

Strasbourg, 31 March 2017

CDPC (2017) 8

# EUROPEAN COMMITTEE ON CRIME PROBLEMS (CDPC)

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## LIST OF DECISIONS

### 72<sup>nd</sup> PLENARY SESSION

Strasbourg, 29 – 31 March 2017

Council of Europe  
Main Building, Palais de l'Europe  
Room 2

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The European Committee on Crime Problems (hereinafter the CDPC), meeting in Strasbourg under the Chairmanship of Dr. Hans-Holger Herrnhof (Germany), decided:

#### 1. Opening of the meeting

- to take note of the opening address by Mr Jan Kleijssen, Director of the Information Society and Action against Crime Directorate of the Council of Europe (hereinafter the CoE). Mr Kleijssen paid tribute to the PC-IBC, its Chair and scientific experts for their excellent work and extended his thanks to DG II and the PACE for their collaboration. In his view the elaboration of the draft Council of Europe Convention on Offences relating to Cultural Property has been a textbook example of how to conduct a multi-stakeholder approach and process. He also underlined the importance of the draft Convention for international cooperation to counter crimes involving cultural property – not only at the European level, but also globally. Finally, Mr Kleijssen drew attention to the ongoing work between the CDPC and the steering committee on counter-terrorism, the CODEXTER, on the links between organised crime and terrorism.

**2. Adoption of the draft agenda**

- to adopt the agenda without amendments;

**3. Examination and approval of the Council of Europe Convention on Offences relating to Cultural Property**

- to examine and approve, as amended, the draft Convention and its accompanying Explanatory Report;
- to instruct the Secretariat to submit the approved draft Convention and Explanatory Report to the Committee of Ministers for finalisation and formal adoption at the occasion of the Ministerial Session in Nicosia, Cyprus, on 19 May 2017;

**4. Activities related to transnational organised crime: Action Plan**

- to take note of the presentation on the state of play of the implementation of the Action Plan by the co-ordinator on TOC, Mr Jesper Hjortenber (Denmark), member of the Bureau of the CDPC;
- to take note of the information by the Secretary to the PC-OC, Ms Anita van de Kar, on the work done by that Committee on the implementation of the Action Plan;
- to examine the draft questionnaire on the Recommendation Rec (2005)9 on the Protection of Witnesses and Collaborators and provide its comments to the Secretariat;

**5. Smuggling of migrants**

- to examine the concept paper and the draft agenda of the conference on the smuggling of migrants and provide its comments to the Secretariat;
- to take note of the information provided by Ms Giulia Lucchese concerning the planning of the conference, which will take place on 23 June 2017, in Strasbourg;

**6. The role of victims within the criminal justice system**

- to take note of the information provided by Ms Anita van de Kar concerning the questionnaire on the Council of Europe Convention on the compensation of victims of violent crimes;
- to examine the draft questionnaire and provide the Secretariat with its suggestions;

**7. Cybercrime**

- to take note of the information provided by the Secretary to the T-CY, Mr Alexander Seger, concerning the recently adopted "T-CY Guidance Note #10 Production orders for subscriber information (Article 18 Budapest Convention)";
- to take note of the information on to the planned elaboration of an additional protocol to the Budapest Convention dealing with four main themes: 1) Improving the efficiency of mutual legal assistance in criminal matters; 2) Improving the options for direct co-operation with service providers in other jurisdictions; 3) Trans-border access to data and 4) safeguards, including in relation to protection of personal data;
- to express its keen interest and availability in providing its opinion on the draft for the aforesaid additional protocol, as foreseen under the Budapest Convention;

**8. Any other business**

- to confirm that the 73<sup>rd</sup> Plenary Session of the Committee will take place on 28 November to 1 December 2017;
- to take note of the closing address by the Deputy Secretary General of the Council of Europe, Ms Gabriella Battaini-Dragoni.

**Appendix I**



Strasbourg, 31 March 2017  
[CDPC plenary/2017 plenary\_1/oj lp/cdpc list of participants]

CDPC (2017) LP 1 Fin (Bil)

**EUROPEAN COMMITTEE ON CRIME PROBLEMS  
COMITE EUROPEEN POUR LES PROBLEMES  
CRIMINELS  
(CDPC)**

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**72nd Plenary Session / 72ème Session plénière**

**Strasbourg, 29 – 31 March / 29 – 31 mars 2017**

**Council of Europe  
Main Building, Palais de l'Europe  
Room 2 / Salle 2**

**List of participants / liste des participants**

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\*\*No nomination / Pas de nomination

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**SECRETARIAT OF THE COUNCIL OF EUROPE /**  
**SECRETARIAT DU CONSEIL DE L'EUROPE**

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Mr Ivan KOEDJIKOV Head of Action against Crime Department / Chef de la Service de la  
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Ms Anita VAN DE KAR-BACHELET Administrative Officer / Administrateur  
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 Parliamentary Assembly / Assemblée parlementaire

**Interpreters / Interprètes**

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 Ms Rebecca BOWEN  
 Ms Martine CARALY  
 Ms Chloé CHENETIER

**Appendix II**



Strasbourg, 20 March 2017

CDPC (2017) OJ1

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

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**AGENDA**

**72<sup>nd</sup> Plenary Session**

**Strasbourg, 29 – 31 March 2017**

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Council of Europe  
Main Building, Palais de l'Europe  
Room 2

Opening at 9.30, Wednesday  
Closing at 13.00, Friday

dgi-cdpc@coe.int - [www.coe.int/cdpc](http://www.coe.int/cdpc)

1. **Opening of the meeting**
2. **Adoption of the draft agenda** [CDPC \(2017\) OJ 1](#)
3. **Information provided by the Secretariat and by the Chair of the CDPC**
4. **Examination and approval of the Council of Europe Convention on Offences relating to Cultural Property**  
 Draft Council of Europe Convention on Offences relating to Cultural Property [PC-IBC \(2017\) Conv1\\_Rev4\\_en](#)  
 Draft Explanatory Report [PC-IBC \(2017\) 06\\_Rev2\\_en](#)
5. **Other CDPC items**
  - a. **Activities related to transnational organised crime: Action plan**  
 White Paper (Please note the document is 49 pages long) [White Paper](#)  
 Council of Europe Action Plan on Combating Transnational Organised Crime (2016-2020) [CDPC \(2015\) 17 Fin](#)  
 Action Plan on TOC (2016-2020): Possible Activities to be implemented by the PC-OC [PC-OC \(2016\) 05](#)  
 Review Recommendation Rec (2005)9 on the protection of witnesses and collaborators [CDPC \(2016\) 18](#)  
 Draft questionnaire - Review of the Recommendation Rec (2005)9 on the protection of witnesses and collaborators [CDPC \(2017\) 5](#)
  - b. **Smuggling of migrants**  
 Discussion paper on “Criminality and migration” [CDPC \(2015\) 16](#)  
 Questionnaire on criminality and migration [CDPC \(2015\) 19](#)  
 National Laws Relating to Smuggling of Migrants in Council of Europe Member States [CDPC \(2016\) 3](#)  
 Preventing and suppressing the smuggling of migrants in Council of Europe member States – “a way forward” [CDPC \(2016\) 4 Rev](#)  
 Concept paper for the Conference [CDPC \(2017\) 3](#)  
 Draft programme of the Conference [CDPC \(2017\) 4](#)
  - c. **The role of victims within the criminal justice system**  
 European Convention on the Compensation of Victims of Violent Crimes (ETS No.116) [Convention](#)  
 Information document [CDPC \(2016\) 14](#)  
 Council of Europe Convention on the compensation of victims of violent crimes [CDPC \(2016\) 20](#)  
 Questionnaire on the Council of Europe Convention on the Compensation of Victims of Violent Crime, ETS No 116 [CDPC \(2017\) 2](#)
  - d. **Cybercrime**  
 T-CY Guidance Note #10, Production orders for subscriber information [T-CY\(2015\)16](#)
6. **Any other business**