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Support to Prosecutors' Network in South-Eastern Europe CARDS 2006

5th Progress Report

Project title	Support to Prosecutors' Network in South-Eastern Europe
Reference number	2008/153-650
Project starting date	17 April 2008
Project duration	17 April 2008-16 April 2010
Implementation	Council of Europe (Information Society and Action against Crime Department) of Directorate General of Human Rights and Legal Affairs and Ministry of Justice of Italy
Project budget	1 666 669 Euros
Date of report	27 January 2010
Reporting period	**1 September – 30 November 2009**

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EXECUTIVE SUMMARY

This report summarises the activities implemented under the Project "Support to Prosecutors' Network in South-Eastern Europe" – CARDS 2006 during the period of 1 September to 30 November 2009.

The project's objective is to strengthen 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 providing support to the Prosecutors' Network.

Results achieved during the reporting period include:

- Regional workshop on compliance of legislation of project areas with the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (CETS 182) and EU MLA Convention of 2000;
- Regional thematic training on practical implementation of the measures foreseen by CETS 182;
- Completion of a report on compliance of project areas with the CETS 182 and EU MLA Convention of 2000;
- Provision of an expert opinion on the draft Law on International Co-operation in Criminal Matters of Albania;
- 3rd Project Steering Committee Meeting;
- Updating the project work plan in line with the current needs of project areas;
- Finalisation of the amended Memorandum of Understanding (MoU)[1] for Regional Co-operation against Organised crime during the 7th Meeting of Prosecutors' Network;
- Roundtable on the draft Law on prevention of money laundering and terrorist financing of Kosovo[2];
- Provision of translated explanatory reports on conventions on international co-operation to Albania, Croatia and Kosovo.

The activities carried out were in line with the work plan. Since Activity 1.3.8 – Regional workshop on compliance of legislation of project areas with CETS 182, and Activity 2.1.3 – Regional thematic training on practical implementation of measures foreseen by CETS 182 were dedicated to interrelated topics, the two activities were organised back to back with each other.

An important activity in relation to the Prosecutors' Network and its future co-operation was the process of amending of the MoU. During the 7th Meeting of Prosecutors' Network (Strasbourg, 24 November), the national contact points of the Prosecutors' Network and project contact persons from Prosecutor's Offices agreed upon the amended text of the MoU. They also confirmed 25 January 2010 as the date for the meeting of Prosecutors General in Rome, during which the amended MoU will be signed.

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[1] Memorandum of Understanding on regional co-operation against organised crime was signed in March 2005 in Skopje by General Prosecutors of Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia and "the former Yugoslav Republic of Macedonia".

[2] *"All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo"*.

It is worth mentioning the continued co-operation with EULEX[3] in Kosovo on the draft Law on Prevention of Money Laundering and Terrorist Financing. In co-operation with EULEX, the roundtable was organised with representatives of the Ministry of Economy and Finance of Kosovo. During the roundtable, the Council of Europe expert presented the main points of his opinion[4] and underlined the standards that are to be taken into account if Kosovo wants to be accepted in the international community of organisations working on the prevention of money laundering.

[3] EULEX – European Union Rule of Law Mission to Kosovo.
[4] The expert opinion on draft Law on the Prevention of Money Laundering and Terrorist Financing was provided in June 2009.

1 THE PROJECT

1.1 Project summary

Name of implementing and co-financing organisation

Council of Europe, Directorate General of Human Rights and Legal Affairs.

Name and title of the contact person

Ivan KOEDJIKOV, Head of Department of Information Society and Action against Crime, Directorate of Co-operation, Directorate General of Human Rights and Legal Affairs, Council of Europe.

Name of partners in the action

Department of Judicial Affairs, Ministry of Justice of Italy.

Title of the action

Support to Prosecutors' Network.

Contract number

2008/153-650.

Start date and the reporting period

Start date: 17 April 2008.
Reporting period: 1 September – 30 November 2009.

Target countries / project areas

Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia, "the former Yugoslav Republic of Macedonia" and Kosovo.

Target groups

Prosecutors and judges specialised in measures against organised and other forms of serious crime; practitioners and senior officials from the Ministry of Justice and practitioners and senior officials from the Ministry of Interior/Security responsible for international co-operation.

Countries / project areas in which the activities take place

In addition to the countries/project areas listed above, activities take place in Italy, France and in a number of Member States of the European Union to be selected.

1.2 Project objectives

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 Prosecutors' Network.

The project focuses on strengthening legislation and institutional capacities of General Prosecutors' Offices of South-Eastern Europe with a view to a more effective co-operation against serious crime. It builds on the achievements of the 2003 CARDS Regional Judicial Reform project (with special emphasis on the cross-module activities implemented) and the Memorandum of Understanding signed on 30 March 2005 by the General Prosecutors of the CARDS countries.

To achieve its objective, the project implements regional and project-area specific activities under four outputs:

Output 1 Draft laws available aimed at making investigations and prosecutions of serious crime cases more effective and facilitating cross-border co-operation

Output 2 Human capacities of prosecutions services strengthened in view of more effective co-operation, investigation and prosecution of serious crime cases

Output 3 Co-operation manual and other tools available for more effective co-operation against serious crime

Output 4 Contact points for judicial co-operation strengthened

1.3 Updated work plan

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	April 2008 – April 2010
Activity 1.2	Up to 2 legal reviews per project area (and continuous ad hoc advice) to review existing legislation on investigation, prosecution and co-operation against serious crime	October 2008 – November 2009 **Completed**
1.2.1	▪ Albania Review of Law on International Co-operation	November 2009 **Completed**
1.2.2	▪ Bosnia and Herzegovina Review of Draft Law on International Co-operation in Criminal Matters	October 2008 **Completed**
1.2.3	▪ Croatia No need for legislative review because the EC has already provided the opinion on draft Law on International Co-operation with the EU Member States	**Cancelled**
1.2.4	▪ Montenegro Review of amendments to the Criminal Code (provisions related to confiscation of proceeds from crime and cybercrime)	May 2009 **Completed**
1.2.5	▪ Serbia Review of draft Law on Mutual Legal Assistance in Criminal Matters	November – December 2008 **Completed**

1.2.6	▪ "the former Yugoslav Republic of Macedonia" Review of Draft Law on International Co-operation	December 2008 – January 2009 **Completed**
1.2.7	▪ "Kosovo under UNSCR 1244"[5] Review of Draft Law on Money Laundering	June 2009 **Completed**
1.2.8	Assessment on compliance of legislation of project areas with CEST 182 and with the EU convention on MLA from 2000	February – November 2009 **Completed**
1.2.9	▪ Bosnia and Herzegovina Review of cybercrime provisions in national legislation	April 2009 **Completed**
1.2.10	▪ Croatia It is not likely that the new draft Criminal Code will be completed prior to the project's end, therefore this activity is cancelled	**Cancelled**
1.2.11	▪ "the former Yugoslav Republic of Macedonia" Review of cybercrime provisions in national legislation	April 2009 **Completed**
1.2.12	▪ Serbia Review of Draft amendments to Criminal Code	May 2009 **Completed**
Activity 1.3	2 roundtables per project area (follow up to the legal reviews) and 2 regional workshops	November 2008 – April 2010
1.3.1	▪ Albania	
1.3.2	▪ Bosnia and Herzegovina Roundtable on Draft Law on International Co-operation in Criminal Matters	7 November 2008 **Completed**
1.3.3	▪ Croatia	
1.3.4	▪ Montenegro	
1.3.5	▪ Serbia	
1.3.6	▪ "the former Yugoslav Republic of Macedonia" Roundtable on assessment of cybercrime provisions in national legislation is replaced by the roundtable on international co-operation	February or March 2010 (TBC)
1.3.7	▪ "Kosovo under UNSCR 1244" Roundtable on Draft law on the prevention on money laundering and financing of terrorism	20-21 July 2009 **Completed**
1.3.8	▪ Regional Workshop 1 Workshop on Compliance of legislation of project areas with CETS 182 (2nd Additional Protocol to MLA Convention) and with EU Convention on MLA from 2000	21-23 September 2009 in Tirana, Albania **Completed**
1.3.9	▪ Bosnia and Herzegovina Roundtable on Compliance of Legislation of BiH with CEST 182 (2nd Additional Protocol to MLA Convention) and with EU Convention on MLA from 2000 – the Training Seminar on practical implementation of measures foreseen by CETS 182 is going to be organised instead	**Cancelled**
1.3.10	▪ Bosnia and Herzegovina Roundtable on assessment of cybercrime provisions in national legislation	7 April 2009 **Completed**
1.3.11	▪ Serbia	the topics are to be defined in co-operation with Serbian authorities
1.3.12	▪ Regional Workshop 2 Follow up to Regional Workshop 1 and its recommendations – the compliance report is very comprehensive and dealt with related issues in details. Recommendations clearly indicate a need for further training and provision of equipment, and these cannot be covered by the project.	**Cancelled**
1.3.13	▪ "Kosovo under UNSCR 1244" Follow up Roundtable on Draft law on the prevention on money laundering and financing of terrorism	4 November 2009 **Completed**

[5] All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with the United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

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 (e.g. joint investigative teams, use of special investigation means, cybercrime, witness protection, confiscation and assets sharing)	September 2008 – February 2010
2.1.1	▪ Regional Thematic Training 1 Financial Investigations and Confiscation of Proceeds from Crime	Dubrovnik, Croatia 25 and 26 September 2008 **Completed**
2.1.2	▪ Regional Thematic Training 2 Training for prosecutors and judges and Conference on Co-operation under the Cybercrime Convention Follow up activities: ➢ Finalisation of country profiles ➢ Participation in the Octopus Cybercrime Conference in Strasbourg in March 2009	Ohrid, FYROM, 17-19 November 2008 **Completed** November 2008 – March 2009 **Completed**
2.1.3	▪ Regional Thematic Training 3 Practical implementation of measures foreseen by CETS 182: cross-border observations; controlled deliveries; video hearings and joint investigative teams	21-23 September 2009, Tirana, Albania **Completed**
2.1.4	▪ Regional Thematic Training 4 Witness protection	End of February 2010, Podgorica, Montenegro
Activity 2.2	2 Thematic in-project area training sessions (on issues of priority interest)	September 2008 – March 2010
2.2.1	▪ Albania Training on cybercrime for law enforcement officers, prosecutors and judges	16-17 April 2009 Durres **Completed**
2.2.2	▪ Bosnia and Herzegovina Training for prosecutors and law enforcement officers on SIMS and international recognition of evidence collected by using SIMS	5-6 March 2009 Sarajevo **Completed**
2.2.3	▪ Croatia Training on joint investigation teams – as the issue was covered by the regional thematic training there is no need to have it as in project area activity	**Cancelled**
2.2.4	▪ Montenegro Training Seminar for prosecutors, accountants and auditors on inter-agency co-operation and data exchange on reporting corruption related offences	24-25 November 2008 Podgorica **Completed**
2.2.5	▪ Serbia Training on International Co-operation in international instruments	Belgrade 18 September 2008 Nis 19 September 2008 **Completed**
2.2.6	▪ "the former Yugoslav Republic of Macedonia" Training on SIMS	28-29 April 2009 Skopje **Completed**
2.2.7	▪ "Kosovo under UNSCR 1244" Training on international co-operation	Mid January 2010 TBC
2.2.8	▪ Croatia Training on money laundering	15 December 2009, Zagreb
2.2.9	▪ Montenegro Training on prosecutor's role in leading investigations in cases of serious crime	after the adoption of CPC
2.2.10	▪ "the former Yugoslav Republic of Macedonia" Training on new role of Prosecutor in investigations	January 2010 TBC
2.2.11	▪ Montenegro Training on confiscation of proceeds from crime	February 2010
2.2.12	▪ Albania Training on international co-operation	Date TBC
Activity 2.3	Organisation of two-week internship programme (3 prosecutors per project area) to EU member States (Italy, Portugal and Slovenia)	November 2008 – March 2010
2.3.1	▪ Internship 1 – Italy (Rome, Napoli and Bari)	17-28 November 2008 **Completed**
2.3.2	▪ Internship 2 Portugal	6-17 July 2009 **Completed**
2.3.3	▪ Internship 3 Proposal to replace Slovenia with Germany	March 2010

Output 3	Co-operation manual and other tools available for more effective co-operation against serious crime	
Activity 3.1	Inventory of international instruments in the field of international co-operation ratified by project areas, and of bilateral and multilateral agreements enabling international co-operation	October 2008-August 2009 **Completed**
Activity 3.2	Translation and publication of explanatory reports on the relevant conventions and other documents of priority interest in local languages Contact Persons to define which documents are to be translated and submit a list to the CoE by the end of February	June-November 2009 **Completed**
Activity 3.3	Update, translation and publication of PACO manual on judicial co-operation against corruption and organised crime Parts of the PACO Manual will be sent to the Contact Persons from MoJ for revision and update	January 2009 – March 2010
Activity 3.4	Creation of web sites on judicial co-operation to be hosted on the existing web sites of prosecutor offices and/or Ministries of Justice and Ministries of Interior / Security ▪ A link to the Project to be made at the existing sites of the MoJ and PO ▪ Contact Persons to inform the CoE on exact needs ▪ Add a link to the UNODC tool with an electronic form of the MLA request	December 2009 – April 2010
Activity 3.5	Preparation of an overview of institutions in charge of organised crime and international co-operation	May 2009 – April 2010
Output 4	**Contact points for judicial co-operation strengthened**	
Activity 4.1	Assessment of existing co-operation networks, contact points and legal frameworks.	April 2008 – January 2009 **Completed**
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	January – April 2009 **Completed**
4.2.1	▪ Regional Meeting 1 5th Meeting of Prosecutors'' Network with SEEPAG contact points	16 January 2009 Strasbourg **Completed**
4.2.2	▪ Regional Meeting 2 6th Meeting of Prosecutors' Network - Effective channels of communication (Art 4 of CETS 182)	28-29 April 2009 Zagreb **Completed**
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	November 2009 – January 2010
4.3.1	▪ Regional Meeting 1 7th Meeting of Prosecutors' Network	24 November 2009 Strasbourg **Completed**
4.3.2	▪ Regional Meeting 2 8th Meeting of Prosecutors' Network	25 January 2010 Rome, Italy
Activity 4.4	Organisation of a regional conference of Prosecutors' Network with the aim of amending the Memorandum of Understanding for the Establishment of the Prosecutors' Network	25 January 2010 Rome, Italy

1.4 Updated action plan

Green: Activity completed, output achieved.
Cell with C: sub-activity completed
Yellow and Orange: duration of activity and progress in project's execution at the end of reporting period.

	Description	Months April 2008 – March 2009												Months April 2009 – April 2010												
		1 A 08	2 M 08	3 J 08	4 J 08	5 A 08	6 S 08	7 O 08	8 N 08	9 D 08	10 J 09	11 F 09	12 M 09	1 A 09	2 M 09	3 J 09	4 J 09	5 A 09	6 S 09	7 O 09	8 N 09	9 D 09	10 J 10	11 F 10	12 M 10	13 A 10
	Inception phase (12 weeks)																									
Output 1:	***Draft laws aimed at making investigations and prosecutions of serious crime cases available***																									
Activity 1.1	**Assessment with aim of identifying legislation to be reviewed and improved**																									
Activity 1.2	**2 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**																									
Activity 1.2.1	Albania Review of Law on International Co-operation																				C					
Activity 1.2.2	Bosnia and Herzegovina Review of Draft Law on International Co-operation							C																		
~~Activity 1.2.3~~	~~Croatia~~ ~~Review of new provisions / amendments to the Law on International Co-operation~~ **Cancelled**																									
Activity 1.2.4	Montenegro Review of amendments to the Criminal Code														C											
Activity 1.2.5	Serbia Review of Draft Law on International Co-operation									C																
Activity 1.2.6	FYROM Review of Draft Law on International Co-operation										C															
Activity 1.2.7	Kosovo Review of Draft Law on Money Laundering															C										
Activity 1.2.8	Assessment of compliance of legislation of project areas with CETS 182 and EU MLA Convention																				C					
Activity 1.2.9	Bosnia and Herzegovina Review of Cybercrime Provisions in legislation													C												
~~Activity 1.2.10~~	~~Croatia~~ ~~Review of certain provisions of Criminal Code~~ **Cancelled**																									
Activity 1.2.11	FYROM Review of Cybercrime provisions legislation													C												
Activity 1.2.12	Serbia Review of the amended Criminal Code														C											

		1 A 08	2 M 08	3 J 08	4 J 08	5 A 08	6 S 08	7 O 08	8 N 08	9 D 08	10 J 09	11 F 09	12 M 09	1 A 09	2 M 09	3 J 09	4 J 09	5 A 09	6 S 09	7 O 09	8 N 09	9 D 09	10 J 10	11 F 10	12 M 10	13 A 10
Activity 1.3	**2 roundtables per project area as a follow up to the legal review and 2 regional workshops**																									
Activity 1.3.1	Albania																									
Activity 1.3.2	Bosnia and Herzegovina Roundtable on Draft Law on International Co-operation								C																	
Activity 1.3.3	Croatia																									
Activity 1.3.4	Montenegro																									
Activity 1.3.5	Serbia																									
Activity 1.3.6	FYROM Roundtable international co-operation																									
Activity 1.3.7	Kosovo Roundtable on draft Law on prevention of ML and TF																C									
Activity 1.3.8	Regional workshop 1 Compliance of legislation of project areas with CETS 182 and EU MLA Convention from 2000																		C							
Activity 1.3.9	Bosnia and Herzegovina Roundtable on Compliance of Legislation of BiH with CETS and with the EU MLA Convention from 2000 **Cancelled**																									
Activity 1.3.10	Bosnia and Herzegovina Roundtable on assessment of cybercrime provisions in legislation													C												
Activity 1.3.11	Serbia																									
Activity 1.3.12	Regional workshop Follow up to Regional Workshop 1 and its recommendations **Cancelled**																									
Activity 1.3.13	Kosovo Follow up Roundtable on draft Law on Prevention of ML and TF																				C					
Output 2:	***Human capacities of prosecution services strengthened***																									
Activity 2.1	**4 regional thematic trainings on joint investigative teams, use of special investigative means, cybercrime, witness protection, confiscation and asset sharing organised**																									
Activity 2.1.1	Regional Thematic Conference 1 Financial Investigations and Confiscation						C																			
Activity 2.1.2	Regional Thematic Conference 2 + follow-up: Cybercrime ➢ Finalisation of country profiles ➢ Participation of Octopus Cybercrime Conference								C				C													
Activity 2.1.3	Regional Thematic Conference 3 Practical Implementation of measures foreseen by CETS: cross border observations; controlled deliveries; video hearings and joint investigative teams																		C							
Activity 2.1.4	Regional Thematic Conference 4 Proposed topic 1:witness protection Proposed topic 2: money laundering																									

Activity 2.2	**2 thematic in-country trainings on issues of priority interest for each project area organised**																									
Activity 2.2.1	Albania Training on Cybercrime													C												
Activity 2.2.2	Bosnia and Herzegovina Training on SIMS												C													
~~Activity 2.2.3~~	~~Croatia Training on joint investigative teams~~ **Cancelled**																									
Activity 2.2.4	Montenegro Training on inter-agency co-operation and data exchange on reporting corruption related offences								C																	
Activity 2.2.5	Serbia Training on international co-operation						C																			
Activity 2.2.6	FYROM Training on SIMS													C												
Activity 2.2.7	Kosovo Training on international co-operation																									
Activity 2.2.8	Croatia Training on money laundering																									
Activity 2.2.9	Montenegro Training on prosecutor's role in leading investigations in cases of serious crime																									
Activity 2.1.10	FYROM Training on new role of prosecutor in investigations																									
Activity 2.2.11	Montenegro Training on confiscation of proceeds from crime																									
Activity 2.2.12	Albania Training on international co-operation																									
Activity 2.3	**Internship programmes for 3 prosecutors per project area EU countries**																									
Activity 2.3.1	Internship to Italy								C																	
Activity 2.3.2	Internship to Portugal															C										
Activity 2.3.3	Internship to Germany																									
Output 3:	***Co-operation manual and other tools available***																									
Activity 3.1	**Inventory of international instruments and multilateral and bilateral agreements**																									
Activities 3.2	**Explanatory reports on the relevant conventions and other documents of priority interest translated and published in local languages**																									
Activity 3.3	**PACO Manual on judicial co-operation against corruption and organised crime updated and published**																									
Activity 3.4	**Web sites on prosecutors' co-operation in South-eastern Europe created**																									
Activity 3.5	**Preparation of an overview of institutions in charge of organised crime and international co-operation**																									

Output 4:	***Contact points for judicial co-operation strengthened***																									
Activity 4.1	**Assessment of existing co-operation networks, contact points and legal frameworks**																									
Activity 4.2	**2 regional meetings to review the competences of contact points and resources available with aim of improving and strengthening their capacities**																									
Activity 4.2.1	5th Meeting of Prosecutors' Network										**C**															
Activity 4.2.2	6th Meeting of Prosecutors' Network													**C**												
Activity 4.3	**2 regional meetings of contact points and heads of organised crime units from each project area to strengthen networking at regional level, including the members of the prosecutors network**																									
Activity 4.3.1	Regional meeting 1 7th Meeting of Prosecutors' Network																				**C**					
Activity 4.3.2	Regional meeting 2 8th Meeting of Prosecutors' Network																									
Activity 4.4	**Regional conference of the prosecutor's network with the aim of amending the Memorandum of Understanding of the Prosecutor's Network**																									

1.5 Updated Logical Framework

Level	Description	Indicators	Sources of verification	Assumptions
Overall objective	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 standards and practices by supporting the Prosecutor's Network in South-Eastern Europe.			
Specific project objective	**To strengthen the legislation and institutional capacities of Prosecutors' Offices of South-eastern Europe in view of more effective co-operation against organised and other forms of serious crime**	Prosecutor's Offices deal with cross border co-operation cases directly and efficiently. The number of requests for MLA sent/received by Prosecutor's offices will have increased by 25% by the end of the project Number of serious crime cases prosecuted will have increased by 15% Tools for co-operation are available and used by Prosecutor's Offices: (1) co-operation manual, (2) treaties in local languages, (3) websites National legislation (laws and by-laws) are compatible with relevant European and international standards. By the end of the Project: - The 2nd Additional Protocol to the European	Council of Europe treaty office database European Union progress reports Project reports Statistical data from the Ministries of Justice, Ministries of Interior and the Offices of the Prosecutors' General from all project areas	Will of the authorities and parliaments to ratify the European instruments Application in practice of ratified European instruments and their incorporation into relevant domestic legislation Sufficient absorptive capacity of the counterpart institutions for the activities foreseen in the project

Level	Description	Indicators	Sources of verification	Assumptions
		Convention on Mutual Legal Assistance in Criminal Matters (CETS 182) ratified by "the former Yugoslav Republic of Macedonia" - The Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS 198) ratified by Serbia and "the former Yugoslav Republic of Macedonia" - Convention on Cybercrime (CETS 185) ratified by Montenegro and Serbia		
Output 1	**Draft laws available aimed at making investigations and prosecutions of serious crime cases more effective and facilitating cross-border co-operation**	By April 2010, for each project area 2 draft laws on international co-operation and investigation and prosecution of serious crime available and in compliance with European standards	Project reports Web sites of Governments and Prosecutor's Offices in Project Areas Expert opinions on Draft Laws	Continued political commitment of governments to improve quality of legislation by preparing draft laws or amendments to existing ones Readiness of relevant institutions to co-operate in Project's implementation, including submitting requests for provision of legal expertise on draft laws, or on adopted laws with an aim of their improvement
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	2 legal reviews per project area (and continuous ad hoc advice) in order to review the existing			

Level	Description	Indicators	Sources of verification	Assumptions
	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**	By January 2010, 4 Regional thematic training sessions are completed By March 2010, 14 in project area thematic training sessions are held By January 2010, 3 internship programmes are completed	Project reports Lists of participants	Availability of prosecutors and other relevant officials of appropriate level (in terms of experience and type of expertise) to take part in project's regional and in project area activities Knowledge and experience applied in practice
Activity 2.1	4 regional thematic trainings (e.g. joint investigation 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	Two-week internships to EU Member States for 3 prosecutors per project area (Italy, Portugal and Slovenia)			

Level	Description	Indicators	Sources of verification	Assumptions
Output 3	**Co-operation manual and other tools available for more effective co-operation against serious crime**	By August 2009 an inventory of international instruments, bilateral and multilateral agreements is completed By September 2009 relevant explanatory reports on conventions and other documents of priority interest are translated By November 2009 PACO Manual is updated, published and available in Prosecutors' Offices and Ministries of Justice in all project areas By April 2010, web sites on prosecutors' co-operation are created By September 2009 a document presenting institutions in charge of organised crime and international co-operation finalised	Project Reports, Web sites of CoE, Prosecutor's Offices and Ministries of Justice.	Readiness of relevant institutions to co-operate in Project's implementation Availability of information needed for updating manual; readiness of relevant institutions of project areas to submit requested information and its timeliness Widespread usage of the co-operation manual in practice by the Prosecutor's Offices in all project areas
Activity 3.1 This activity has been added upon request of the European Commission	Inventory of International Instruments in the field of international co-operation ratified by the project areas, and of bilateral and multilateral agreements enabling the international co-operation			
Activity 3.2	Translation into languages of project areas of relevant explanatory reports on conventions and other documents of priority interest and publication in local languages			

Level	Description	Indicators	Sources of verification	Assumptions
Activity 3.3	Update, translation and publication of the PACO Manual on judicial co-operation against corruption and organised crime			
Activity 3.4	Creation of web sites on prosecutors' co-operation to be hosted on the existing web sites of prosecutors' offices and/or Ministries of Justice/Ministries of Interior/ Security			
Activity 3.5 This activity has been added following the proposal and agreement of the SC	Preparation of an overview of institutions in charge of organised crime and international co-operation			
Output 4	**Contact points for judicial co-operation strengthened**	By January 2009 proposals available for the streamlining of existing co-operation networks By December 2009, 2 Regional Meetings to review and enhance competencies of contact points and 2 Regional meetings of contact points and prosecutorial network are completed By December 2009, the existing MoU for establishment of the Prosecutor's Network is amended	Project reports Availability of amended MoU Relevant laws/ by-laws/ statutes regulating the position of Network's Contact Points.	Role of contact points is recognised, formally regulated and supported by relevant authorities (including regular financial support) so they can operate independently from existence of projects financed by the international organisations
Activity 4.1	Assessment of existing co-operation networks, contact points and legal frameworks			
Activity 4.2	2 regional meetings to review the competences of contact points and resources available with			

Level	Description	Indicators	Sources of verification	Assumptions
	aim of improving and strengthening their capacities			
Activity 4.3	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	Regional conference of prosecutors' network with the aim of amending the Memorandum of Understanding for the Establishment of the Prosecutor's Network			

2 ACTIVITIES AND RESULTS DURING THE REPORTING PERIOD

The following activities were completed during the reporting period:

Output 1

Activity 1.2.1 – Legislative review of the draft Law on International Co-operation of Albania

Objective

To provide expert opinion on compliance of the draft law with relevant international instruments.

Description of activity

In October 2009, the Ministry of Justice of Albania requested the project to provide assistance regarding the drafting of Law on International Co-operation in Criminal Matters[6].

The draft law was analysed and compared with the relevant international instruments in the field of international co-operation in criminal matters.

The expert found the draft law to be fairly comprehensive and contemporary, and taking into account provisions from the most recent Council of Europe Conventions in the field of international co-operation. However, a number of issues that need to be addressed were identified, notably:

- The removal of the ground of refusal for fiscal criminal offences as inconsistent with the declarations made by the Republic of Albania to the relevant Council of Europe conventions;
- Revising provisions regarding the translation of letter of requests sent from Albania to accord with the official language(s) of the requested state or other language(s) that they may accept;
- The insertion of provisions regarding the possibility of direct transmission of requests for mutual legal assistance;
- Amending provisions to include the execution of requests for the preservation of assets for future confiscation orders;
- Revision of certain conditions allowing for extradition (asylum and capital punishment);
- Consideration for the insertion of provisions on detention of individuals whose extradition has been requested;
- The practical provision of speciality assurances by requesting states;
- Highlighting the need for a Chapter on recognition and enforcement of foreign criminal judgments to be able to cover also requests for the execution of confiscation orders;
- Creation of a new Chapter on the Transfer of Criminal Proceedings.

The Expert opinion was provided by Mr Simon REGIS[7] (United Kingdom).

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[6] Since the 2nd Steering Committee Meeting held in January 2009 in Strasbourg, Albanian counterparts confirmed that they require assistance in drafting legislation on international co-operation.

[7] Mr Simon REGIS, Council of Europe expert on international co-operation is a Government Lawyer. His previous work experience includes: legal advisor at HM Revenue and Customs in London, resident expert for the Project on International Co-operation in Criminal Matters in Ukraine; Head of the UK Central Authority / Deputy Head of Specialist Crime 3 (Judicial Co-operation) and lawyer at the Central Confiscation Branch, Crown Prosecution Service.

Results

1. The expert opinion was submitted to the Ministry of Justice on 2 November 2009.

2. Clear recommendations for improvement of the draft law including alternative text were provided to Albanian authorities.

Recommendation

To ensure full compliance with international instruments that Albania adhered to, the drafters should consider adjusting the draft Law by taking into account the expert opinion.

Activity 1.2.8 – Assessment of compliance of legislation of project areas with the CETS 182 and EU MLA Convention from 2000

Objective

To assess the level of compliance of project areas' legislation[8] with the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (CETS 182) and EU MLA Convention of 2000.

Description of activity

This activity was not initially foreseen in the work plan but it was added during the 2nd Steering Committee Meeting in January 2009. The questionnaires completed in project areas were analysed by the Council of Europe experts Mr Erik VERBERT[9] and Mr Thierry LOQUET[10]. The experts provided a draft report which was finalised following the Regional workshop on Compliance and the Regional thematic training on measures foreseen by the CETS 182 which took place from 21 to 23 September 2009 in Tirana, Albania. Based on discussions during the workshop and the training, the experts obtained necessary clarifications regarding a number of answers from questionnaires that did not provide a clear picture with regard to certain issues related to the implementation of the CETS 182 into the domestic legislation.

Results

➢ Compliance report finalised in November 2009, including:

    - the background of the Convention on Mutual Assistance in criminal matters and CETS 182;
    - presentation of a regional co-operation initiative in the Benelux area;
    - identification of gaps in the domestic legislation;
    - presentation of project-area specific recommendations.

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[8] 6 project areas have ratified the CETS 182.
[9] Erik VERBERT, a Government Lawyer from Belgium, currently Deputy Legal Advisor at the Central Authority within the Federal Public Service. Mr Verbert is the EJN (European Judicial Network) Contact Point for Belgium and President of the Council of Europe PC-OC Committee since 2007. He has provided expertise on many projects of the CoE and the EU in the field of international co-operation.
[10] Thierry LOQUET, Public Prosecutor in the Crown Public Prosecutor's Office of Brussels, Belgium. He holds three Master degrees, in accountancy, political and social sciences and in law. His experience includes working in the Ministry of Finance. Specialised in financial crimes, such as money laundering, corruption and criminal tax offences, Mr. Loquet has been involved in many projects of the CoE in the areas of money laundering prevention and fight against corruption.

Follow up

The report will be translated into the languages of project areas and disseminated to the project contact persons, national contact points for Prosecutors' Network and participants of the Regional workshop on compliance.

Recommendation

In view of project-area specific recommendations, the relevant departments for international co-operation of Ministries of Justice and General Prosecutor's Offices should consider ways of filling the existing gaps in the national legislation, addressing the training needs and ensuring the provision of equipment required for hearing by video and telephone conference.

Activity 1.3.8 and Activity 2.1.3 – Regional workshop on the compliance of legislation of project areas with CETS 182 and Regional thematic training on practical implementation of measures foreseen by CETS 182, 21-23 September 2009, Tirana, Albania

As mentioned earlier on in the report, due to the similarity of the topic (Second Additional Protocol and its practical application) Activity 1.3.8 and Activity 2.1.3 were organised one after the other.

Objective

- To assess the level of compliance of project areas' legislation with the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (CETS 182) and the EU MLA Convention from 2000.
- To provide prosecutors and officials from Ministries of Justice with a better insight into the mechanisms of mutual legal assistance in criminal matters and with the necessary legal tools for international co-operation.

Description of activity

The first day of the Regional Conference was dedicated to assessment of the formal compliance of the project areas' legislation with the CETS 182 and EU MLA Convention. Although the focus was on the results of questionnaires and draft findings on the compliance level, the experts presented real-life cases to the audience. Participants referred to their practices, applying the articles they would use to the examples provided by experts. They focused on key issues such as: how to deal with requests, which basic principles of MLA should be applied, where is the difference between extradition and mutual legal assistance, what is dual criminality, coercive measures, grounds for rejecting extradition requests, system of guarantees from the requesting party etc. This format ensured active involvement and contribution of participants and provoked interesting discussions and exchange of experiences.

The second day of the conference was dedicated to the practical application of the measures foreseen by the CETS 182 and EU MLA Convention, in particular: direct communication channels; temporary transfer of detained persons; hearing by video conference; controlled deliveries; cross border observations; joint investigation teams.

Results

1. The level of compliance of the legislation of project areas with CETS 182 and EU MLA Convention from 2000 assessed;
2. Gaps in the practical application of the CETS 182 identified;
3. Needs for training and provision of necessary equipment identified;
4. Project-area specific recommendations made;
5. Knowledge of application of the particular measures foreseen by the CETS 182 (controlled deliveries, joint investigation teams and covert investigation etc.) of the Ministry of Justice officials and prosecutors enhanced.

Activity 1.3.13 – Follow up Roundtable on draft Law on the prevention of Money Laundering and Terrorist Financing, 4 November 2009, Pristina, Kosovo

Objective

- To present to the representatives of Kosovo institutions the main findings of the Expert Opinion[11] on the draft Law on the Prevention of Money Laundering and Terrorist Financing;
- To raise awareness among the representatives of Kosovo institutions of the importance of the compliance of their legislation on prevention of money laundering, terrorist financing and the establishment of the Financial Intelligence Unit (FIU) with international standards for facilitating international co-operation;
- To identify further steps to be undertaken to finalise the draft Law, and to consider ways in which the Council of Europe (within the framework of the "Support to Prosecutors' Network in SEE" project) could facilitate the process.

Description of activity

The meeting was held in the Ministry of Economy and Finance of Kosovo. The Special Advisor to the Minister gave a brief overview of the drafting process of the draft Law on the Prevention of Money Laundering and Terrorist Financing. He underlined the intention of the Ministry to speed up the process of finalising the draft Law, in order to submit it to Parliamentary procedure for adoption in the near future.

The CoE presented its involvement in the process of drafting of the Law, which was realised through co-operation with EULEX. The CoE Expert Mr Anders CEDHAGEN[12] presented the expert opinion and international standards in the field of prevention and fight against money laundering and terrorist financing. Finally, the expert underlined that if the Ministry of Economy and Finance wants Kosovo to co-operate with international partners on action against money laundering and financing of terrorism, it is very important to adopt legislation which would be in conformity with international recommendations and standards.

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[11] The expert Opinion on draft Law on the Prevention of Money Laundering and Terrorist Financing was provided within the framework of the project "Support to Prosecutors' Network in SEE" in June 2009, upon request from EULEX. Following the provision of the Expert Opinion the Workshop was organised on 20 and 21 July at which the Council of Europe Expert worked on the draft Law with the members of the EULEX working group.

[12] Mr Anders CEDHAGEN, judge at the Administrative Court of Appeal in Goteborg, Sweden, provided expertise for the CoE on anti-money laundering (AML) projects for Moldova, Ukraine and Russia. His previous professional engagements include: AML expert for the UNODC in Vienna, National Legal Expert for the Council of the European Union in Brussels, Legal Adviser at the Ministry of Finance of Sweden and Research Secretary for the Government Commission of Inquiry on Money Laundering. Mr Cedhagen worked as a legal expert for the Swedish International Development Agency (SIDA), the World Bank and the European Union.

Results

1. The Council of Europe expert opinion and its main findings that aim at bringing the draft law in line with international standards were formally presented to Kosovo institutions;
2. The representatives from the Ministry of Economy and Finance were made aware of the relevant international standards in the field of prevention of money laundering and terrorist financing, of the existing gaps in the current draft and how to improve it;
3. The meeting and the exchange of views with the expert encouraged rapid follow-up of the discussions and suggestions with the drafting group. Less then a week after the meeting, the Ministry of Economy and Finance scheduled for the following Monday (9 November 2009) a meeting of the working group with the participation of representatives of the EULEX and other relevant stakeholders.

Follow up

- The Council of Europe will analyse the consolidated version of the draft Law which should be the result of joint work of the Kosovo institutions, EULEX and other relevant stakeholders.

Output 2

Activity 2.1.3 – Regional thematic training on the practical implementation of measures foreseen by CETS 182

This activity was organised back to back with the Activity 1.3.8. Please see description above under Activity 1.3.8.

Output 3

Activity 3.2 – Provision of explanatory reports on the conventions relevant in the field of international co-operation

Objective

To provide prosecutors and other relevant officials with more insight information into CoE conventions, including the rationale behind some of the measures introduced in international co-operation.

Description of activity

The Project management in co-operation with the contact persons from Albania, Croatia and Kosovo identified the explanatory reports to be translated. These explanatory reports are related to the major Council of Europe conventions in the field of international co-operation (full titles are given below under "Results").

The importance of these documents lies in their in-depth analysis of each and every single article of the conventions in question. The practitioners will certainly find this very useful when having doubts on how to apply some articles in specific mutual legal assistance cases. In addition, it might help those who have a responsibility to advise on whether some reservations should be made or withdrawn or, how to better define declarations. It might also be very useful for project areas which are still drafting laws on international co-operation.

With the aim of providing as many translations of explanatory reports as possible it was agreed with contact persons from Bosnia and Herzegovina, Croatia, Serbia and Montenegro to translate different reports for each project area. Having in mind the fact that the languages are similar, the translated documents could be used in each of these project areas. Also, the same explanatory reports were translated into Albanian for Albania and Kosovo.

Results

1. Explanatory reports on the following conventions were translated into the Albanian and Croatian languages:

    - European Convention on Extradition (ETS 024): translated into the Albanian language;
    - European Convention on Mutual Assistance in Criminal Matters (ETS 030): translated into the Albanian language;
    - European Convention on the Transfer of Proceedings in Criminal Matters: translated into the Albanian language;
    - European Convention on the Transfer of Sentenced Persons: translated into the Albanian language;
    - Second additional protocol to the European Convention on Mutual Assistance in Criminal Matters (CETS 182): translated into the Albanian language and
    - Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS 198): translated into the Croatian language.

2. All project areas now have access to the explanatory reports in their languages.

Recommendation and follow-up

1. To upload the translated explanatory reports on the existing Web-sites of the ministries of justice and general prosecutors' offices in project areas and to disseminate them as widely as possible within the judiciary.

2. Publish some of the translated explanatory reports (subject to budget availability).

Output 4

Activity 4.3.1 – 7th Meeting of Prosecutors' Network, 24 November, Strasbourg, France

Results

- To review amendments to the Memorandum of Understanding of Prosecutors' Network (MoU);
- To finalise the amended text of the MoU to be signed in January 2010 by the General Prosecutors of Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia and "the former Yugoslav Republic of Macedonia";
- To discuss practical arrangements regarding the meeting of General Prosecutors to take place in January 2010 in Rome.

Description of activity

The meeting was opened by the Acting Head of the Information Society and Action against Crime Department who gave a brief overview of the project progress to date and recalled previous Council of Europe initiatives in the field of prosecutorial co-operation. There was general agreement that there has been a significant increase in the field of prosecutorial co-operation. During her intervention, the Programme Manager Justice, Freedom and Security – Western Balkans and Turkey, from the European Commission (EC) reiterated that the EC will continue its support and assistance to strengthening the capacities of countries in SEE for co-operation in the fight against organised crime and other forms of serious crime. She presented some of the EC ongoing and forthcoming projects in South-Eastern Europe.

In the discussions that followed, the delegations presented their comments to the revised MoU[13]. After that the delegations, with the assistance of the CoE Secretariat as moderator, went through the MoU article by article and agreed on the amended text of the MoU.

Results

1. The amended text of the MoU was agreed upon by all participating delegations, with the exception of Article 11[14];
2. The participants agreed to hold the meeting of the Prosecutors General on 25 January 2010 in Rome in order to sign the amended MoU;
3. The meeting confirmed the commitment of all delegations to continue and strengthen regional co-operation through the Prosecutors' Network.

Other meetings

3rd Meeting of the Steering Committee, 20 October, Skopje, "the former Yugoslav Republic of Macedonia"

Objective

- To review project implementation in 2009;
- To review and update the work plan;
- To collect statistics required for reporting purposes and
- To initiate the process of amending the Memorandum of Understanding of the Prosecutors' Network.

Description of activity

The meeting was opened by welcome addresses of the project's contract person from the General Prosecutor's Office of "the former Yugoslav Republic of Macedonia" and the director of the Academy for Judges and Prosecutors. Thereafter, representatives from the EC Delegation in "the former Yugoslav Republic of Macedonia" and the Council of Europe Secretariat from Strasbourg addressed the participants.

After the introductory part the participants presented their views on the activities carried out in 2009. There was general consent that the activities under the Prosecutors' Network were contributing to strengthening the regional co-operation.

Participants discussed the topics for in-project-area and regional activities; agreement was reached on most of the activities. Some activities were cancelled, mainly under Output 1, because of the late adoption of legislation which was supposed to be analysed within the framework of the project.

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[13] The CoE Secretariat has provided some suggestions for amending the text of the MoU, which served as a basis for the delegations to prepare their own comments and suggestions.
[14] Pending confirmation from the delegation of Bosnia and Herzegovina. Confirmation was received by Bosnia and Herzegovina while drafting this report.

In order to ensure project reporting in line with the defined indicators of success, the contact persons were asked to provide, during the meeting or ideally prior to it, information on:

- Number of serious crime cases prosecuted;
- Number of requests for mutual legal assistance (MLA) sent by prosecutor's office;
- Number of requests for MLA received by prosecutor's office;
- Number of cross-border crime cases prosecuted.

Unfortunately, no progress was made with respect to the collection of statistics. The contact persons had not completed the table as requested. In some cases information provided was inadequate and in a format that was not possible to use. The contact persons claimed that criteria for serious crime, cross border crime and prosecution vary from one project area to another, and this provided an obstacle for the compilation and completion of the requested information. It was agreed that each project area should apply its own criteria; that following the meeting they would submit statistics along with a short explanation on criteria used. For example, for serious crime cases prosecuted an explanation should be given on which crime is considered a serious one, and at what stage the prosecution commences.

Participants also discussed the issue of collecting and exchanging statistical data on criminal proceedings. The views of representatives from project areas on this issue were very diverse and there was no agreement on how to proceed about co-operation on this issue. It was decided to devote some more time and discussion to this issue and there was general agreement to deal with it during the 4th regional conference in the months to come.

Results

1. Work plan updated and finalised;
2. Responsibilities were defined and deadlines were set for the publication of the updated PACO Manual;
3. Initiation of amending the MoU of the Prosecutors' Network;
4. Needs for training and legislative reviews were identified;
5. Theme for the fourth regional conference was identified.

3 ANALYSIS: PROGRESS TOWARDS OBJECTIVES AND EXPECTED RESULTS

Activities carried out during the reporting period were in accordance with the work plan and directly contributed towards the fulfilment of the project's objectives.

In relation to **Output 1** – *draft laws available aimed at making investigations and prosecutions of serious crime cases more effective and facilitating cross-border co-operation* – the legislative review was completed for the draft Law on International co-operation in Criminal Matters of Albania. This activity originates from an informal request back in January 2009 when the Ministry of Justice of Albania announced that the drafting process had started. However, the official request was sent only in October 2009.

The Regional workshop on compliance of project areas with the CETS 182 and EU MLA Convention of 2000 was held in September in Tirana, Albania. The Workshop helped the experts of the CoE to finalise the Report on the Assessment of compliance with the CETS 182 and EU MLA convention of 2000, which was also completed during the reporting period. The report gives a detailed analysis of the level of compliance with the CETS and EU MLA Convention of 2000 and the level of practical application of the measures foreseen by the CETS 182, in particular joint investigation teams, controlled deliveries and covert investigations.

Following the previous agreement with EULEX, a follow-up roundtable on the draft Law on the Prevention of Money Laundering and Terrorist Financing was organised with representatives of Kosovo institutions.

With regard to **Output 2** – *human capacities of prosecution services strengthened* – one activity was organised – the Regional thematic training on practical implementation of the CETS 182 (joint investigation teams, controlled deliveries, covert investigations etc.). Participants from the Ministries of Justice and Prosecutor's Offices had the opportunity to enhance their knowledge of the practical implementation of measures foreseen by the CETS 182 in EU Member States. In addition, the Regional training provided an excellent opportunity for networking and exchanging experiences with colleagues from the region and with the CoE experts.

With regard to **Output 3** – *co-operation manual and other tools available for more effective co-operation against serious* crime – progress was made in relation to the Activity 3.2. – *Translation of explanatory reports on conventions in the field of international co-operation*, which was fully completed during the reporting period. The translations of explanatory reports are another useful tool for the prosecutors and practitioners in the field of international co-operation. While the inventory provides an easy reference tool to speed up the process of dealing with the cases, the insight into the background of the various convention provisions will help to increase the quality of incoming and outgoing mutual legal assistance requests. Furthermore, such explanatory reports will be in particular useful for working groups in the Ministries of Justice of project areas engaged in the process of drafting laws on international co-operation. In the long term this will result in the increased quality of legislation and international co-operation in general.

Regarding the Activity 3.3. – *Update of PACO Co-operation Manual* – not much progress was made during the reporting period, so this activity remains partially completed. Namely, in October 2009 the CoE Project Management sent the updated text of the Manual to the Ministries of Justice[15] requesting that the relevant departments review the text of the updated Manual and send either their final approval, or a revised text which reflects the legislation currently in force. The updates were carried out by locally hired consultants, in co-operation with the project contact persons and officials from MoJs working on international co-operation. The level of involvement of officials from the Ministries of Justice varied from one project area to another, and therefore it is necessary that the texts are formally approved by the Ministries of Justice prior to publication.

Output 4 – *contact points for judicial co-operation strengthened* – the 7th Meeting of Prosecutors' Network was organised with aim of amending the MoU. This activity, which is very important for the future co-operation of the Prosecutors' Network, was very successful and the amended MoU was agreed upon by the participants. It is worth mentioning the spirit of co-operation, consensus and compromise shown by all the participants in the meeting during the process of amending the MoU.

[15] Letters signed by the Director General of Human Rights and Legal Affairs were sent to the Ministers of Justice.

4 PARTNERS AND OTHER CO-OPERATION

Regarding co-operation with the project implementation partner, the Italian Ministry of Justice, it was resumed with regard to the organisation of the Meeting of General Prosecutors who will sign the amended MoU in January 2010. The Italian Ministry of Justice agreed to host and organise this high-level meeting.

As regards co-operation with the contact persons, the overall assessment is positive. However, more can be done in particular with regard to co-operation on the collection of statistics and other tangible information which will contribute to enhancing the performance indicators of the project.

5 VISIBILITY

The visibility of the project is ensured by:

1. Uploading information on upcoming project activities on the Web-site of the Economic Crime and Information Society Department of the Council of Europe:
http://www.coe.int/t/DGHL/cooperation/economiccrime/default_en.asp

2. Uploading approved project reports and information on project activities on the Web page of the project: www.coe.int/proseco

3. Using the logo of the EU-CoE joint projects on project documents, such as: programmes for meetings; list of participants, project reports, expert opinions, letters and other written documents produced within the framework of the project.

4. Distribution of visibility kits during training sessions.

5. Publication of press releases for conferences and training sessions.

6. Establishing a link at the web site of the State Prosecutor's Office of Croatia: http://www.dorh.hr/Default.aspx?sec=22

6 CONCLUSIONS AND RECOMMENDATIONS

As indicated by the participants of the 3rd Steering Committee Meeting in Skopje in October 2009, the project has marked significant progress in achieving its aim to strengthen regional co-operation against cross border crime. The co-operation of National Contact Points has been reinforced. National Contact Points of the Prosecutors' Network have highlighted the efficiency and value of the project during meetings organised by other international organisations. The amended MoU, and in particular the reference in the revised version to a number of Council of Europe conventions, will enhance possibilities for direct co-operation.

The organisation of a follow-up Roundtable on the draft Law on Prevention of Money Laundering and Financing of Terrorism of Kosovo, was a result of continued co-operation with EULEX, which is likely to continue.

The availability of explanatory reports on conventions in the field of international co-operation in the languages of project areas provides a useful tool that will help to enhance co-operation further and render it more efficient.

Recommendations

Following the activities that took place during the reporting period the following is recommended:

- To ensure the full compliance with international instruments that Albania has adhered to, the Albanian drafters of the Law on International Co-operation should consider adjusting the draft by taking into account the expert opinion;
- Working group of the Ministry of Economy and Finance of Kosovo and EULEX should ensure that suggestions from the expert opinion are incorporated into the draft Law on prevention of money laundering and financing of terrorism and seek further advice if necessary;
- Project areas should upload the translated explanatory reports on the existing Web-sites of the ministries of justice and general prosecutors' offices and should disseminate them as widely as possible within the judiciary;
- Project management (CoE) in co-operation with the contact persons from Serbia should confirm the topic of the project-area specific training and a date for this activity;
- Project management shall in co-operation with the contact persons from Albania, Bosnia and Herzegovina, Montenegro, "the former Yugoslav Republic of Macedonia" and Kosovo confirm dates and locations for in-project-area activities (the topics were agreed during the 3rd Steering Committee Meeting).

Follow up

In the period to be covered by the next Progress Report (1 December 2009 to 28 February 2010), emphasis will be placed on:

- Formal endorsement and signature of the amended Memorandum of Understanding by the General Prosecutors;
- Finalisation and publication of the PACO Co-operation Manual;
- Organisation of the final Regional thematic training on Witness Protection;
- Organisation of Internship for prosecutors to Germany;
- Organisation of in-project-area specific training in line with the agreed work plan;
- Finalisation of the Report on the overview of organisations in charge of ensuring international co-operation and fighting organised crime.