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

**Bureau Meeting**  
**(CDPC-BU)**

Strasbourg, 29-31 January 2007

**Summary Meeting Report**

**BRIEF FOREWORD**

The Bureau invited the CDPC to note that it had:

- examined the document Working Methods of the CDPC and its Bureau, with a view to increased efficiency and which, after further examination at its next meeting, would be submitted to the CDPC for approval (item 3c)
- decided on a *prima facie* basis, that a Convention on Pharmaceutical Crimes should be drafted, under the aegis of the CDPC, by a specialist group of experts in the legal, pharmaceutical and public health fields. The draft terms of reference would be sent to the CDPC for approval (item 5)
- considered the progress made by the PC-OC in fulfilling its mandate for modernisation of the co-operation conventions in the criminal field (item 7)
- approved ad hoc terms of reference for the PC-CP to draft a recommendation on the role of probation and aftercare services and forwarded them to the CDPC for approval (item 8d and Appendix IV)
- agreed that the PC-PM should be mandated to draw up a recommendation containing guidelines for the regulation of private security services and would submit draft terms of reference to the CDPC for approval (item 9b)
- agreed, subject to the agreement of the European Committee on legal co-operation (CDCJ), on the topic for the 28<sup>th</sup> Conference of European Ministers of Justice in Lanzarote, 25-26 October 2007 on the theme of improving access to justice (item 10c)

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The following abbreviations are used in referring to Committees

<b>CDPC</b>	EUROPEAN COMMITTEE ON CRIME PROBLEMS
<b>PC-CP</b>	COUNCIL FOR PENOLOGICAL CO-OPERATION
<b>PC-PM</b>	COUNCIL FOR POLICE MATTERS
<b>PC-CSC</b>	CRIMINOLOGICAL SCIENTIFIC COUNCIL
<b>PC-S-AV</b>	GROUP OF SPECIALISTS ON ASSISTANCE TO VICTIMS AND PREVENTION OF VICTIMISATION
<b>T-CY</b>	CYBERCRIME CONVENTION COMMITTEE
<b>PC-OC</b>	COMMITTEE OF EXPERTS ON THE OPERATION OF EUROPEAN CONVENTIONS IN THE PENAL FIELD
<b>CPGE</b>	CONFERENCE OF EUROPEAN PROSECUTORS GENERAL
<b>CCPE</b>	CONSULTATIVE COUNCIL OF EUROPEAN PROSECUTORS
<b>PC-ES</b>	COMMITTEE OF EXPERTS ON THE PROTECTION OF CHILDREN AGAINST SEXUAL EXPLOITATION AND ABUSE
<b>MONEYVAL</b>	COMMITTEE OF EXPERTS ON THE EVALUATION OF ANTI-MONEY LAUNDERING MEASURES
<b>CDCJ</b>	EUROPEAN COMMITTEE ON LEGAL CO-OPERATION
<b>CDDH</b>	STEERING COMMITTEE FOR HUMAN RIGHTS
<b>CDEG</b>	STEERING COMMITTEE FOR EQUALITY BETWEEN WOMEN AND MEN
<b>CEPEJ</b>	EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE

## 1. Opening of the meeting

1. The meeting was opened by Mr. Claude DEBRULLE (Belgium), Chair, who welcomed all participants.
2. The list of participants is set out in Appendix I.
3. The Bureau welcomed the exchange of views it was able to have with Mr Philippe BOILLAT, Director General ad interim of DGI. It noted, in particular, Mr BOILLAT's encouragement to the CDPC to work in co-operation with other steering committees in the Organisation and his view that the CDPC, in particular through its Bureau, should clearly express what it considers as priority areas for the Committee's work.

## 2. Adoption of the draft agenda

4. The Bureau adopted the agenda as set out in Appendix II. The final list of working documents of the meeting appears in Appendix III.

## 3. Working methods

### a. how to deal with texts prepared by small, specialist committees

5. The Bureau noted that the PC-CP had been asked, during its meeting on 19-20 December 2006, to make a proposal in this regard, in particular as concerns the work currently underway to draft European Rules on Juveniles deprived of their liberty or subject to community sanctions and measures.
6. The Secretary to the PC-CP informed the Bureau that the Council had had a preliminary discussion of the issue at its last meeting in December. The work on the draft European Rules for juvenile offenders is expected to be finished at the end of 2008 in accordance with the ad hoc terms of reference. This would mean that, contrary to the very short time available for preliminary consultations in the case of the European Prison Rules (due to a decision to accelerate the work) there would be in this case sufficient time to consult the CDPC plenary in 2007 and also (should any outstanding issues remain to be agreed by then) in 2008. Meanwhile a Conference on juvenile offenders is intended to be organised in 2008 and this would allow for a broader consultation on the draft text with the different agencies responsible at national level for dealing with juvenile offenders.
7. The Secretary to the PC-CP also brought to the attention of the Bureau the fact that, in accordance with its terms of reference, the PC-CP is an advisory group to the CDPC which, among other tasks, can also prepare draft legal instruments following a CDPC request and based on ad hoc terms of reference adopted for the occasion. In the past, when the budget allowed for expert committees to deal with specific issues in the penal field, the CDPC had asked on some occasions the PC-CP to give its opinion on draft texts so prepared by such expert committees. In the course of the last few years the PC-CP has been more and more involved in drafting legal texts itself but, as long as its members are elected because of their outstanding knowledge and expertise in the penal field, its advisory tasks should not be set aside. The Secretariat further informed the Bureau that the PC-CP will discuss in general how to deal with texts prepared by expert committees composed of limited number of members in detail at their next meeting (19-21 March) so that a written paper can be presented to the Bureau at the meeting in April and then to the plenary in June 2007. (see also paragraphs 121 and 122 of the plenary report, Item 12.3)

**b. representation of the CDPC in other Committees**

- CCPE (Mr Eugenio SELVAGGI (Italy))
- CDDH
- DH-S-TER (Mr Nikola MATOVSKI (“The Former Yugoslav Republic of Macedonia”))
- CEPEJ
- CODEXTER
- GRECO (Mr Damir VEJO (Bosnia and Herzegovina))
- PC-ES (Ms Antonella SAMPO (Monaco))
- T-CY (Mr Branislav BOHÁČIK (Slovakia))

8. The Bureau recalled that the above named representatives were nominated by the plenary meeting in April 2006. Mr BOHÁČIK volunteered to act as the CDPC’s representative to CODEXTER. In accordance with the CDPC’s Revised working methods (see document CDPC (2007) 02), the Bureau instructed the Secretariat to proceed to the usual written consultation procedure for confirmation of this nomination, and to call for candidatures for nomination as representatives to the CDDH and the CEPEJ.

9. The Bureau also instructed the Secretariat to co-ordinate an exchange of views with the Bureau of the CCPE or, at the very least between the two Chairs.

**c. proposal to revise the CDPC working methods**

10. The Bureau recalled that when the recommendation on assistance to victims was discussed at the Rapporteur Group on Legal Co-operation (GR-J), at Ministers’ Deputies level, questions had been raised by one of the delegations on a specific issue. The Bureau, at its meeting in June 2006, had expressed concern that such questions, which had been discussed and agreed at the CDPC, had been re-opened for discussion at the level of the Committee of Ministers. Clearly, in such a case, difficulties can arise as other CDPC delegations are not given sufficient warning in advance to be able to brief their ambassadors on the issue. In future, sufficient notice should be given to all CDPC delegations of concerns and reasons for raising new or returning to previously settled issues.

11. The Bureau had therefore asked the Secretariat to prepare proposals regarding texts adopted by the plenary which are subsequently presented to the Committee of Ministers, possibly suggesting an addition to the working methods to cover this question.

12. As requested by the Bureau, the following text was proposed to be added to the CDPC’s working methods as a new paragraph 12, the current paragraph 12 and subsequent paragraphs to be renumbered.

13. “Adoption of texts by the CDPC Plenary

12. To the extent possible, all issues arising from a draft text which is to be presented for adoption by the Committee of Ministers should be dealt with in the plenary meeting at which the text is approved by the CDPC. Clearly, there may be three exceptions to this general rule of procedure, viz:

- when a CDPC delegation expresses a reservation on a specific question which has been noted in the meeting report;
- when a new question or issue arises which was not apparent when the text was discussed at the plenary meeting;
- when a delegation has not raised any objections or reservations in the plenary but questions are raised by their Ministry subsequent to the approval by the plenary.

In the first of these cases, it is clear that the question may be raised again when the text is presented to the Committee of Ministers for adoption. Should the delegation withdraw its reservation, it should inform the Secretariat, which in turn will inform all delegations that the reservation has been lifted.

In the latter two cases CDPC delegations should indicate to the Secretariat, who will so inform the other CDPC delegations, the nature of any question which may be raised at the level of the Committee of Ministers, and if possible any proposals to resolve the difficulty which has arisen.”

14. The Bureau agreed to this proposal, and instructed the Secretariat to prepare a revised working methods document, to be renamed “Working Methods of the CDPC and its Bureau”. This document should also reflect the proposals to be made by the PC-CP under item 3a above, as well as the decision taken at the plenary in April 2006<sup>1</sup>, and would be submitted to the Bureau at its next meeting with a view to submission for approval to the plenary in June.

#### 4. Terms of reference

15. The Bureau took note of the terms of reference of the CDPC as well as of its subordinate committees, all of which were adopted by the Committee of Ministers in 2006, in conformity with Resolution (2005) 47 on committees and subordinate bodies, their terms of reference and working methods. They are available for consultation on the Council of Europe website.

CDPC	to 31 December 2010
PC-OC	to 31 December 2008
PC-CP	to 31 December 2008
PC-PM	to 31 December 2008
MONEYVAL	to 31 December 2007
PC-ES	to 30 June 2007

For information:

CCPE	to 31 December 2008
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#### 5. Review of the feasibility report on Counterfeit Medicines and Pharmaceutical Crimes

16. The Bureau took note of the feasibility report drafted by Mr Tom VANDER BEKEN and concluded prima facie that the necessity of a legal instrument had been established.
17. It held an exchange of views on the question with Mr Bernard MARQUET, representing the Social, Health and Family Affairs Committee of the Parliamentary Assembly of the Council of Europe (PACE). Mr MARQUET informed the Bureau that the Committee welcomed the opportunity to collaborate with the work of the CDPC on this issue and it was further agreed that the Chair of the CDPC would attend the meeting of the Committee in Paris on 22 February, when there will be a hearing on this issue. Further to that hearing the finalised report and recommendation would be presented to the PACE at its April session.

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<sup>1</sup> To the effect that the Bureau is responsible for “ensuring full and appropriate consultation of the CDPC plenary when necessary, including by written consultation procedure whenever such is considered necessary by the Bureau for reasons of urgency. Nevertheless, referring to its Working Methods as adopted at its plenary in 2005, the CDPC confirmed that when **normative texts** are under consideration the plenary committee should always be consulted, but agreed that this could be in the form of an “enlarged Bureau” where reasons of urgency so dictated. To the extent possible difficult situations should be foreseen and dealt with in the terms of reference given to its subordinate bodies.” CDPC (2006) 17 rev, item 12.3.

18. Mr MARQUET also referred to the success of the Conference "Europe against Counterfeit Medicines", Moscow, 23 – 24 October 2006 and its conclusions, which reflect the same concerns as those of the report of the Committee to the PACE and indeed the ideas as identified in the feasibility report. He noted that globalisation favours the growth of these activities and that an approach based on protecting intellectual property rights would not suffice. The Council of Europe is clearly well placed to conduct a multi-disciplinary approach being unique in having at hand the competences needed (legal, medical, pharmaceutical) and, in addition, in covering a wide geographic area, including through the observer States.
19. Finally Mr MARQUET indicated that the Committee would like to be involved in the preparatory work on such a Convention and the Bureau instructed the Secretariat to ascertain if and how this would be possible.
20. The Bureau considered that a possible convention on this issue must avoid the domains dealt with by other organisations (for example, the European Union is approaching the issue of counterfeiting from the angle of protection of intellectual property rights). In this respect, the Council of Europe is well placed to approach the issue from the point of view of dealing with acts which should be criminalised in that they threaten public health. The Bureau noted in particular in this regard that pharmaceutical crime is easier to commit than drug dealing since it is less likely to be detected and, even if it is, it carries fewer penal sanctions.
21. It was agreed that:
  - the terms of reference should be very clear as regards the objective – viz the protection of public health rather than any intellectual property rights. Similarly they should reflect the necessary added value of such an instrument and thus ensure that there is no duplication with other instruments (such as the cybercrime convention or the existing co-operation conventions);
  - the terminology should be specified to “pharmaceutical crime” rather than counterfeit medicine and include not only illegally produced pharmaceuticals but also medical devices, veterinary products and, possibly, cosmetics;
  - the feasibility report constitutes a good basis for drafting the terms of reference;
  - a specialist group should be established (civil/criminal law specialists, pharmaceutical specialists and public health specialists). This group would be asked to prepare the draft convention which would then be reviewed by a plenary committee under the aegis of the CDPC;
  - close links should be maintained with the T-CY Committee because of the ease of using the internet to commit pharmaceutical crime and the fact of criminalising such activity would automatically render the Cybercrime Convention applicable;
  - similarly, close co-operation should be ensured with the PC-OC and the PC-PM as both formal international legal co-operation and “on the ground” co-operation should be foreseen in a convention;
  - at a later stage a very wide consultation of stakeholders would be needed – pharmaceutical companies and their umbrella associations, patients’ associations;
  - the EU, the World Health Organisation and the World Customs Organisation should be invited to be observers in any future plenary meetings on this issue and, possibly, in the group of specialists.
22. The Bureau instructed the Secretariat, in consultation with colleagues specialising in pharmaceutical and public health questions, to draw up draft terms of reference reflecting the above, to be submitted for approval to the next Bureau meeting in preparation for the plenary in June.

23. Some Bureau members still had doubts as to whether the Council of Europe is the best forum for the carrying out of the proposed exercise in drafting a convention and noted that the feasibility report seemed to dismiss too easily administrative and regulatory means to deal with the issue (such as requirements on pharmaceutical companies to report counterfeiting of medicines when they are aware of such, rather than criminal law which should be seen as a last resort). The Bureau would like further details on what happened to similar negotiations which had been begun, but later dropped, at the World Health Organisation.
24. Bureau members were invited to submit to the Secretariat all questions which they continue to have by 28 February. These questions would be forwarded to the team who had prepared the feasibility report, for replies at the next Bureau meeting, which would devote half a day to the discussion of these terms of reference. The Secretariat was instructed to invite Mr VANDER BEKEN and Mr MARQUET as well as representatives from European Directorate for the Quality of Medicines and the Partial Agreement on Public Health to the next Bureau meeting.
25. At the same time, in order to allow the CDPC delegations sufficient time for the necessary consultations in their capitals, the Secretariat was requested to send to all heads of delegation, on behalf of the Bureau, the feasibility report, the conclusions of the Moscow conference, the Report of the Social, Health and Family Affairs Committee and the PACE recommendation (when ready), inviting them to use these documents in preparation for consultations and discussions of draft terms of reference which would be sent at the end of April for adoption at the plenary in June.

## **6. Budget 2007 - Reduction in number of PC-OC plenary meetings**

26. The Bureau noted that, while the PC-OC in 2007 would meet in plenary only once, the instauration of the Limited Group of Experts (see below item 7) provided a more efficient means for the PC-OC to carry out the tasks it had been given to modernise the co-operation conventions in the criminal field. The Bureau nevertheless recalled that both the operational and conceptual aspects of the co-operation conventions were a major priority for the work of the CDPC and that the PC-OC is the only forum where central authorities (both within and outside Europe) can work together on these issues, especially now that at the European Union level such contacts are made directly between judges.

## **7. International co-operation in the criminal field (PC-OC)**

### **Status of work (report of the 52<sup>nd</sup> PC-OC meeting) and perspectives on the improvement of international co-operation following the High-Level Conference of Ministries of Justice and of the Interior held in November 2006 in Moscow (see also below item 10.b).**

27. The Bureau took note of the report of the 52<sup>nd</sup> meeting of the PC-OC, of the conclusions of the High Level Conference in Moscow in November 2006 and of the information given by the Secretariat on the current status of PC-OC's work, following the meeting of its Limited Group of experts on 22-23 January 2007.
29. It noted that the work so far has focused on pragmatic means to improve international co-operation in the criminal field – through the creation of a network of national single points of contact, a highly sophisticated computerised data base for information on national legislation and procedures in the states party to the co-operation conventions and work on visibility (publications, web site etc.).
29. The next meeting of the Limited Group will take place at the beginning of May and will be open to all other members of the PC-OC at their own expense. It will deal with questions common to all the co-operation conventions (e.g. settlement of disputes, reservations).

30. As regards the issue raised by the Greek Minister of Justice at the Moscow conference regarding a protocol to the Convention on the Transfer of Sentenced Persons, the Limited Group has not as yet been mandated to discuss this issue by the PC-OC. Therefore it would limit itself to an initial exchange of views.
31. Other normative issues which may arise (but will require a mandate from the CDPC before they can be dealt with) include a revision of the political offence exception, normative measures for dispute settlement, and simplified extradition. It is yet to be seen whether binding or non binding texts would be appropriate and the CDPC will be asked to provide the necessary instructions at the plenary meeting in June.
32. The Bureau agreed that it would consider how best to proceed with these questions at its meeting in April on the basis of a updated version of PC-OC Mod (2007) 01 (Proposals for practical measures) and PC-OC Mod (2007) 02 (Proposals for normative measures).

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

### **a. Recent meeting reports (18-20 September & 18-20 December 2006)**

33. The Bureau took note of the meeting reports of the 53<sup>rd</sup> PC-CP meeting (Doc. PC-CP (2006) 15) and of the 54<sup>th</sup> PC-CP meeting (Doc. PC-CP (2007) 1) and had no comments to make.

### **b. Draft outline structure of the Recommendation containing European Rules for juvenile offenders**

34. The Bureau took note of Part I of the draft Recommendation as well as of its draft outline structure (Doc. PC-CP (2006)13 rev3) and had no comments to make.

The Secretariat informed the Bureau that the PC-CP will further develop the text and will draft its explanatory memorandum at its next meeting in March 2007. The next meeting will be preceded by a two-day preparatory meeting attended by the Chair and the scientific experts. The text thus revised and its explanatory memorandum will be forwarded to the CDPC plenary for any possible comments and observations of the national delegations.

### **c. Replies to the questionnaire on the treatment of juvenile offenders**

35. The Secretariat informed the Bureau that the questionnaire was sent out to the CDPC delegations at the end of September 2006. Several delegations had requested that the deadline be prolonged as answers needed to be sought from several national agencies. The Bureau took note that the extended deadline for replying was 31 January 2007 and that so far 12 replies had been received from the following countries: Belgium, Cyprus, Denmark, Estonia, Finland, Greece, Hungary, Norway, Portugal, Sweden, Switzerland and Turkey. The Secretariat would relaunch the questionnaire as replies are needed from all member States in order to allow the PC-CP to take stock of the current situation and trends in dealing with juvenile offenders in Europe. The CDPC Bureau members were requested to contact their respective authorities and to assist the Secretariat in getting their replies as promptly as possible. The Bureau instructed the Secretariat to invite, on behalf of the Bureau, all delegations to reply as soon as possible
36. A report summarising and analysing the replies to the questionnaire will be presented at the next CDPC plenary meeting.

**d. Ad hoc terms of reference of the PC-CP relating to probation and aftercare services in the European criminal justice systems**

37. The Bureau considered and approved the PC-CP's ad hoc terms of reference and forwarded them to the CDPC plenary (**see Appendix IV**).

**e. SPACE**

38. The CDPC Bureau noted that Professor Marcelo Aebi, Deputy Director of the Institute of Criminology and Penal Law, School of Criminal Sciences, University of Lausanne had continued to collect SPACE statistics in 2006. The Council of Europe had given only logistical support due to budgetary constraints. Some funding had been obtained by Professor Aebi for the past year from the University of Lausanne. This had allowed Professor Aebi to collect data from 43 countries (only Andorra, Ireland and the Netherlands had not replied). It is expected that the survey for 2005 will be on the Council of Europe web site in mid-February. Professor Aebi (with the logistical support of the Council of Europe), would start the 2006 SPACE I and SPACE II surveys shortly afterwards.

**f. CDAP**

39. The CDPC Bureau took note that the next Conference of Directors of Prison Administration (CDAP) would take place on 19-21 November 2007, in Vienna (Austria). The topic will be "Managing Prisons in an Increasingly Complex Environment" with two sub topics: managing vulnerable groups of prisoners (juvenile, women, foreigners, handicapped, elderly prisoners, etc) and managing dangerous prisoners, including those accused or convicted of involvement in terrorist activities or organised crime.
40. The Bureau agreed that the institutionalisation of the CDAP would be advantageous (if there were sufficient budgetary resources to allow for such) but they did not consider that the CDAP should have a role in establishing intergovernmental standards, other than on an advisory basis.

**9. Council for Police Matters (PC-PM)**

**a. Summary Report of the 4th meeting**

41. The Bureau took note of the summary report of the 4th meeting of the PC-PM and in particular that, in accordance with its terms of reference, the PC-PM examined the progress made in the implementation of the European Code of Police Ethics (ECPE).
42. The Bureau agreed that the plenary should be asked to authorise the PC-PM to draw up a table of indicators which could be used for enabling a possible future assessment of the ECPE's concrete implementation in member States and instructed the Secretariat to prepare this item for the plenary meeting in June.

**b. Proposal for a Recommendation on Guidelines for regulating private security services**

43. The Bureau took note of the final report on the regulation of private security services in Council of Europe member States, and instructed the Secretariat to prepare draft specific terms of reference for the PC-PM to draw up a recommendation containing specific guidelines on the regulation of private security services in Europe, the draft terms of reference to be submitted for approval to the next Bureau meeting in preparation for the plenary in June.

**c. Police and young people**

44. The Bureau also welcomed the initiative of the PC-PM in broaching the topic of confidence building between the police and young people and looked forward to receiving the proposed document which would form the basis for further discussions and concrete proposals by the PC-PM in this regard.

**d. Victims**

45. It also instructed the Secretariat to prepare revised terms of reference of the PC-PM to include a role on the assessment of the implementation of Recommendation Rec(2006)08 on Assistance to Victims, insofar as it relates to the training of police.

**10. Future activities – 2007 and beyond**

**a. Standing item – review of Report to the Committee of Ministers on Actions to implement the Warsaw Action Plan and preparation of the Plenary Meeting**

46. The Bureau took note of the revised and updated document setting out the CDPC's activities in line with the road map adopted by the Committee of Ministers further to the Third Summit in Warsaw (CDPC-BU (2007) 03).

47. It also noted the message from the Committee of Ministers, adopted in September 2006 (see Document CM-SUIVI3(2006)18 revised), to the effect that “the Committee of Ministers has decided to prepare for the 117th ministerial session in May 2007 a comprehensive report on the implementation of the Summit decisions. It therefore invites the steering committees and the committees of experts involved in intergovernmental co-operation to contribute, with the Secretariat's assistance, to the preparation of this report, intensifying their activities in pursuance of the Action Plan and supplying the appropriate information on what has been, is being and will be done to help achieve this fundamental objective. In this respect it expects steering committees and expert committees to conduct a critical evaluation of the work carried out in recent years, both in terms of its relevance (i.e. to the Organisation's fundamental values) and its value-added (both intrinsically and in relation to the work of other international organisations or other committees of the Council of Europe).

Contributions should reach the Committee of Ministers during the 1st quarter of 2007.”

48. In response to the Committee of Ministers' request, the Bureau instructed the Secretariat to update document CDPC-BU (2007) 03 in light of the decisions at this meeting and to submit the document on behalf of the CDPC.

**b. Future activities including the follow-up to the 27<sup>th</sup> Conference of European Ministers of Justice – Yerevan, 12-13 October 2006 and to the High Level Conference of Ministers of Justice and the Interior, Moscow, 9-10 November 2006**

49. The Bureau took note of document CDPC-BU (2007) 05 on future activities for the European Committee on Crime Problems (CDPC), which outlines ways in which the CDPC can ensure the necessary follow-up to the Resolution of the Ministers of Justice at Yerevan. In this regard, the Bureau held a discussion with the secretaries of the CDEG and the CDDH, in collaboration with whom they are expected to work on the matters detailed in the Resolution.

50. The Bureau noted that, following the Warsaw Summit and in preparation of the launching of a campaign against domestic violence, a Task Force had been set up in 2006 within the Council of Europe, to Combat Violence against Women, including Domestic Violence. The Task Force, composed of eight international experts in the field of preventing and combating violence against women, is in charge of evaluating progress at national level and establishing instruments for quantifying developments at pan-European level with a mandate to present a report, at the closing of the campaign in 2008, on possible new measures which could be taken in this field. Information on the Task Force and on the campaign is available on the website: [http://www.coe.int/t/dc/campaign/stopviolence/default\\_en.asp](http://www.coe.int/t/dc/campaign/stopviolence/default_en.asp)

51. The Task Force would welcome any input the CDPC could make, especially as regards penal measures in this regard. The Bureau also noted that, at present, there is no binding international instrument in regard to domestic violence and that while such an instrument could be instrumental in ensuring that acts of domestic violence are criminalised, it would also need to cover more than merely the penal aspects.
52. The Bureau instructed the Secretariat, in collaboration with the CDCJ, CDEG and CDDH to prepare a document for presentation to the April meeting of the Bureau, with all necessary documents appended, indicating:
1. an inventory of measures taken to date with regard to violence against the partner (covering not only penal but also other aspects)
  2. an inventory of international instruments which exist in this domain
  3. an inventory of dispositions which exist in national legislations
53. This report should also benefit from consultation with INGO's who work on the question of domestic violence and solicit their assistance. At their April meeting the Bureau will decide whether it is appropriate to seize the plenary in June with a document on the feasibility of a binding instrument in this regard. If the Bureau decides in April that a feasibility study is to be carried out, this should be done by an outside consultant. Such a study, together with the opinion/decision of the CDPC plenary could then be used by the Task Force in its final report and proposals for priority actions.
54. As regards corruption, the Bureau noted that the Technical Co-operation Division of the Department of Crime Problems organised an Octopus Interface Conference on Corruption and Democracy in Strasbourg in November 2006, focusing on the topics of political finances, conflicts of interest, lobbying and undue influence on justice. In this connection, the question of the Council of Europe developing an instrument (or instruments) possibly covering "a model code of conduct for elected representatives, or guidelines on conflict of interest and lobbying" was raised. The Bureau considered that this question went beyond the scope of the CDPC and that any work would have to be done by a multidisciplinary group, under the authority of the CDPC. The Bureau considered that a feasibility study should be carried out, for presentation to the CDPC plenary, which would then take a decision on the need for this work and propose a decision to the Committee of Ministers.
55. As regards the other aspects of future activities, including as a follow-up to the Yerevan Resolution, the CDPC approved the items as presented in document CDPC-BU (2007) 05 and instructed the Secretariat to prepare a revised paper, incorporating draft decisions to be presented firstly to the next Bureau meeting and then to the plenary meeting in June.
56. The Secretariat was also instructed to prepare a report for approval by the plenary, which can then be presented to the next Conference of European Ministers of Justice (see item c. below), detailing the follow-up to the Yerevan Resolution.
57. As regards the follow up to the High Level Conference of Ministries of Justice and the Interior in Moscow, this is discussed under Item 7. The Bureau noted that that the PC-OC Limited Group of experts should be in a position to present proposals for follow-up activity to the CDPC plenary in June.
- c. Preparation of the 28<sup>th</sup> Conference of European Ministers of Justice – Lanzarote, 25-26 October 2007**
58. The Bureau noted that the Spanish authorities had indicated that they would like to see one or both of the following topics as the theme of the conference to be held in Lanzarote:

"The response of justice faced with the phenomenon of mass migratory movements"

or

"The efficiency of mediation and other out of court procedures in solving conflicts and in improving access to justice"

59. Other themes which had been proposed include:

- counterfeiting
- victims (children)
- transitional justice
- decriminalisation of defamation

60. Further to a discussion in the presence of the Secretary to the CDCJ, the Bureau decided to propose the following theme:

"Improving access to justice in a democratic society including through recourse to alternative, extra-judicial methods, both in civil and criminal matters, with special attention to:

- the needs of vulnerable groups (including migrants, children)
- extrajudicial methods - mediation, restorative justice
- transitional justice;

and reducing delays in the justice system, including through improved civil and criminal procedures"

61. It noted that this would be discussed in the CDCJ plenary at the end of February and that the CEPEJ should also be consulted for input into the question.

62. Should the CDCJ agree with this proposal, it would be conclusive for the proposal of the Committees. If not, any suggestion from the CDCJ would be discussed at the CDPC Bureau in April.

## 11. Committee of Experts on Terrorism (CODEXTER)

**[co-operation/oversight of work of other committees working on terrorism, especially cybercrime/cyberterrorism]**

63. The Bureau took note of the information regarding the latest meeting of CODEXTER, the report of which had been distributed, of Recommendation Rec(2007)01 encouraging member States to use the Interpol tools to fight crime and of the country profiles on the fight against terrorism.

64. As regard cyberterrorism, it noted the decision by the CODEXTER at its 11th meeting from 4-6 December 2006, to await the final report of the expert, Professor Sieber as to the possible lacunae in international law regarding cyberterrorism. Once that is received (at the end of January), the Bureau of CODEXTER will prepare a draft questionnaire in order to collect information on national law and practice. The CDPC Bureau stressed that, should any lacunae be found in the existing international instruments the only way to deal with such lacunae would be on the basis of the Cybercrime Convention. It was not possible to use any other instrument, nor to create a new one. It was also clear to the Bureau that the CDPC must be involved in any work concerning cyberterrorism.

65. In response to information that the European Commission had distributed a questionnaire regarding the amendment of the Framework decision on terrorism at the EU level, the Bureau instructed the Secretariat to prepare, in collaboration with the Secretary to the CODEXTER, a letter to be signed by the Chairs of the two committees and addressed to the Commission, expressing concern that the EC is presenting legislative proposals which could undermine the level of ratification/implementation of the COE conventions in the field.

66. The Bureau also reviewed the CDPC's report to the Committee of Ministers (Doc. CDPC-BU (2006) 07) but did not consider that it need to be updated.

67. The Bureau also noted that, following the retirement of Mr Guy DE VEL and after consulting the Director General of Legal Affairs *ad interim* (Mr Philippe BOILLAT), the Secretary General had decided to appoint Mr Rafael BENITEZ (DGI) as Anti-Terrorism Coordinator. He will also take over the responsibility for supporting the focal point for the fight against terrorism. In this regard, the Bureau was invited to consider in what way it might be able to contribute to the conference being organised by the CODEXTER Bureau on 25-26 April 2007, which would look at the prevention of terrorism in a very wide manner.
- 12. Request by the Turkish delegation on the interpretation of Article 1, para (e) of the 1977 European Convention on the Suppression of Terrorism (ETS 090)**
68. As requested by the Bureau, the Secretariat had prepared a paper on this question, summing up the replies of the member states to the questions put to them on their interpretation of Article 1, para (e) of the 1977 European Convention on the Suppression of Terrorism and as to their intentions with regard to the ratification of the additional protocol. The Bureau instructed the Secretariat to ascertain with the Turkish delegation to the CDPC as to whether this question was still outstanding in their opinion and, if so, to reply on the basis of the Secretariat's proposed reply in document European Committee on Crime Problems (CDPC)-BIL (2007) 02 , modified as per the Bureau's instructions.
- 13. Joint OSCE-Council of Europe Expert Workshop on Preventing Terrorism: Fighting Incitement and Related Terrorist Activities (Vienna, 19-20 October 2006) – Request by Committee of Ministers for a report**
69. The Bureau took note of the document CM (2006)204 revised and of the Decision of the Ministers' Deputies to transmit this summary to the CDPC to be taken into account in its work and to report back. Further to the discussion in the Bureau, the Secretariat was instructed to prepare a draft reply to the Committee of Ministers for approval by the Bureau using a written procedure. This reply could follow the model of the reply provided by the CODEXTER to the same question but should include references to the following main observations from the expert workshop:
- Many states have introduced or are planning to introduce legislation criminalizing incitement to terrorism. It is both necessary and possible for such legislation to contain strong human rights provisions and safeguards, so that legitimate exercise of human rights and in particular freedom of expression are not unduly restricted.
  - In order for security and law enforcement activities to be successful, a high level of mutual trust is needed between communities and security/law enforcement bodies. For that to be achieved, a regular, frank and transparent dialogue between such bodies and the communities is necessary.
  - Prisons are also perceived as places which are conducive to the spread of the terrorist ideology. A distinction should be made between inmates who have not been radicalized yet but who are likely to be influenced by radical ideas in the future, detainees who are already radicalized but who have not turned into terrorists yet, and prisoners who have been jailed for terrorism-related offences. National authorities should develop specific measures tailored for each category of detainees.
  - It is also vital to achieve better co-ordination and co-operation between law enforcement, security and judicial authorities, in order to be able to turn intelligence into evidence and successfully prosecute terrorist offences.
  - Criminal misuse of the Internet by terrorists is increasing to such an extent that it has become one of their most important resources as virtual safe haven, propaganda platform and training ground. At the same time nations (governments and civil society) are not doing enough to counter this phenomenon.

- The threat of a terrorist cyber-attack, i.e. an attack against IT and communications networks is also growing, especially the possibility to carry it out simultaneously with a conventional attack. This would multiply the effect of the conventional attack.
- International co-operation is of paramount importance for the success of any measures to counter incitement, recruitment and the terrorist use of the Internet. As a minimum there should be a process of exchange of information between the relevant stakeholders, but it should be complemented with the necessary co-operation in the legal field, to ensure the proper investigation, prosecution and punishment for terrorist crimes.

#### 14. Information

##### a. Recommendations adopted by the CM in 2006

70. The Bureau noted that the Committee of Ministers had adopted the following Recommendation prepared by the CDPC:

- Recommendation Rec(2006)2 on the European Prison Rules
- Recommendation Rec(2006)8 on assistance to crime victims
- Recommendation Rec(2006)13 on the use of remand in custody, the conditions in which it takes place and the provision of safeguards against abuse

##### b. Conventions ETS 90, 190, CETS 196, 197, 198 – update on the status of signatures and ratifications

71. To date, the European Convention on the Suppression of Terrorism (ETS No. 090) has been ratified by 44 States and signed by 1 and its Amending Protocol (ETS 190) has been ratified by 25 and signed by 19.
72. The Amending Protocol will enter into force once all the Parties to the European Convention have become Parties to the Protocol.

Treaty Number	Treaty Name	Ratifications	Signatures not followed by ratifications	Comments
ETS 90	European Convention on the Suppression of Terrorism	44	1	
ETS 190	Protocol amending the European Convention on the Suppression of Terrorism	25	19	
CETS 196	Council of Europe Convention on the Prevention of Terrorism	5	34	Opened for signature at the Warsaw Summit (16/17 May 2005). 6 ratifications required for entry into force.
CETS 197	Council of Europe Convention on Action against Trafficking in Human Beings	3	31	Opened for signature at the Warsaw Summit (16/17 May 2005). 10 ratifications required for entry into force.
CETS 198	Council of Europe Convention on the Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism		25	Opened for signature at the Warsaw Summit (16/17 May 2005). 6 ratifications required for entry into force.

The CDPC Bureau took note of this information.

**c. PC-OC – Report on Working Group meeting (22-23 January 2007)**

73. See item 7 above

**d. PC-ES – Progress report and extension of the terms of reference**

74. The Bureau noted that the terms of reference of the PC-ES have been extended to 30 June 2007. It also took note of the progress reports presented orally by the Chair of the PC-ES and its Secretary and welcomed the state of advancement, noting that the draft Convention on the protection of children against sexual abuse and exploitation as well as its explanatory report should be ready at the end of March, in good time for the next Bureau meeting in April as well as the plenary in June. It agreed that, provided the PC-ES adopts a first draft of the Convention at its meeting next week, the Secretariat could transmit this draft Convention to the Committee of Ministers for transmission to the PACE for an opinion (which could be adopted at the April session of the Assembly).

**e. CCPE - Report of the Bureau meeting (18-20 December 2006)**

75. The Bureau took note of the report of the meeting of the Bureau of the CCPE and welcomed the decision of the CCPE to treat the question of international co-operation as a priority theme for 2007. It encouraged the CCPE to collaborate with the PC-OC on this question.

**f. MONEYVAL**

76. The Bureau took note of the information concerning the important joint FATF/MONEYVAL meeting in Strasbourg on 19-23 February 2007.

**15. Any other business**

**a. Preparation of the agenda for the plenary**

77. Items to be included in the agenda of the next plenary meeting include:

- The adoption of the draft Convention on the protection of children against sexual abuse and exploitation;
- The review of the Convention on Cybercrime;
- The follow-up to be given to resolutions of the Conference of European Ministers of Justice in Yerevan on the question of victims;
- International co-operation in the criminal field;
- Working methods;
- Future activities;
- The adoption of terms of reference for the PC-CP regarding probation and aftercare;
- The adoption of draft terms of reference for a Specialist Group to prepare a Convention on pharmaceutical crime;
- The proposals of the PC-CP regarding a compendium of texts on prison issues;
- Comments on the draft European Rules on juveniles deprived of their liberty or subject to community sanctions or measures and its explanatory memorandum.

**b. PC-CSC**

78. The Bureau recalled that, at its meeting last June, the enlarged Bureau had regretted the effective suspension of the PC-CSC and had asked the Bureau to prepare a document which would both sum up the indications of delegations as to what is represented by the loss of the PC-CSC and as to what could

possibly be re-introduced, perhaps in another way, to ensure the necessary scientific expertise for the future. The Bureau had been asked to present this paper to the plenary in June 2007.

79. The Bureau noted that the terms of reference of the CDPC, as approved by the Committee of Ministers, no longer include any reference to the PC-CSC. Furthermore, the Bureau noted that limited financial and human resources mean that it is not possible for the CSC meetings to be assured. At the same time, it noted that the document on future activities of the CDPC (Doc. CDPC-BU (2007) 05 indicates a number of ways to obtain the necessary expertise (requesting the PC-CP to undertake tasks, calling for expert evaluations on the pertinence today of certain recommendations, etc.) On the basis of this the Bureau instructed the Secretariat to draw up a more detailed paper for the plenary in June, to be presented for approval at the next Bureau meeting, including a response to the question of how, in the absence of the PC-CSC, the CDPC can fulfil the requirement, in its terms of reference, to promote criminological research.

**16. Dates of the next meeting of the Bureau and the plenary**

80. The Bureau decided that its next meeting would be 16–18 April 2007 and that the plenary would be held from 18–22 June 2007. This will mean that the CDPC will not be able to have the originally planned joint meeting with the T-CY. In this respect the Bureau instructed the Secretariat to inform all delegations of the date of the plenary and also to invite them to forward any comments that they may have regarding the operation of the Convention on Cybercrime in order to prepare a paper for Mr BOHÁČIK who represents the CDPC in the T-CY. The T-CY can then be asked to inform the CDPC on how the Convention is working in order to enable the plenary to fulfil its task to review the provisions of the Convention.

**A P P E N D I X I**

LIST OF PARTICIPANTS

**AUSTRIA / AUTRICHE**

Mr Roland MIKLAU, Head of Mission, TIRANA, Albania

**BELGIUM / BELGIQUE**

M. Claude DEBRULLE, **Chairman of the CDPC / Président du CDPC**, Directeur Général, Ministère de la Justice, Direction Générale de la Législation, des Libertés et des Droits fondamentaux, BRUXELLES

**DENMARK / DANEMARK**

Mr Jesper HJORTENBERG, Deputy Director of Public Prosecution, Office of the Director of Public Prosecution, COPENHAGEN

**FRANCE**

M. Eric RUELLE, Chargé de Mission pour les négociations pénales internationales, Ministère de la Justice, PARIS

**IRELAND / IRLANDE**

Ms Valerie FALLON, Principal Officer, Department of Justice, Equality & Law Reform, DUBLIN

**RUSSIAN FEDERATION / FEDERATION DE RUSSIE**

Mr Alexander ZMEYEVSKIY, Director, Department on New Challenges and Threats, Ministry of Foreign Affairs, MOSCOW Apologised / Excusé

**SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE**

Mr Branislav BOHÁČIK, **Deputy Chair of the CDPC / Vice-Président du CDPC**, Director – Division for Judicial Co-operation in Criminal Matters, Ministry of Justice, BRATISLAVA

**SLOVENIA / SLOVENIE**

Ms Andreja LANG, Head of the Department for Criminal Legislation, Ministry of Justice, LJUBLJANA

**UNITED KINGDOM / ROYAUME-UNI**

Mr Richard BRADLEY, Head of Judicial Co-operation Unit, Home Office, LONDON Apologised / Excusé

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

**Directorate General I – Legal Affairs / Direction Générale I – Affaires Juridiques**

M. Philippe BOILLAT, Director General a.i. of Legal Affairs / Directeur Général a.i. des Affaires Juridiques

**Department of Crime Problems / Service des Problèmes Criminels**

Ms Margaret KILLERBY, Head of the Department of Crime Problems / Chef du Service des Problèmes Criminels

Ms Bridget O'LOUGHLIN, Head of the Criminal Justice Division / Chef de la Division de la justice pénale  
**Secretary to the CDPC / Secrétaire du CDPC**

Mr Alexander SEGER, Head of the Technical Co-operation Division / Chef de la Division Coopération technique

M. Carlo CHIAROMONTE, Administrator / Administrateur  
**Deputy Secretary to the CDPC / Secrétaire adjoint au CDPC**

M. Humbert de BIOLLEY, Head of the Criminal Standards Unit / Chef de l'Unité des standards criminels

Ms lina TANEVA, Head of the Prisons and Probation Unit / Chef de l'Unité des prisons et probation

Mr John RINGGUTH, Secretary to MONEYVAL / Secrétaire au MONEYVAL

Ms Claire ROBINS, Assistant / Assistante  
Mlle Isabelle PERROTEAU, Trainee / Stagiaire

**Department of Public and Private Law / Service du Droit Public et du Droit Privé**

Mr Rafael BENITEZ, Head of the Counter-Terrorism Task-Force / Chef de la Task-Force contre le Terrorisme

Ms Regina JENSDOTTIR, Secretary to the CDCJ / Secrétaire au CDCJ

**Directorate General II – Human Rights / Direction Générale II – Droits de l'Homme**

**Human Rights intergovernmental co-operation Division / Division de la coopération intergouvernementale en matière de Droits de l'Homme**

M. Alfonso de SALAS, Head of Division and Secretary to the CDDH / Chef de la Division et Secrétaire au CDDH

**Equality Division / Division Egalité**

Mme Marta REQUENA, Head of Division and Secretary to the CDEG / Chef de la Division et Secrétaire au CDEG

**Parliamentary Assembly of the Council of Europe / Assemblée Parlementaire du Conseil de l'Europe**

**Social, Health and Family Affairs Committee / Commission des Questions sociales, de la santé et de la famille**

M. Bernard MARQUET, member of the Committee / membre de la Commission

Mme Agnès NOLLINGER, Secretariat of the Social, Health and Family Affairs Committee / Secrétariat de la Commission des Questions sociales, de la santé et de la famille

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**INTERPRETERS / INTERPRETES**

Mme Chloé CHENETIER

Mme Barbara GRUT

Mr Philippe QUAINÉ

## APPENDIX II

### AGENDA

1. **Opening of the meeting** / Ouverture de la réunion
2. **Adoption of the draft agenda** / Adoption de l'ordre du jour
3. **Working methods** / Méthodes du travail
  - a. **how to deal with texts prepared by small, specialist committees**  
comment se charger des textes préparé par des petits comités spécialistes
  - b. **Representation of the CDPC in other Committees /**  
Représentation du CDPC dans autres comités
    - **CCPE (Mr Selvaggi)**
    - **CDDH**
    - **CEPEJ**
    - **CODEXTER (Mr Zmeyerovski?)**
    - **DH-S-TER (Mr Matovski)**
    - **GRECO (Mr Vejo)**
    - **PC-ES (Ms Sampo)**
    - **T-CY (Mr Boháčik)**
4. **Terms of reference** / Mandats

<b>CDPC</b>	<b>to 31 December 2010</b> / au 31 décembre 2010
<b>PC-OC</b>	<b>to 31 December 2008</b> / au 31 décembre 2008
<b>PC-CP</b>	<b>to 31 December 2008</b> / au 31 décembre 2008
<b>PC-PM</b>	<b>to 31 December 2008</b> / au 31 décembre 2008
<b>MONEYVAL</b>	<b>to 31 December 2007</b> / 31 décembre 2007
<b>PC-ES</b>	<b>to 30 June 2007</b> / au 30 juin 2007

**For information** / Pour information:  
**CCPE** **to 31 December 2008** / au 31 décembre 2008
5. **Review of the feasibility report on Counterfeit Medicines and Pharmaceutical Crimes /**  
Examen du rapport de faisabilité sur le Contrefaçon des Médicaments et Crimes Pharmaceutiques
6. **Budget 2007 - Reduction in number of PC-OC plenary meetings /**  
Budget 2007 – Réduction du nombre de réunions plénière du PC-OC

7. **International co-operation in the criminal field (PC-OC) / Coopération internationale dans le domaine pénal (PC-OC)**  
**Status of work (report of the 52<sup>nd</sup> PC-OC meeting) and perspectives on the improvement of international co-operation following the Conference of Ministers of Justice and of the Interior held in November 2006 in Moscow (see also below item 10.b).**  
Etat des travaux (rapport de la 52<sup>ème</sup> réunion) et perspectives quant à l'amélioration de la coopération internationale, suite à la conférence des Ministres de la Justice et de l'Intérieur organisée en novembre 2006 à Moscou (voir point 10.b ci-dessous).
  
8. **Council for Penological Co-operation (PC-CP) / Conseil de Coopération Pénologique (PC-CP)**
  - a. **Last meeting reports (18-20 September & 18-20 December 2006)**  
Derniers rapports de réunion (18-20 septembre et 18-20 décembre 2006)
  - b. **Draft outline structure of the Recommendation containing European Rules for juvenile offenders**  
Projet de canevas pour la Recommandation concernant les Règles Européennes pour les délinquants mineurs
  - c. **Replies to the questionnaire**  
Réponses au questionnaire
  - d. **Specific terms of reference on probation and aftercare**  
Mandat spécifique relatif aux services de probation et de réinsertion dans les systèmes de justice pénale en Europe
  - e. **SPACE**
  - f. **CDAP**
  
9. **Council for Police Matters (PC-PM) / Conseil pour les questions de police (PC-PM)**
  - a. **Summary Report of the 4<sup>th</sup> meeting**  
Rapport sommaire de la 4<sup>ème</sup> réunion
  - b. **Proposal for a Recommendation on Guidelines for regulating private security services**  
Proposition d'une Recommandation sur les lignes directrices sur la réglementation des services de sécurité privés
  - c. **Police and young people**  
La police et les jeunes
  - d. **Victims**  
Victimes
  
10. **Future activities – 2007 and beyond / Activités futures – 2007 et plus loin**
  - a. **Standing item – review of Report to the Committee of Ministers on Actions to implement the Warsaw Action Plan and preparation of the Plenary Meeting**  
Point permanent – examen du rapport au Comité des Ministres sur les mesures de mise en œuvre du Plan d'Action de Varsovie et préparation de la réunion plénière
  - b. **Follow-up to the 27<sup>th</sup> Conference of European Ministers of Justice – Yerevan, 12-13 October 2006 and to the High Level Conference of Ministers of Justice and the Interior, Moscow, 9-10 November 2006 – cf. item 7 above**  
Suivi de la 27<sup>e</sup> Conférence des Ministres européens de la Justice – Erevan, 12-13 octobre 2006 et la Conférence de haut niveau des Ministères de la Justice et de l'Intérieur, Moscou, 9-10 novembre 2006 – cf. point 7 ci-dessus
  - c. **Preparation of the 28<sup>th</sup> Conference of European Ministers of Justice – Lanzarote, 2007-2008/**  
Préparation de la 28<sup>e</sup> Conférence des Ministres européens de la Justice – Lanzarote, 2007-2008
    - **counterfeiting** / contrefaçon
    - **victims (children)** / victimes (enfants)

- **transitional justice** / justice transitoire
- **? decriminalisation of defamation ?** / décriminalisation de la diffamation

**11. Committee of Experts on Terrorism (CODEXTER)**

Comité d'Experts sur le terrorisme (CODEXTER)

- **co-operation/oversight of work of other committees working on terrorism, especially cybercrime/cyberterrorism**

co-opération/suivi du travail d'autres comités qui travaillent dans le domaine du terrorisme, surtout la cybercriminalité/cyberterrorisme

- "cyberterrorism" / « **cyberterrorism** »

- **Recommendation Rec(2007)01 regarding co-operation against terrorism between the Council of Europe and its member states, and the International Criminal Police Organisation (ICPO-Interpol)**

Recommandation Rec(2007)01 relative à la coopération contre le terrorisme entre le Conseil de l'Europe et ses Etats membres, et l'Organisation internationale de police criminelle (OIPC-Interpol)

- **Appointment of a new CoE Anti-Terrorism Coordinator**

Nomination d'un nouveau coordonnateur anti-terrorisme au CdE

**12. Request by the Turkish delegation on the interpretation of Article 1, para (e) of the 1977 European Convention on the Suppression of Terrorism (ETS 090) /**

Demande de la Délégation turque sur l'interprétation de l'Article 1, para (e) de la Convention européenne pour la répression du terrorisme de 1977 (STE 090)

**13. Joint OSCE-Council of Europe Expert Workshop on Preventing Terrorism: Fighting Incitement and Related Terrorist Activities (Vienna, 19-20 October 2006) – Request by Committee of Ministers for a report**

Réunion d'experts conjointe de l'OSCE et du Conseil de l'Europe sur la Prévention du terrorisme: la lutte contre l'incitation au terrorisme et contre les activités terroristes connexes (Vienne, 19-20 octobre 2006)

– Demande de rapport par le Comité des Ministres

- **Proposals by the CODEXTER** / Propositions du CODEXTER

**14. Information / Informations**

**g. Recommendations adopted by the CM in 2006**

Recommandations adoptées par le CM en 2006

**h. Conventions ETS 90, 190, CETS 196, 197, 198 – update on the status of signatures and ratifications**

Conventions STE 90, 190, STCE 196, 197, 198 – mise à jour de l'état des signatures et ratifications

**c. PC-OC – Report on Working Group meeting (22-23 January 2006)**

PC-OC – Rapport du Groupe de travail (22-23 janvier 2006)

**d. PC-ES – Progress report and extension of the terms of reference**

PC-ES – Rapport de progrès et prolongation du mandat

**e. CPGE/CCPE - Report of the Bureau meeting (18-20 December 2006)**

CPGE/CCPE – Rapport de la réunion du Bureau (18-20 décembre 2006)

**15. Any other business / Points divers**

**16. Dates of the next meeting of the Bureau / Dates de la prochaine réunion du Bureau**

## APPENDIX III

## LIST OF WORKING DOCUMENTS

Agenda item / Point de l'ordre du jour	Document title / Titre du document
	<b>CDPC-BU - List of participants</b> CDPC-BU - Liste des participants
	<b>Summary report of the Bureau Meeting (28.06.2006)</b> Rapport de synthèse de la Réunion du Bureau (28.06.2006)
	<b>Summary report of the Enlarged Bureau Meeting (29-30.06.2006)</b> Rapport de synthèse de la Réunion du Bureau élargi (29-30.06.2006)
	<b>Report of the 55th Plenary Meeting of the CDPC (3-7 April 2006)</b> Rapport de synthèse de la réunion plénière (3-7 Avril 2006)
	<b>Resolution on committees and subordinate bodies, their terms of reference and working methods</b> Résolution concernant les comités et les organes subordonnés, leur mandat et leurs méthodes de travail
	<b>Working methods of the CDPC</b> Méthodes du travail du CDPC
<b>2.</b>	<b>Draft agenda</b> Projet d'ordre du jour
<b>2.</b>	<b>Draft annotated agenda</b> Projet d'ordre du jour annoté
<b>3a.</b>	<b>Working methods – how to deal with texts prepared by small, specialist committees</b> Méthodes du travail – comment se charger des textes préparé par des petits comités spécialistes
<b>3b.</b>	<b>Working methods – Representation of the CDPC in other Committees</b> Méthodes du travail – Représentation du CDPC auprès d'autres comités
<b>4.</b>	<b>Terms of reference / Mandats</b>
<b>5.</b>	<b>Review of the feasibility report on Counterfeit Medicines and Pharmaceutical Crimes</b> Examen du rapport de faisabilité sur le Contrefaçon des Médicaments et Crimes Pharmaceutiques

Agenda item / Point de l'ordre du jour	Document title / Titre du document
6.	<b>Budget 2007 – Reduction in the number of PC-OC plenary meetings</b> Budget 2007 – Réduction du nombre de réunions plénière du PC-OC
7.	<b>International co-operation in the criminal field (PC-OC)</b> Coopération internationale dans le domaine pénal
8.	<b>Council for Penological Co-operation (PC-CP)</b> Conseil de Coopération Pénologique (PC-CP)
9.	<b>Council for Police Matters (PC-PM)</b> Conseil pour les questions de police (PC-PM)
10a.	<b>Review of the report to the Committee of Ministers on Actions to implement the Warsaw Action Plan – &amp; preparation of the plenary meeting</b> Examen du rapport au Comité des Ministres sur les mesures de mise en oeuvre du plan d'action de Varsovie et préparation de la réunion plénière
10b.	<b>Follow-up to the 27<sup>th</sup> Conference of European Ministers of Justice – Yerevan, 12-13 October 2006 and to the High Level Conference of Ministers of Justice and the Interior, Moscow, 9-10 November 2006</b> Suivi de la 27 <sup>e</sup> Conférence des Ministres européens de la Justice – Erevan, 12-13 octobre 2006 et la Conférence de haut niveau des Ministères de la Justice et de l'Intérieur, Moscou, 9-10 novembre 2006
10c.	<b>Preparation of the 28<sup>th</sup> Conference of European Ministers of Justice – Lanzarote, 25-26 October 2007</b> Préparation du 28 <sup>e</sup> Conférence des Ministres européens de la Justice – Lanzarote, 25-26 octobre 2007
11.	<b>Committee of Experts on Terrorism (CODEXTER)</b> Comité d'Experts sur le terrorisme (CODEXTER)
12.	<b>Request by the Turkish delegation on the interpretation of Article 1, para (e) of the 1977 European Convention on the Suppression of Terrorism (ETS 090)</b> Demande de la Délégation turque sur l'interprétation de l'Article 1, para (e) de la Convention européenne pour la répression du terrorisme de 1977 (STE 090)
13.	<b>Joint OSCE-Council of Europe Expert Workshop on Preventing Terrorism : Fighting Incitement and Related Terrorist Activities (Vienna, 19-20 October 2006) – Request by Committee of Ministers for a report</b> Réunion d'experts conjointe de l'OSCE et du Conseil de l'Europe sur la Prévention du terrorisme : la lutte contre l'incitation au terrorisme et contre les activités terroristes connexes (Vienne, 19-20 octobre 2006) – Demande de rapport par le Comité des Ministres
14a.	<b>Information / Informations</b> <b>Recommendations adopted by the Committee of Ministers</b> Recommandations adoptées par le Comité des Ministres

Agenda item / Point de l'ordre du jour	Document title / Titre du document
14b.	<b>Information / Informations</b> <b>Conventions ETS 90. 190, CETS 196. 197. 198 – update on the status of signatures and ratifications</b> Conventions STE 90, 190, STCE 196, 197, 198 – mise à jour de l'état des signatures et ratifications
14c.	<b>CPGE/CCPE – Report of the Bureau meeting (18-20 December 2006)</b> CPGE/CCPE – Rapport de la réunion du Bureau (18-20 décembre 2006)
14d.	<b>PC-ES – Progress report and extension of the terms of reference</b> PC-ES – Rapport de progress et prolongation du mandat
15.	<b>Any other business</b> Points divers
16.	<b>Dates of the next meeting of the Bureau</b> Dates de la prochaine réunion du Bureau

## APPENDIX IV

### DRAFT AD HOC TERMS OF REFERENCE OF THE PC-CP RELATING TO PROBATION AND AFTERCARE SERVICES IN THE EUROPEAN CRIMINAL JUSTICE SYSTEMS

**1. Name of the Committee:**

Council for Penological Co-operation (PC-CP)

**2. Type of Committee:**

Ad hoc advisory group to the European Committee on Crime Problems (CDPC)

**3. Source of terms of reference:**

European Committee on Crime Problems (CDPC)

**4. Terms of reference:**

- i. Having regard to the latest developments in the field of probation and aftercare in Europe
- ii. Based on the Council of Europe's and other international standards
- iii. Under the authority of the CDPC and in conformity with p. v. of its terms of reference<sup>2</sup> the PC-CP should address the issue of probation and aftercare services in Europe and the development of their tasks and structures. It should consider more specifically the following aspects:
  - a. Legal systems and structure of probation and aftercare services in the Council of Europe member states;
  - b. Tasks of the services at the pre-sentencing phase of the criminal procedure;
  - c. Tasks of probation services in diverting accused persons from prosecution;
  - d. Provision of supervision, help and assistance to the offender at every stage of the criminal proceedings, as well as during his or her deprivation of liberty and after release
  - e. Work with specific groups of offenders (serious, violent or persistent offenders, foreigners, ethnic and linguistic minorities; women; sex offenders, elderly offenders)
  - f. Work with victims and with the families of the offenders;
  - g. Aftercare to former prisoners;
  - h. Selection, recruitment and training of staff
  - i. Relations with the judiciary, social service centres, victim support agencies, police, health services and penitentiary institutions, private companies, volunteers and local communities, religious and charitable organisations in planning and managing probation work;
  - j. Scientific research and evidence based evaluation, multi-agency risk assessment panels; k. Work with the media and the general public.

The outcome of the PC-CP's work will comprise a draft recommendation on the role and place of probation and aftercare in Europe and explanatory report.

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<sup>2</sup> As adopted by the Committee of Ministers at their 967<sup>th</sup> meeting (14 June 2006).

**5. Working methods:**

- a. In its work the PC-CP will need the assistance of two scientific experts and two ad hoc consultants with specific knowledge of relevant legislation and legal practice, of international norms and conventions relating to probation and aftercare, as well as of recent developments in research and practice on probation in the different member states.
- b. The PC-CP will work in close consultation with the CDPC and its Bureau and will report to the CDPC at its plenary sessions on the state of its work so that full account is taken of possible views expressed by the CDPC delegations on the texts drafted before their approval by the CDPC.

**6. Duration:**

These terms of reference will expire on 31 December 2009.