark)

Hans KROGH HARESTAD (*Apologised / Excusé*)

Senior Adviser in the Correctional Service department (Norway) / Conseiller principal du Service correctionnel de l'administration pénitentiaire (Norvège)

European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) / Comité européen pour la prévention de la torture et des peines ou traitements inhumains ou dégradants (CPT)

Jim MCMANUS

CPT member (United Kingdom) / membre du CPT (Royaume-Uni)

European Court of Human Rights (ECtHR) / Cour Européenne des Droits de l'Homme (CEDH)

Hasan BAKIRCI

Member of the Registry of the Court / membre du Greffe de la Cour

Office of the Commissioner for Human Rights / Bureau du Commissaire aux droits de l'homme

Hasan BERMEK (*Apologised / Excusé*)

Adviser / Conseiller

Parliamentary Assembly (PACE) / Assemblée parlementaire (APCE)

Meritxell MATEU PI ALDE (*Apologised / Excusée*)

Chairperson of the AS/Jur's Human Rights Sub-Committee (Andorra) / Présidente de la Commission des questions juridiques et des droits de l'homme (AS/Jur) de l'APCE (Andorre)

Günter SCHIRMER (*Apologised / Excusé*)

Deputy to the Head of Secretariat, AS/Jur's Human Rights Sub-Committee / Adjoint au Chef du Secrétariat, Commission des questions juridiques et des droits de l'homme (AS/Jur) de l'APCE

DIRECTORATE GENERAL I / DIRECTION GÉNÉRALE I

**HUMAN RIGHTS AND RULE OF LAW / INFORMATION SOCIETY AND ACTION AGAINST CRIME
DIRECTORATE**

**DROITS DE L'HOMME ET ETAT DE DROIT / DIRECTION DE LA SOCIÉTÉ DE L'INFORMATION ET DE
LA LUTTE CONTRE LA CRIMINALITÉ**

Criminal Law Division / Division du droit pénal

Irina TANEVA

Secretary to the Drafting Committee, Secretary to the Council for Penological Co-operation (PC-CP) / Secrétaire du Comité de rédaction, Secrétaire du Conseil de Coopération Pénologique (PC-CP)

Christine COLEUR

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