



“Support to the Prosecutors’ Network in South-Eastern Europe ” Regional Project

– project summary –

Project title	CARDS Regional Action Programme 2006 Support to the Prosecutors’ Network (Regional Project)
Project area	South-Eastern Europe: Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia, “The former Yugoslav Republic of Macedonia” and UNMIK/Kosovo
Budget	EURO 1,666,669.20
Funding	European Commission (90%) – Council of Europe (10%)
Implementation	Council of Europe (Information Society and Protection of Integrity of Persons Division, Directorate of Co-operation, DG Human Rights and Legal Affairs) and Ministry of Justice of Italy
Duration	27 months (17 April 2008 – 16 July 2010)

BACKGROUND AND JUSTIFICATION

The need to address organised crime and corruption, as well as other forms of serious crime, as an obstacle to democratic stability, rule of law and social and economic development in South-eastern Europe has been raised by the Council of Europe, the European Commission (EC) and other organisations on numerous occasions (such as in SAP reports and strategy papers). Given the transnational nature of organised crime and corruption, it is clear that all the efforts for efficiently tackling those require a strengthening of regional co-operation and a common approach and methodology on ways how to fight it.

Despite many initiatives and projects aimed at supporting the countries of South-eastern Europe to address issues related to fighting serious crime, there is still a room for further improvements, particularly in the field of regional co-operation.

On 17 November 2006 the annual EU-Western Balkans Ministerial Forum on Justice and Home Affairs (JHA), held for the first time in South-eastern Europe (Tirana, Albania) underlined that *“the regional nature of the issues connected with the organised crime phenomenon in general (...) demanded a regional response. The meeting emphasised the importance of countries adopting a cooperative, regional approach to the problems (...)”*.

In this perspective, the Memorandum of Understanding (MoU) for the regional co-operation and networking amongst prosecutors, signed by the CARDS countries in Skopje on 30 March 2005, represents a significant starting point.

The growing awareness of the necessity of a regional approach to organised crime is demonstrated also by the conclusions of the 4th Prosecutors' Network meeting held in Sarajevo on 5 and 6 March 2007.

OBJECTIVES AND EXPECTED OUTPUTS

The overall objective of the project is to strengthen the capacities of the CARDS countries to develop and implement judiciary co-operation against serious crime based on the EU *acquis* and other European and international standards and practices by supporting the Prosecutor's Network.

In particular, the project will focus on strengthening the legislation and institutional capacities of General Prosecutors' Offices (GPOs) of South-eastern Europe in view of a more effective co-operation against serious crime. It will further build on the achievements reached under the 2003 CARDS Regional Judicial Reform project (with a special emphasis on the cross module activities implemented) and the basic elements for future co-operation contained in the Memorandum of Understanding signed on 30 March 2005 by the General Prosecutors of the CARDS countries.

To achieve its objective, the project will implement in-country and regional activities split into four outputs:

Outputs	Activities
General	Inception Phase/Start-up of the project
Activity 1	Start up activities/workshops/meetings with the counterparts
Activity 2	Preparation of Detailed Workplan and Inception Report
Activity 3	Organisation of the Start up Conference, Rome, Italy
Output 1	Draft laws available aimed at making investigations and prosecutions of serious crime cases more effective and facilitating cross-border co-operation
Activity 1.1	Assessment with aim of identifying legislation to be reviewed and improved (by visiting each project area during the inception phase)
Activity 1.2	Up to two legal reviews per project area (and continuous ad hoc advice) in order to review the existing legislation on investigation, prosecution, and co-operation against serious crime: Criminal Procedure Codes, law on Police, law on Prosecutors Office, Law on International Co-operation and other related legislation. Legislation to be reviewed in line with the relevant European and international instruments.
Activity 1.3	2 roundtables per project area (follow up to the legal reviews) and 2 regional workshops
Output 2	Human capacities of prosecution services strengthened in view of more effective co-operation, investigation and prosecution of serious crime cases
Activity 2.1	4 Regional thematic trainings, such as on joint investigative teams, use of special investigative means, cybercrime, witness protection, confiscation and asset sharing
Activity 2.2	2 Thematic in-country trainings on issues of priority interest for each project area
Activity 2.3	Organisation of two-week internship programme (3 prosecutors per project area) to EU Member States (Italy, Portugal and Slovenia)

Output 3	Co-operation manual and other tools available for more effective co-operation against serious crime
Activity 3.1	Translation into languages of project areas of explanatory reports to relevant conventions and other documents of priority interest and publication in local languages
Activity 3.2	Update and publication of the PACO judicial co-operation manual against corruption and organised crime
Activity 3.3	Creation of web sites on judicial co-operation which would be hosted on the existing web sites of prosecutors' offices and/or Ministries of Justice and Ministries of Interior/Security
Output 4	Contact points for judicial co-operation strengthened
Activity 4.1	Assessment of existing co-operation networks, contact points and legal frameworks for their operating
Activity 4.2	Organisation of 2 regional meetings to review the competences of contact points and resources available with aim of improving and strengthening their capacities
Activity 4.3	Organisation of 2 regional meetings of contact points and members of prosecutorial network and heads of organised crime units from each project area to strengthen networking at regional level
Activity 4.4	Organisation of a regional conference of prosecutorial network with the aim of amending the Memorandum of Understanding for the Establishment of the Prosecutors' Network

Target groups:

- relevant prosecutors and judges specialised in fighting organised crime;
- practitioners and senior officials from the Ministry of Justice (MoJ);
- practitioners and senior officials from the Ministry of Interior/Ministry of Security.

In addition the final beneficiaries will also include the other practitioners and institutions dealing with international co-operation related activities (such as Ministries of Foreign Affairs, NCB Interpol) as well as the Judicial Training Institutions located in each project area.

IMPLEMENTATION ARRANGEMENTS

The Council of Europe (Economic Crime Division, Co-operation Department, Directorate General of Human Rights and Legal Affairs) is responsible for overall management of the project, in close co-operation with the Italian Ministry of Justice.

The GPOs are the first one of two main counterpart institutions of the project, responsible for assisting the project management in ensuring a smooth project's implementation. In each project area, the GPOs will appoint one prosecutor as contact person for the entire project's duration.

The MoJs are the second main counterpart institutions of the project, responsible for assisting the project management unit in ensuring a smooth project's implementation. In each project area, the MoJs will appoint one official as contact person for the entire project's duration.

A Steering Committee will be set up to provide overall technical and strategic advice and supervise the proper implementation of the project. It shall be called to meet at the beginning of the project and every six months.

The Steering Committee will consist of one representative from the General Prosecutors' Office and Ministry of Justice from each project area (thus 2 members per project area). In addition, the Council of Europe and its partner (the Ministry of Justice of Italy) will be represented as well as the EC (one representative each).

CONTACT

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