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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Bureau Meeting
(CDPC-BU)

Copenhagen, 29-30 September 2013

General Prosecutor Office
Rigsadvokaten
Frederiksholms Kanal 16
1220 København K
Denmark

List of Decisions

The Bureau, meeting in Copenhagen on 29 and 30 September 2013, under the Chairmanship of Mr Lorenzo Salazar, decided:

- to express its gratitude to the Prosecutor General of Denmark and to Mr Jesper Hjortenbergt for generously hosting the meeting in Copenhagen;

3. Future activities and priorities of the CDPC and preparation of the next CDPC plenary

- to take note of the information provided by the Secretary to the CDPC, Mr Carlo Chiaromonte, on the state of preparation of the terms of reference of the CoE intergovernmental committees for the years 2014-2015;
- to hold a preliminary discussion on how to organize the CDPC work over the next two years in order to deal with the new tasks included in the CDPC terms of reference for 2014-2015;
- with regard 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 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 advise on if and how to encourage non-member states of the CoE to examine the possibility of becoming a Party to the relevant conventions;
- 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

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common interest;

- to instruct the Secretariat to draft a table containing a list of monitoring/conventional bodies responsible for the follow-up to the list of conventions appended to the CDPC terms of reference;
- to take note that six conventions do not fall under the responsibility of any monitoring/conventional body (ETS 52, ETS 116, ETS 119, ETS 130, ETS 133, ETS 172);

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 take note of the information provided by the Secretariat on the follow-up to the last Conference of Ministers of Justice and in particular on an international conference to be organised on the subject of “Urban violence” in 2014. To instruct the Secretariat to amend the concept paper to better highlight the prevention aspects of juveniles’ involvement in urban violence especially with respect to their involvement through the use of social networks and other information and communication technologies;
- in relation to the next Conference of Ministers of Justice, to note that there is no official candidature to host the Conference yet;
- in relation to the drafting of a working paper by a consultant aimed at taking stock of the existing legal instruments on the subject of juvenile offenders, specifically when they are involved in urban violence, to invite the consultant to its plenary meeting in spring in 2014 with a view to presenting her work;

5. Dangerous offenders

- 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, on the last meeting of the PC-GR-DD (18-20 September) and on the progress made in the drafting exercise of the recommendation on dangerous offenders;
- to examine the draft text of the recommendation and make general comments on it;
- to instruct the Secretariat:
 - a. to send the final version of the draft recommendation and its commentary, as approved by the PC-GR-DD, to all CDPC delegations for possible written proposals for amendments to these two texts by 25 October 2013 at the latest;
 - b. to prepare a compilation document (for the draft recommendation and for its commentary) containing all possible written proposals received by the CDPC delegations, which will constitute the main basis for the discussions in the Plenary meeting of the CDPC in December 2013;

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

- to take note of the summary reports of both the 3rd and 4th PC-CP working group meetings (19-21 June/25- 27 September) and in particular that the PC-CP working group had decided that “it is useful to hold an annual plenary meeting in order to discuss important issues under consideration (...).” In this regard, the Bureau instructed the Secretariat to submit to the CDPC Plenary in December the draft agenda of the possible plenary of the PC-CP in 2014. On the basis of the items proposed in this draft agenda, the CDPC will decide on the PC-CP plenary in 2014;

a. Preparation of the 18th Council of Europe Conference of Directors of Prison Administration (CDAP)

- to examine the information paper and the preliminary draft agenda of the next CDAP to be held on 27-29 November 2013 in Brussels;
- to endorse the title of the Conference “How to manage the execution of penal sanctions ?”
- to instruct the Secretariat to clarify which topics will be addressed during the different sessions in the programme of the conference, which is not the case in the current draft programme, in order for the participants to clearly understand which main subjects will be discussed and in order to avoid any confusion;

- to take note that Mr Lorenzo Salazar and Mr Slawomir Buczma expressed their readiness to attend the CDAP on behalf of the CDPC;
- to endorse the proposal of inviting Mr Gilles de Kerchove, EU Counter-terrorism Co-ordinator, to take part at the CDAP Conference;

b. Electronic monitoring

- given that the draft recommendation and its commentary had already been examined by the CDPC Plenary in May 2013 and that the CDPC had provided comments which have been taken into account and in order to facilitate the examination of the two texts, to invite CDPC delegations to send their comments by 8 November 2013 at the latest;

c. Violence in juvenile detention centres

- to take note of the fact that the PC-CP is progressing on its discussions on the question of violence in places of detention for juveniles and also of the report prepared by Professor Ton Liefwaard;

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 information provided by Helena Lisuchova and Jesper Hjortenbergs on the outcome of the meetings of the joint group (representatives of EPAS and CDPC) held on 29-30 August 2013 and of the 4th meeting of the drafting group of EPAS (24-27 September 2013);
- to examine the revised text of the draft convention (doc EPAS (2013) 16rev4) with regard to the provisions related to criminal matters (Articles 14, 16 to 18, 22 to 25bis, 27 in conjunction with Article 3 on definitions);
- to consider positively these provisions since they mainly cope with the concerns expressed by the CDPC;
- to inform all CDPC delegations about this positive development since the last CDPC Plenary;
- to send a letter to the chair of EPAS signed by the chair of the CDPC 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;
- to submit the draft text of the criminal law provisions of the convention to the CDPC Plenary in December;

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

- to take note of 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) to wait until the conclusion of the negotiations on the Convention against Manipulation of Sports Competitions before deciding on this issue;

8. Cybercrime

- to take note of the abridged report of the 9th Plenary meeting of the T-CY (4-5 June 2013) and in particular of item 7 (Transborder access to data) of the report;
- to invite the chair of the T-CY to the next CDPC Plenary meeting in December in order to hold an exchange of views on subjects of common interest;

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

- to take note of the draft agenda of the upcoming meeting of the PC-OC Mod which will take

place on 9-11 October 2013 and of the preparation, for the 65th plenary meeting of the PC-OC on 26-28 November, of a special session devoted to the operation of the Convention on the Transfer of Sentenced Persons and its Additional Protocol on the occasion of the 30th anniversary of this Convention to which all 64 parties to the convention (including 18 non-European parties) will be invited to participate;

10. Activities related to transnational organised crime

- to take note of the information provided by the Secretariat on the outcome of the 1st meeting of the ad hoc drafting Group on Transnational Organised Crime (PC-GR-COT) held on 24-26 June 2013 and to highlight the momentum for the CoE to take a role in the pan-European context on this particular topic given that other international fora are also currently dealing with this subject;
- take note that, after close consultations with the Chairperson of the PC-GR-COT, the date of the 2nd meeting, originally scheduled for 28-30 October 2013, has been postponed to mid-December 2013 with a view to completing the first version of the preliminary draft White Paper by allowing all the members of the PC-GR-COT to consider the document more thoroughly and therefore to provide better contributions to the final document;
- to analyse the preliminary draft White Paper at the next CDPC Plenary meeting in December with a view to giving further instructions to the PC-GR-COT for its second and last meeting, to be held mid-December 2013;

11. Draft opinion on Parliamentary Assembly Recommendation 2018 (2013) “Promoting alternatives to imprisonment”

- to examine the draft opinion as prepared by the PC-CP working group and approve it;
- to instruct the Secretariat to send this draft opinion to all CDPC delegations for possible comments and approval by written procedure by 25 October and transmit to the Committee of Ministers;

12. Information provided by the Secretariat

- to take note of the information provided by the Secretariat on sub-items a. to c. below:

a. Medicrime

- in relation with the status of signatures and ratifications,
 - a. Spain is the second country to have ratified the MEDICRIME Convention (5 August 2013);
 - b. Hungary has signed the MEDICRIME Convention (26 September 2013);
- with a view to raising awareness on the MEDICRIME Convention, a 1st regional conference took place in Kyiv, Ukraine, on 11-12 June 2013. The 2nd regional conference will be organised in Madrid, Spain, on 21-22 November 2013. The CDPC will be represented at this conference;

b. Trafficking in organs

- in July 2013, the Committee of Ministers transmitted the draft convention to the Parliamentary Assembly of the Council of Europe (PACE) for an opinion. The Committee on Social Affairs, Health and Sustainable Development of the PACE will discuss the draft opinion on 4 October and the PACE (Standing Committee) will discuss it on 27 November;

c. Terrorism

- the next CODEXTER meeting will take place in Istanbul, Turkey, together with an international Conference on National and International Co-ordination in Counter-Terrorism (23-25 October 2013); the CDPC will be represented at this conference;

13. Elections

- to take note of the document related to the elections that will take place at the next CDPC plenary meeting and instruct the Secretariat to revise and complete this document in order to make the election procedure clearer;

14. Any other business

- to invite the chair of the Consultative Council of European Prosecutors (CCPE) to the next CDPC Plenary meeting in December 2013;

15. Dates of the next CDPC Plenary meeting and of the next meeting of the Bureau

- to start the next CDPC Plenary meeting at 10 a.m. on Monday 2 December with the opening of the meeting, the adoption of the agenda and points of information. The meeting will end at approximately 1 p.m. on Thursday 5 December;
- to hold the next Bureau meeting during the week of 7 April 2014, place TBC.