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

**65th Plenary Session**

**Strasbourg, 2-5 December 2013**

Council of Europe  
PALAIS (Main Building)  
Room 9

**Annotated Agenda**

**1. Opening of the meeting**

The meeting will be opened at 10 a.m. by Mr Jan Kleijssen, Director of Information Society and Action against Crime, Directorate General of Human Rights and Rule of Law, Council of Europe (hereafter CoE).

**2. Adoption of the draft agenda**

The Committee is invited to adopt the agenda and decide on the order of business, notably taking into account that the CDPC is required to examine and adopt two new recommendations (items 5 and 6b below) and endorse the criminal law provisions contained in the new draft convention on the manipulation of sports results (item 7a below).

**3. Future activities and priorities of the CDPC**

The CDPC is invited to take note of the information provided by the Secretariat on the state of preparation of the terms of reference of the CoE intergovernmental committees for the years 2014-2015. It is also invited to hold a preliminary discussion on how to organise its work over the next two years with a view to dealing with the new tasks that have been included in the CDPC terms of reference for 2014-2015.

In this regard, members of the CDPC are invited to take note of, and agree upon, the decision of the Bureau related to the task of reviewing the CoE conventions, "to draft a letter to the chairpersons of the relevant CoE monitoring/conventional bodies (GRECO, Group of Parties Lanzarote, GRETA, TC-Y, PC-OC, MONEYVAL) asking them to provide concise and written feedback to the CDPC with regard to the conventions for which they are responsible:

- a. identifying any operational problems or obstacles related to the implementation and

- ratification of the relevant conventions;
- b. proposing ways of improving their visibility, impact and efficiency;
- c. assessing the necessity or advisability of drafting amendments or additional protocols to the conventions or drafting supplementary conventions;
- d. giving advice on if and how to encourage non-member states of the CoE to examine the possibility of becoming a Party to the relevant conventions;”

and “to invite the chairpersons of these CoE monitoring bodies to take part in CDPC Plenary meetings in the coming two years (two of them at each Plenary) in order to exchange views on issues of common interest”.

**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”**

The CDPC is invited to take note of the information provided by the Secretariat on 1) the follow-up to the last Conference of Ministers of Justice and in particular on a possible international conference that could be organised on the subject of “Urban violence” in 2014 and 2) the developments related to the drafting of a working paper by a consultant (nominated by the Secretariat following a decision taken during last plenary in this regard) “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 Committee of Ministers of the CoE (hereafter CM) at its 1156th meeting on 28 November 2012”.

The CDPC is invited to agree with the decision of the Bureau “to invite the consultant to its plenary meeting in spring in 2014 with a view to presenting her work”.

**5. Dangerous offenders**

The CDPC is invited to take note of the information provided by the Chair of the ad hoc drafting group on Dangerous Offenders (PC-GR-DD), Mr Slawomir Buczma, with the regard to the work accomplished by the PC-GR-DD (final meeting: 18-20 September 2013) on the drafting of the recommendation on dangerous offenders.

The CDPC is invited to examine the draft texts of the recommendation (document: PC-GR-DD (2013)1 FIN) and its commentary, notably on the basis of the written comments made by delegations (see compilation and addendum<sup>1</sup>, documents: CDPC (2013)13 and CDPC (2013) 16).

The CDPC is expected to approve the draft recommendation and its commentary and instruct the Secretariat to transmit them to the CM for final adoption of the recommendation.

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

The CDPC is invited to take note of the information provided by the Chair of the PC-CP, Mr André Vallotton, and hold on exchange of views on the current and future work of the PC-CP. It is also invited to take note of the preliminary draft agenda of the next plenary meeting of the PC-CP in 2014 and make any comments on the draft agenda, if necessary.

**a. The 18th Council of Europe Conference of Directors of Prison Administration (CDAP)**

The CDPC is invited to take note of the information on the 18th CoE Conference of Directors of Prison Administration (CDAP), Brussels 27-29 November 2013, provided by the Belgian delegation, the Chair and the Secretariat of the PC-CP, and make any comments it considers necessary with

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<sup>1</sup> The addendum contains comments made by the French delegation that are mainly of stylistic nature and do not intend to change the content of the text.

regard the organisational and the substantial aspects of this event.

**b. Electronic monitoring**

The CDPC is invited to take note of the information provided by the Chair of the PC-CP on the final draft versions, as approved by the PC-CP Working Group, of the recommendation on electronic monitoring and its commentary.

The CDPC is invited to examine the draft texts of the recommendation (document: PC-CP (2013)1 rev 2) and its commentary, notably on the basis of the written comments made by delegations (see compilation, document: CDPC (2013) 15).

The CDPC is expected to approve the draft recommendation and its commentary and instruct the Secretariat to transmit them to the CM for final adoption of the recommendation.

**c. Violence in juvenile detention centres**

The CDPC is invited to take note of the fact that, in conformity with the relevant CDPC decision (“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”), the PC-CP is progressing on its discussions on the question of violence in places of detention for juveniles.

**d. Elections**

The CDPC is invited to proceed with the elections of the members of the PC-CP Working Group as indicated in the Memorandum prepared by the Secretariat (document: PC-CP (2013)14). The list of candidates has been sent by e-mail to the CDPC delegations.

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

**a. Possible Council of Europe Convention against the Manipulation of Sports Competitions**

The CDPC is invited to take note of the information on the developments that have taken place since its last plenary meeting related to the negotiation process of a CoE convention against the manipulation of sports competitions provided by Jesper Hjortenber and Helena Lisuchova who attended the meeting of the joint group (representatives of the EPAS and CDPC) held on 29-30 August 2013. At that meeting, the provisions of the draft convention related to criminal law matters were agreed upon by the joint group and, afterwards, by the EPAS at the 4th meeting of the drafting group held on 24-26 September 2013.

These provisions were examined and agreed upon by the Bureau of the CDPC at its last meeting (29-30 September 2013). The CDPC should also take note of the letter, signed by the Chair of the CDPC and sent to the Chair of EPAS expressing “the Bureau’s satisfaction with the current result and indicating that the Bureau is ready to support this version at the next CDPC Plenary in December provided that these provisions, as they stand now, are not changed at the next meeting of the drafting group of EPAS in November”.

The CDPC is also invited to take note of the information provided by the Secretariat of the EPAS in particular with regard to the outcome of the 5th meeting of the drafting group held on 25-27 November 2013.

Also in the light of the outcome of this meeting of the drafting group of November, the CDPC is invited to examine the provisions related to criminal law matters (Articles 14, 16 to 18, 22 to 25bis and 27 in conjunction with Article 3 on definitions), as approved at the 4th meeting of the drafting group of EPAS held on 24-26 September 2013 and included in the draft convention against the manipulation of sports competitions after that meeting (document: EPAS (2013)16 rev 5) and endorse the CDPC Bureau’s decision “to consider positively these provisions since they mainly cope

with the concerns expressed by the CDPC;”.

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

The CDPC is invited to consider the decision taken by the GRECO concerning the issue of the feasibility of an Additional Protocol to the Council of Europe Criminal Law Convention on Corruption (ETS No. 173): GRECO “agreed that it was premature to take a firm decision on the matter as the question merits further consideration, notably in light of the outcome of the work underway within the Enlarged Partial Agreement on Sport (EPAS) on a draft Convention against manipulation of sports competitions”.

**8. Cybercrime**

The CDPC is invited to take note of the abridged report of the 9th Plenary meeting of the T-CY (4-5 June 2013) and in particular of the agenda item 7 (Transborder access to data) of the report. It is invited to have an exchange of views with the Chair of the T-CY, Mr Markko Künnapu, on this item and on other subjects of common interest.

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

The CDPC is invited to hold an exchange of views with the Chair of the PC-OC, Ms Selma de Groot, on the current and future work of the PC-OC and to take note of the list of decisions of the 65th meeting, which took place on 26-28 November 2013.

Special attention should be paid to:

- the follow-up to be given to the special session devoted to the operation of the Convention on the Transfer of Sentenced Persons and its Additional Protocol. The session included an exchange of views on the application of these treaties and possible problems encountered in co-operation between parties. The most important subject of the session was the discussion of proposals to improve the functioning of the convention, and in particular the possibility of developing a second additional protocol or a non-binding instrument;
- the follow-up to be given to the discussion on mutual legal assistance in relation to the liability of legal entities and the seizure and confiscation of proceeds of crime, including the management of confiscated goods and asset sharing;
- the steps taken to improve the country information on the website of the PC-OC.

**10. Activities related to transnational organised crime**

The CDPC is invited to take note of the information on the work carried out by the ad hoc drafting Group on Transnational Organised Crime (PC-GR-COT) provided by the Chair of the PC-GR-COT, Ms Lorena Bachmaier Winter, and to take note that the 2nd meeting of this ad hoc Group will take place on 12-13 December 2013.

On the basis of this information, the CDPC is invited to examine the preliminary draft version of the “White Paper” on Transnational Organised Crime prepared by the PC-GR-COT, to make any possible comments and/or suggestions it would consider appropriate and to request that the PC-GR-COT take into account these comments when finalising the draft “White Paper” at their next meeting in December.

The CDPC is also invited to take a position and support the conclusions contained in the “White Paper” under the chapter “Conclusions of the Committee”.

**11. Consultative Council of European Prosecutors (CCPE)**

The CDPC is invited to hold an exchange of views with the Chair the Consultative Council of

European Prosecutors (CCPE), Mr Antonio Mura, on the current and future work carried out by CCPE and on any matter of common interest.

**12. Request for observer status by EuroPris to the CDPC**

The CDPC is invited to examine the request for observer status by EuroPris to the CDPC and take a decision on that request (see also rules on observers contained in document CM Res (2011)24, paragraph 8a. on Item 3 of the agenda).

**13. Information provided by the Secretariat**

The CDPC is invited to take note of the information provided by the Secretariat on sub-items a. to c. below.

**a. Medicrime**

**b. Trafficking in organs**

**c. Terrorism**

**14. Elections**

The CDPC is invited to proceed with the elections of the Chair, vice-Chair of the CDPC and members of the CDPC Bureau as indicated in the Memorandum prepared by the Secretariat (document: CDPC (2013)12).

**15. Any other business**

**16. Date of the next meeting**

The CDPC is invited to propose the dates of the next Bureau meetings and plenary sessions in 2014.