

**BUREAU OF THE
CONSULTATIVE COUNCIL OF EUROPEAN PROSECUTORS
(CCPE-Bu)**

Report
2nd meeting
Strasbourg, 7 – 9 February 2007

FOREWORD

At its 2nd meeting the Bureau of the CCPE:

- a. resolved to intensify co-operation between the CCPE and other bodies of the Council of Europe operating in the field of justice (see parts III and VIII of this report);
- b. set about drafting of an opinion on international co-operation in the field of criminal justice (see part III of this report);
- c. considered the reports on alternatives to prosecution, human rights training for prosecutors, and the role of the public prosecution service outside the criminal field, and decided that it would, at its next meeting, determine the order of priorities to be put to the CCPE (see part IV of this report);
- d. adopted the draft document on the CCPE's working methods (see part V and Appendix III to this report);
- e. adopted the reply to the message from the Committee of Ministers on the CCPE contribution to implementation of the Action Plan of the Third Summit (see part VI and Appendix IV to this report);
- f. gratefully accepted the Polish authorities' offer to host a conference of prosecutors in Warsaw in June 2007 (see part VII of this report);
- g. resolved to intensify international co-operation in the field of criminal justice with bodies external to the Council of Europe (see part VIII of this report) and took a number of decisions.

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I. INTRODUCTION

1. The Bureau of the Consultative Council of European Prosecutors (CCPE-Bu) held its 2nd meeting in Strasbourg from 7 to 9 February 2007. The meeting was chaired by Mr Harald Range (Germany) and the list of participants is shown as Appendix I to this report.

2. The Bureau considered and adopted the agenda, reproduced as Appendix II to this report.

3. The members of the Bureau were pleased that the European Committee on Crime Problems (CDPC) had approved the topic chosen for consideration by the CCPE in 2007, namely international co-operation in the field of criminal justice, and welcomed the suggestion of a joint meeting of the CCPE and CDPC Bureaux or, failing that, a meeting of the two Chairs (see also part II below).

4. They took note of progress in the work of the Committee of Experts on the Operation of European Conventions in the Penal Field (PC-OC) and welcomed the suggestion by the PC-OC Chair of a meeting with the CCPE Chair (see also part II below).

5. They proposed that the Vice-Chair of the PC-OC be invited to act as consultant to her committee in 2007 and asked the Secretariat to contact her to that end (see also part III below).

6. They welcomed the proposal by the Director of Poland's National Training Centre for the Officials of the Common Courts and the Public Prosecutor's Office that his Centre should co-host a conference of prosecutors on the general topic of international co-operation in the field of criminal justice, taking the view that such a conference would be a valuable contribution to the CCPE's ongoing work. They also thanked him warmly for his offer to host the 3rd meeting of the CCPE Bureau immediately after the conference and instructed the Secretariat to deal with the practicalities of following up this proposal (see also part VII below).

II. INFORMATION FROM THE SECRETARIAT

7. The Secretary of the CDPC told the Bureau that this committee had welcomed the CCPE's choice of subject for its first opinion. The CDPC would like to hold a joint meeting of the CCPE and CDPC Bureaux or, failing that, a meeting of the two Chairs.

8. The members of the Bureau welcomed the idea of a joint meeting of the CCPE and CDPC Bureaux or, failing that, a meeting of the two Chairs.

9. The Secretariat reported that the PC-OC was following the work of the CCPE on international co-operation in the field of criminal justice with particular interest. The subject was of central concern to the PC-OC, which would be giving particular consideration in 2007 to ways of improving extradition procedures. The PC-OC also planned to build a database and a network of contacts to monitor how conventions were applied in the criminal field. The PC-OC's working group, which would be meeting in May, would draw up a report on its work for the meeting of the CDPC scheduled for 18–21 June 2007.

10. The Bureau members took note of progress in the work of the PC-OC and welcomed the PC-OC Chair's suggestion of a meeting with the CCPE Chair. It was decided that Mr Range would represent the CCPE at the next meeting of the PC-OC.

III. EXCHANGE OF VIEWS ON THE DRAFT OPINION ON INTERNATIONAL CO-OPERATION IN THE FIELD OF CRIMINAL JUSTICE

11. The Bureau members discussed the preparation of a draft opinion on "international co-operation in the field of criminal justice" and took note, in this context, of the report on the work of Eurojust by Mr de Baynast, who represented France on the CCPE (see also doc. CCPE-Bu(2007)02), an oral report on the European Judicial Network presented by the CCPE Chair, Mr Harald Range, and comments by some members on the way in which these institutions worked.

12. Following this discussion, the Bureau emphasised that direct contacts at European level amongst the national correspondents were essential for effective co-operation, but that it was important to avoid any proliferation of networks. The list of contacts would need to be regularly updated, and good co-operation would require correspondents to be trained in and familiarised with the relevant instruments of international law.

13. Whilst Eurojust and the European Judicial Network covered the 27 European Union member states, it would be necessary to consider extending co-operation to all the member states of the Council of Europe and ensure that it worked well. To avoid duplication of effort, proper co-ordination of the work of the CCPE and the PC-OC was essential.

14. Some Bureau members drew attention to the fact that the opinion on international co-operation in the field of criminal justice should include an affirmation of the need for human rights to be upheld and safeguarded more effectively in the criminal field. Monitoring systems would also be needed in order for international co-operation to function properly.

15. The Bureau members agreed that international co-operation in the field of criminal justice could be effective only if the following conditions were met:

- the list of contacts in member countries was updated regularly;

- contact between interlocutors was easy and direct;
- interlocutors had the appropriate expertise and, preferably, practical experience in the field;
- organisation of the network's operations was clearly structured, with defined tasks and responsibilities;
- interlocutors received regular training in the relevant European instruments, notably those concerning extradition and human rights.

16. The Bureau noted that only 16 countries had replied, by the deadline set, to the questionnaire on international co-operation in the criminal field and asked the Secretariat to send out a reminder to those CCPE members who had not yet returned their questionnaires, setting a new deadline of 28 February.

17. It proposed that Ms Joana Gomes Ferreira (Portugal), Vice-Chair of the PC-OC, be invited to act as consultant to her committee in 2007 and asked the Secretariat to contact her to that end.

IV. IDENTIFICATION OF PRIORITY AREAS OF ACTION FOR THE CCPE FROM 2008

18. During the discussion on CCPE activities from 2008 onwards, the Bureau approved the working document on the role of the public prosecution service outside the criminal field, prepared by CCPE members representing Portugal, Hungary and the Russian Federation (see doc. CCPE-Bu(2007)06), and decided that those same members should draw up the relevant questionnaire in time for the next meeting, for submission to the CCPE for approval. The Office of the Prosecutor General of the Russian Federation was considering holding a conference on this topic in his country in 2008 and practical arrangements for this conference would thus be discussed at the next meeting once a formal invitation had been received from the Russian authorities.

19. Note was taken of the working document on alternatives to prosecution prepared by the CCPE member for France (see doc. CCPE(2007)05). One day of the CCPE meeting in 2007 would be set aside for discussion of this topic, and representatives of countries employing innovative practices in this regard would be invited to take part, as far as budgetary funds permitted. The CCPE might draft recommendations for good practice regarding alternatives to prosecution.

20. The French delegate would check available information on innovative practices and would prepare a consolidated document together with a plan for the collection of information about the various countries' experience, including details of practice regarding the role of judges.

21. The Bureau also took note of the working document on education and training in human rights matters, prepared by the CCPE members for Hungary and Portugal (see doc. CCPE-Bu(2007)07). In order to avoid duplication, the CCPE would need to take account, in drafting its opinion, of other Council of Europe work being done on human

rights training (for example the HELP programme launched in 2006 by the Directorate General of Human Rights). Consequently it would familiarise itself with that work in greater depth.

22. The Bureau expressed its gratitude to Mrs Gioia Scapucci of the Directorate General of Human Rights for her presentation of the system for monitoring compliance with Recommendation Rec(2004)4 on the European Convention on Human Rights in university education and professional training.

23. Emphasising the great importance of proper human rights training for prosecutors, the Bureau was keen for the CCPE to be involved in the various measures undertaken by the Council of Europe in this field.

24. The CCPE member for Finland would brief the Bureau on the human rights work of the International Association of Prosecutors and its "Standards of Professional Responsibility".

25. The Bureau also noted with interest the oral statement by the CCPE member for Poland on the relationship between the public prosecution service and the political authorities and agreed to study his written report at the next meeting. Consideration would be given to the desirability of organising a seminar with local prosecutors, to collect information that would be helpful in the preparation of an opinion on the subject.

26. In reply to the CCPE member for Italy, who asked if the Council of Europe had done more work on the subject of restorative justice, the Secretariat said that the issue was currently being studied but that no formal instrument had yet been drawn up.

27. The Bureau would discuss areas of action for the CCPE again at its next meeting and would determine the order of priorities to be put to the CCPE.

V. EXCHANGE OF VIEWS ON THE WORKING METHODS OF THE CCPE

28. The Bureau examined two documents on the CCPE's working methods (doc. CCPE-Bu(2006)02 rev and CCPE-Bu(2006)07). It approved document CCPE-Bu(2006)07, reproduced as Appendix III, and decided to submit this to the CCPE for adoption.

VI. REPLY TO THE MESSAGE FROM THE COMMITTEE OF MINISTERS CONCERNING THE CCPE'S CONTRIBUTION TO IMPLEMENTATION OF THE ACTION PLAN ON THE THIRD SUMMIT

29. The Bureau made amendments to the draft text of the reply to the message from the Committee of Ministers on the CCPE's contribution to implementation of the Action Plan of the Third Summit, adopting the text reproduced as Appendix IV to this report.

VII. CONFERENCE OF PROSECUTORS GENERAL OF EUROPE

30. The Bureau once again expressed its gratitude to the Polish authorities for offering to host the Conference of Prosecutors General of Europe on the general topic of international co-operation in the field of criminal justice, taking the view that such a conference would be a valuable contribution to the CCPE's work. But it wondered if the acronym for this event should be same as in previous years, now that these conferences had been replaced by the CCPE following the Committee of Ministers' decision to make them part of the formal institutional framework. As a result it was decided that a different name should be sought for the Warsaw Conference.

31. The Bureau also thought it should play an active role during the Conference. It instructed the Secretariat to liaise with the Polish authorities on practical arrangements for this event.

32. The draft programme for the Conference would be prepared by the Secretariat, in consultation with the Polish authorities and the CCPE Chair. The CCPE member for Poland said that the Polish organisers wanted the issues considered at the Conference to include co-operation in the fight against cybercrime, human trafficking and illegal working, and training for prosecutors.

33. The Secretariat commented that the Conference theme chosen was consistent with Council of Europe priorities.

34. Possible dates for the Conference were 4 and 5 June 2007, with the Bureau meeting held immediately after the Conference.

VIII. CO-OPERATION WITH OTHER BODIES

35. With a view to ensuring that action was co-ordinated, the Bureau reiterated that it was important for the CCPE to attend meetings of other Council of Europe bodies whose remit included work on justice or public safety. For the same reason, when bodies external to the Council of Europe held events on subjects within the CCPE's area of competence, the CCPE ought to attend. Consequently, the Bureau would like the necessary steps to be taken to ensure that the CCPE was represented at such events.

a. Co-operation with other bodies of the Council of Europe

i. *3rd European Conference of Judges*

36. At its first meeting the CCPE had decided that Mr Antonio Vercher Noguera (Spain) would represent the CCPE at the 3rd European Conference of Judges (Rome, 26 and 27 March 2007). The Bureau suggested that the Conference Secretariat should give Mr Vercher Noguera's speech the title: "The position of the Consultative Council of European Prosecutors (CCPE)" and that it should feature on the Conference programme after the statement by the representative of the Venice Commission.

37. The Bureau agreed that its representative would email the draft speech to members of the Bureau, asking them for possible suggestions as to its content.

38. Mr Vercher Noguera would report on the Conference to the next Bureau meeting.

39. The CCPE member for Italy also volunteered to attend the Conference of Judges. His offer was accepted.

ii. European Commission for the Efficiency of Justice (CEPEJ)

40. The Bureau confirmed that the CCPE was happy to act as the interface between the work of CEPEJ and prosecutors on all matters relating to the efficiency of justice in Europe. The CCPE could act as a facilitator between CEPEJ and prosecutors.

41. In response to CEPEJ's request that the CCPE should, in 2007, conduct an analysis of data on the status of judges and prosecutors referred to in the report "European Judicial Systems – edition 2006", which would yield conclusions for its ongoing operations (main trends in Europe, strengths, weaknesses, etc.), the Bureau decided to set up a working group with three members – Mr Olivier de Baynast (France), Mr Vito Monetti (Italy) and Mr João Manuel Da Silva Miguel (Portugal) – to study this dossier and prepare a report on it for the CCPE.

iii. Committee of Experts on the Operation of European Conventions in the Penal Field (PC-OC)

42. The Bureau said that its co-operation with PC-OC was fundamental in ensuring that the work of that committee was monitored effectively and the two bodies' activities were properly co-ordinated (see also parts II and III above).

b. Co-operation with bodies external to the Council of Europe

i. European Commission – AGIS project on "Information and Communication Technology for Public Prosecutors' Offices"

43. The Bureau noted the offer by the AGIS project leaders to send CCPE members a questionnaire compiled as part of their project, the findings of which were to be presented at the Final Conference in Bologna on 12 and 13 October 2007. Given the length of this questionnaire and the fact that CCPE members were currently working on their replies to the Bureau's own questionnaire, it was decided not to accept this offer.

44. However, Mr Vito Monetti would represent the CCPE at the Bologna Conference and his statement would take account of the issues raised by the questionnaire.

ii. Eurojustice Conference

45. The Bureau took note of Mr Péter Polt's information on preparations for the Eurojustice Conference to be held in Ljubljana from 24 to 26 October 2007. It was

interested in establishing contacts between the CCPE and the Conference, given that the objectives of the two bodies were similar. Since the Conference had no formal status, co-operation could not be on an official footing. As a result it was decided that Mr Polt would get in touch with the officials responsible at Eurojustice and would attend the Ljubljana Conference in his dual capacity as member of the Hungarian Prosecutor's Office and member of the CCPE.

iii. *Ecole Nationale de la Magistrature (Legal Service Training College) (ENM) – France*

46. The Bureau welcomed the initiative of the French Court of Cassation and Senate to hold a colloquy on "The future of the public prosecution service". This event, organised by ENM, would take place in Paris on 12 October 2007. The Secretariat was instructed to liaise with the organisers on the CCPE's participation in this event.

IX. NEXT MEETING OF THE CCPE BUREAU

47. The Bureau would hold its next meeting in Poland from 6 to 8 June 2007 (subject to the Secretary General's permission for the meeting to be held away from Strasbourg).

X. OTHER BUSINESS

48. The Bureau congratulated the Russian Federation delegation on the 285th anniversary of the Russian *Prokuratura*.

49. The Bureau extended warmest thanks to Ms Simona Ghita, Directorate General of Legal Affairs, for the presenting CCPE's new website and suggested a few improvements.

APPENDIX I

LIST OF PARTICIPANTS/LISTE DES PARTICIPANTS

Members of the Bureau / Membres du BureauFINLAND / FINLANDE

Ms Raija TOIVIAINEN, State Prosecutor, Head of the International Unit, HELSINKI

France

M. Olivier de BAYNAST, Procureur Général près de la Cour d'Appel d'Amiens

Germany / Allemagne

Mr Harald RANGE, Generalstaatsanwalt, Generalstaatsanwaltschaft Celle

Chair / Président

Hungary / Hongrie

Mr Peter POLT, Chief Prosecutor, Head of Criminal Trial Cases, Office of the Prosecutor
General, BUDAPEST

Vice-Chair/Vice-Président

Italy / Italie

M. Vito MONETTI, Substitut du Procureur de la République, ROME

Poland / Pologne

Mr Jerzy SZYMAŃSKI, Public Prosecutor, National Prosecutor's Office, Ministry of
Justice, Organised Crime Bureau, WARSAW

Portugal

M. João Manuel DA SILVA MIGUEL, Procureur Général Adjoint, Procuradoria-Geral
da República, LISBONNE

Russian Federation / Fédération de Russie

Mr Yuri CHAIKA, Prosecutor General, Office of the Prosecutor General, MOSCOW

Apologised / Excusé

Mr Alexander ZVYAGINTSEV, Deputy Prosecutor General, MOSCOW

Mr Vladimir ZIMIN, First Deputy Chief, Office of the Prosecutor General, MOSCOW

Slovakia / Slovaquie

Ms Katarína LAIFEROVA, Head of the Office of the Prosecutor General,
BRATISLAVA

Spain / Espagne

Mr Antonio VERCHER NOGUERA, Deputy Attorney General, Fiscalia General del Estado, MADRID

United Kingdom / Royaume-Uni

Mr Roy JUNKIN, Deputy Director of Public Prosecutions, Public Prosecution Service for Northern Ireland, BELFAST

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

Ms Margaret KILLERBY, Head of the Department of Crime Problems, (DGI)

Ms Bridget T. O'LOUGHLIN, Head of the Division of Criminal Justice, (DGI)

Ms Danuta WIŚNIEWSKA-CAZALS, **Secretary of the CCPE**, (DGI)

Ms Nadiejda NIKITINA, Assistant, (DGI)

INTERPRETERS / INTERPRÈTES

Mr Philippe QUAINÉ

Mrs Sylvie BOUX

Mrs Corinne McGEORGE

Mrs Nadejda PRASOLOVA (member of the Russian delegation)

APPENDIX II

AGENDA / *ORDRE DU JOUR*

1. Opening of the meeting / *Ouverture de la réunion*
2. Adoption of the agenda / *Adoption de l'ordre du jour*
3. Information by the Secretariat / *Informations par le Secretariat*
4. Exchange of views on the draft opinion on « international co-operation in the criminal justice field » / *Echange de vues sur le projet d'avis sur « la coopération internationale dans le domaine pénal »*

Background documents / *Documents de référence*

Answers provided by national delegations to the questionnaire / *Réponses au questionnaire fournies par les délégations nationales*

CCPE-Bu (2007) 01

Information on Eurojust activities / *Informations sur les activités d'Eurojust*

CCPE-Bu (2007) 02

Draft meeting report, 3rd meeting of the restricted Group of experts on international co-operation (PC-OC Mod) Strasbourg, 22-23 January 2007 / *Projet de rapport, 3e réunion du Groupe limité d'experts sur la coopération internationale*

PC-OC Mod (2007) 03

5. Identification of priority areas of action under the framework overall action plan for the CCPE to be undertaken from 2008 / *Identification des domaines d'action prioritaires au vu du Programme cadre d'action générale pour le CCPE à entreprendre à partir de 2008*

Working documents / *Documents de travail*

Framework Overall Action Plan for the CCPE / *Programme cadre d'action générale pour le CCPE*

CCPE (2006) 05 rev final

Les mesures alternatives aux poursuites décidées par le procureur. Exemple de la pratique française (French only)

CCPE-Bu (2007) 05

Education and training on human rights matters / *Education et formation dans le domaine des droits de l'Homme*

CCPE-Bu (2007) 07

Role of the Public Prosecution Service outside the criminal field / *Le rôle du ministère public en dehors du domaine pénal*

CCPE-Bu (2007)08

Background documents / Documents de référence

Report of the 1st meeting of the CCPE Bureau (Strasbourg, 18-20 December 2006) / *Rapport de la 1re réunion du Bureau du CCPE (Strasbourg, 18-20 décembre 2006)*

CCPE-Bu (2006) 08

Report of the 1st meeting of the CCPE (Moscow, 6 July 2006) / *Rapport de la 1re réunion du CCPE (Moscou, 6 juillet 2006)*

CCPE (2006) 06

Terms of reference of the CCPE for 2007 and 2008 / *Mandat du CCPE pour 2007 et 2008*

CCPE (2006) 04 rev final

6. Exchange of views on the working methods of the CCPE / *Echange de vues sur les méthodes de travail du CCPE*

Working documents / Documents de travail

Working methods of the CCPE / *Méthodes de travail du CCPE*

CCPE-Bu (2006) 02 rev

CCPE-Bu (2006) 07

7. Preparation and adoption of a reply to the Committee of Ministers on the contribution of the CCPE to help implement the Action Plan of the Third Summit / *Elaboration et adoption d'une réponse au Comité des Ministres relative à la contribution du CCPE à la mise en oeuvre du Plan d'Action du Troisième Sommet*

Working document / Document de travail

Draft reply to the Committee of Ministers on the contribution of the CCPE to help implement the Action Plan of the Third Summit / *Projet de réponse au Comité des Ministres relative à la contribution du CCPE à la mise en oeuvre du Plan d'Action du Troisième Sommet*

CCPE-Bu (2007) 04

Background documents / Documents de référence

Warsaw Declaration – Third Summit of Heads of State and Government of the Council of Europe (Warsaw, 16-17 May 2005) / *Déclaration de Varsovie – Troisième Sommet des Chefs d’Etat et de Gouvernement du Conseil de l’Europe (Varsovie, 16-17 mai 2005)*

CM (2005) 79 final

Action plan – Third Summit of Heads of State and Government of the Council of Europe (Warsaw, 16-17 May 2005) / *Plan d’Action – Troisième Sommet des Chefs d’Etat et de Gouvernement du Conseil de l’Europe (Varsovie, 16-17 mai 2005)*

CM (2005) 80 final

Message from the Committee of Ministers to Committees involved in intergovernmental co-operation at the Council of Europe / *Message du Comité des Ministres aux Comités oeuvrant dans le cadre de la coopération intergouvernementale du Conseil de l’Europe*

CCPE (2006) CM Message 2

8. Exchange of views on the organisation of the Conference of Prosecutors General of Europe / *Echange de vues sur l’organisation de la Conférence des Procureurs généraux d’Europe*

Background document / Document de référence

Report of the 1st meeting of the CCPE Bureau (Strasbourg, 18-20 December 2006) / *Rapport de la 1re réunion du Bureau du CCPE (Strasbourg, 18-20 décembre 2006)*

CCPE-Bu (2006) 08

9. Exchange of views on co-operation of the CCPE with other bodies of the Council of Europe / *Echange de vues sur la coopération du CCPE avec d’autres instances du Conseil de l’Europe*

9.1 3rd European Conference of Judges of the CCJE / *3e Conférence européenne des juges du CCJE*

Draft programme / Projet de programme

► contribution of Mr Antonio Vercher Noguera / *contribution de M. Antonio Vercher Noguera*

9.2 Contribution to the follow-up of the CEPEJ report on European judicial systems / *Contribution au suivi du rapport de la CEPEJ sur les systèmes judiciaires européens*

Background documents / Documents de référence

Abridged report of the 8th meeting of the CEPEJ (6-8 December 2006), item 5 / *Rapport abrégé de la 8e réunion de la CEPEJ (6-8 décembre 2006), point 5*

CEPEJ (2006) 20

Report of the 1st meeting of the CCPE Bureau (Strasbourg, 18-20 December 2006) / *Rapport de la 1re réunion du Bureau du CCPE (Strasbourg, 18-20 décembre 2006)*

CCPE-Bu (2006) 08

10. Exchange of views on co-operation of the CCPE with bodies external to the Council of Europe / *Echange de vues sur la coopération du CCPE avec des entités extérieures au Conseil de l'Europe*

10.1 European Commission – AGIS Project on "Information and Communication Technology for Public Prosecutor's Offices" / *Commission européenne – projet AGIS sur "Technologies d'Information et de Communication pour les ministères publics"*

Working document / Document de travail

Information and communication technology for Public Prosecutor's Office, AGIS Project / *Technologie d'information et de communication pour le ministère public, Projet AGIS*

CCPE-Bu (2007) 08

Background document / Document de référence

Memorandum on AGIS Project / *Memorandum sur le projet AGIS*

CCPE-Bu (2006) 03

English only / anglais seulement

10.2 Eurojustice Conference / *Conférence Eurojustice*

Background document / Document de référence

Report of the 1st meeting of the CCPE Bureau (Strasbourg, 18-20 December 2006) / *Rapport de la 1re réunion du Bureau du CCPE (Strasbourg, 18-20 décembre 2006)*

CCPE-Bu (2006) 08

11. Any other business / *Divers*

APPENDIX III

WORKING METHODS OF THE CCPE AND ITS BUREAU

1. The CCPE and its Bureau shall comply with instructions given by the Committee of Ministers and in particular with the provisions of Resolution Res(2005)47 on subordinate bodies, their terms of reference and working methods.

2. Decisions concerning the following matters shall only be taken by the full membership of the CCPE unless, on an exceptional basis, specifically delegated to the Bureau:

- adoption of draft terms of reference of the CCPE for the attention of the Committee of Ministers;
- adoption of opinions of the CCPE for the attention of the Committee of Ministers;
- admission of observers to the CCPE;

3. The Bureau shall act on behalf of the CCPE and carry out its work in accordance with instructions given by the CCPE. In particular it shall carry forward the business of the CCPE between plenary meetings and propose matters for inclusion on the draft agenda of future CCPE meetings.

4. The Bureau shall submit matters for decision to the CCPE if there is no consensus in the Bureau.

5. Decisions taken by the Bureau shall be reported to the CCPE as soon as possible.

6. Wherever possible documents for a CCPE meeting shall be made available on the website within the following time limits:

- at least 6 weeks in advance: the draft agenda;
- at least 3 weeks in advance: draft texts submitted for adoption by the CCPE and texts requiring a decision by the CCPE;
- at least 2 weeks in advance: documents for the CCPE meeting;

6. It is the responsibility of CCPE representatives to ensure that the Secretariat has their latest e-mail addresses in particular to enable the Secretariat to contact them urgently by e-mail. Where an urgent written procedure by e-mail is used the Secretariat will send a reminder by e-mail to delegations just before the end of the time limit set for reply. Absence of a reply within the time limit will be interpreted as approval of the proposed decision.

APPENDIX IV

**REPLY FROM THE CONSULTATIVE COUNCIL OF EUROPEAN PROSECUTORS TO
THE MESSAGE FROM THE COMMITTEE OF MINISTERS
CONCERNING ITS CONTRIBUTION TO IMPLEMENTATION OF THE ACTION PLAN OF
THE THIRD SUMMIT OF HEADS OF STATE AND GOVERNMENT OF THE COUNCIL OF
EUROPE
(Warsaw, 16-17 May 2005)**

The table below presents the envisaged work to be carried out by the CCPE, taking into account the Warsaw Declaration and the Action Plan adopted during the Third Summit (16-17 May 2005), referring to the road map as updated by the Committee of Ministers on 28 September 2006, in the light of the developments which have occurred since September 2006.

This table will be regularly updated by the Secretariat on the basis of the work carried out by the CCPE in order to present it to the Committee of Ministers in accordance with its request to be regularly informed about this matter.

Working document prepared by the Secretariat
Directorate General I – Legal Affairs

I – PROMOTING COMMON FUNDAMENTAL VALUES: HUMAN RIGHTS, RULE OF LAW AND DEMOCRACY

ITEMS OF THE ACTION PLAN	TASKS OF THE CCPE
<p>2. Protecting and promoting human rights through the other Council of Europe institutions and mechanisms</p> <p>As the primary forum for the protection and promotion of human rights in Europe, the Council of Europe shall – through its various mechanisms and institutions – play a dynamic role in protecting the right of individuals and promoting the invaluable engagement of non-governmental organisations, to actively defend human rights.</p>	<p>Further to the preliminary study and conclusions of the Budapest Conference of Prosecutors General of Europe (May 2005) with regard to the public prosecutor’s <u>competencies outside the criminal field</u>, the CCPE has undertaken a study on training of public prosecutors in human rights in order to reinforce protection of human rights. It plans to undertake further inquiries on the subject in view of the preparation of an opinion.</p>
<p>We also ask for regular updates of the European Prison Rules as the basis for the setting-up of standards in prisons. The Council of Europe will assist member states to ensure their implementation.</p>	<p>In the light of the recent updating of the European Prison Rules, study the relationship between public prosecution services and <u>prison administrations</u> including the role of public prosecutors in ensuring the respect of human rights of persons deprived of their liberty. Prepare an opinion on this matter.</p>
<p>We reiterate our commitment to <u>guarantee and promote</u> freedom of expression and information and freedom of the media as a core element of our democracies.</p>	<p>Taking into account the conclusions of the 2nd European conference of Judges, held in Cracow in April 2005, on “Justice and the media”, the possibility of defining guidelines on the relationship between <u>prosecution services and the media</u> should be considered, in close co-operation with the Consultative Council of European Judges (CCJE).</p>
<p>We will make full use of the Council of Europe’s standard-setting potential and promote implementation and further development of the Organisation’s legal instruments and mechanisms of legal co-operation, keeping in mind the conclusions of the 26th Conference of European Ministers of Justice (Helsinki, 7-8 April 2005).</p>	<p>Study ways and means to improve <u>international co-operation</u> between public prosecutors in Europe, on the basis of articles 37-39 of Rec (2000) 19, and taking into account conclusions of the High level Conference of the Ministries of Justice and of the Interior (Moscow, November 2006) and in co-operation with the Committee of Experts on the Operation of Conventions in Criminal Matters (PC-OC). Prepare an opinion on this matter before the end of 2007 in the light, in particular, of information provided by practitioners in the member states.</p>
	<p>With reference to Recommendation (2000) 19 (articles 8,9,11,36) and the conclusions of the Conference of Ministers of Justice (Helsinki</p>

	<p>2005) on the issue of restorative justice, and taking into account conclusions of the High level Conference of the Ministries of Justice and of the Interior (Moscow, November 2006) undertake a study on the contribution by the public prosecution service to the establishment of <u>the criminal justice policy</u>. In particular, inquiries should be made with regard to possibilities of developing discretionary powers to decide on alternatives to prosecution and measures of restorative justice.</p> <p>Prepare an opinion on this matter</p>
<p>We decide to develop the evaluation and assistance functions of the European Commission for the Efficiency of Justice (CEPEJ) and to make proper use of the opinions given by the Consultative Council of Judges of Europe (CCJE) in order to help member states to deliver justice fairly and rapidly and to develop alternative means for the settlement of disputes.</p>	<p>In close co-operation with the European Commission for the efficiency of justice (CEPEJ), and with reference to the Recommendation Rec (2000)19 and other relevant instruments of the Council of Europe, the contribution of public prosecution services to improving the <u>administration and management of justice</u> should be examined.</p> <p>Prepare an opinion on this matter.</p> <p><u>Follow the work and activities</u> undertaken in the Council of Europe, in particular those of the Consultative Council of European Judges (CCJE), that are of relevance to the public prosecution services.</p>
<p>4. Ensuring compliance of the commitments made by member states and promoting political dialogue:</p> <p>We will continue our common efforts to ensure strict compliance with the commitments of member states to the common standards to which they have subscribed. Standard-setting in the field of justice and other relevant areas of law as well as non-discriminatory monitoring processes should continue to be used to help member states address the problems and develop their legal systems. Monitoring must, as necessary, be accompanied by Council of Europe assistance and technical support. In this context, we encourage continued co-operation in the training of judges and law enforcement officials.</p>	<p>Referring to Recommendation Rec (2000)19, and in particular art. 35, consider ways and means of promoting the “European Guidelines on <u>ethics and conduct of prosecutors</u>” (the “Budapest Guidelines” – 6th CPGE, May 2005).</p> <p>Prepare an opinion on training of prosecutors.</p>

II – STRENGTHENING THE SECURITY OF EUROPEAN CITIZENS

ITEMS OF THE ACTION PLAN	TASKS OF THE CCPE
<p>1. Combating terrorism</p> <p>We strongly condemn terrorism, which constitutes a threat and major challenge to our societies. It requires a firm, united response from Europe, as an integral part of the worldwide anti-terrorist efforts under the leadership</p>	<p>The activities undertaken by the CCPE in order to improve the co-operation in Europe in criminal field will contribute to those which aim at combating terrorism. In particular, the CCPE will focus on the</p>

<p>of the United Nations. We welcome the new Council of Europe Convention on the Prevention of Terrorism opened for signature during the Summit and draw attention to other instruments and documents that the Council of Europe has drawn up so far to combat terrorism. We call on all member states to respect human rights and to protect victims when combating this scourge, in accordance with the guidelines drawn up by the Council of Europe in 2002 and 2005 respectively.</p> <p>We will identify other targeted measures to combat terrorism and ensure close co-operation and co-ordination of common anti-terrorist efforts with other international organisations, in particular the United Nations.</p>	<p>development of specialisation to respond to different forms of criminality, such as organised crime, trafficking in human beings, terrorism, corruption, cybercrime, counterfeiting, domestic violence, sexual exploitation of children and money laundering, and the recourse to teams of specialists, including multidisciplinary teams to assist public prosecutors in carrying out their functions.</p> <p>The CCPE is available for co-operation with other bodies of the Council of Europe in this matter.</p>
<p>2. Combating corruption and organised crime</p> <p>The Group of States against Corruption (GRECO) has proved its effectiveness. Accordingly, we urge those member states that have not already joined it to do so as soon as possible and to ratify the criminal and civil law conventions on corruption. Since corruption is a worldwide phenomenon, the Council of Europe will step up its co-operation with the OECD and the United Nations to combat it on a global level. An increase in the membership of GRECO and its further enlargement to non-member states of the Council of Europe would help achieve this goal.</p>	<p>The activities undertaken by the CCPE in order to improve the co-operation in Europe in criminal field will contribute to those which aim at combating corruption and organised crime. In particular, the CCPE will focus on the development of specialisation to respond to different forms of criminality, such as organised crime, trafficking in human beings, terrorism, corruption, cybercrime, counterfeiting, domestic violence, sexual exploitation of children and money laundering, and the recourse to teams of specialists, including multidisciplinary teams to assist public prosecutors in carrying out their functions.</p> <p>The CCPE is available for co-operation with other bodies of the Council of Europe in these matters.</p>
<p>We also commend the work undertaken by MONEYVAL for monitoring anti-money-laundering measures, including the financing of terrorism. MONEYVAL should continue to strengthen its ties with the Financial Action Task Force on Money Laundering (FATF) under the aegis of the OECD.</p> <p>We welcome the revision of the 1990 Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and the opening for signature of the revised Convention at the Summit. We call for its signature and ratification.</p> <p>The Council of Europe will continue to implement its technical assistance programmes for interested member states. It will also support strengthened international co-operation in the fight against transnational organised crime and drug trafficking.</p>	<p>The activities undertaken by the CCPE in order to improve the co-operation in Europe in criminal field will contribute to those which aim at combating corruption and organised crime, including the financing of terrorism. In particular, the CCPE will focus on the development of specialisation to respond to different forms of criminality, such as organised crime, trafficking in human beings, terrorism, corruption, cybercrime, counterfeiting, domestic violence, sexual exploitation of children and money laundering, and the recourse to teams of specialists, including multidisciplinary teams to assist public prosecutors in carrying out their functions.</p> <p>The CCPE is available for co-operation with other bodies of the Council of Europe in this matter.</p>
<p>3. Combating trafficking in human beings:</p> <p>We firmly condemn trafficking in human beings which undermines the enjoyment of human rights and is an</p>	<p>The activities undertaken by the CCPE in order to improve the co-operation in Europe in criminal field</p>

<p>offence to the dignity and integrity of the human being. We welcome the opening for signature at the Summit of the Council of Europe Convention on Action against Trafficking in Human Beings and call for its widest possible ratification and swift entry into force. This is a major step in the fight against trafficking. It will strengthen the prevention of trafficking, the effective prosecution of its perpetrators and the protection of the human rights of the victims. The independent monitoring mechanism set up by the Convention will ensure its effective implementation by the Parties. We will ensure close co-operation between the Council of Europe, the United Nations, the European Union and the OSCE in this field.</p>	<p>will contribute to those which aim at combating trafficking in human beings. In particular, the CCPE will focus on the development of specialisation to respond to different forms of criminality, such as organised crime, trafficking in human beings, terrorism, corruption, cybercrime, counterfeiting, domestic violence, sexual exploitation of children and money laundering, and the recourse to teams of specialists, including multidisciplinary teams to assist public prosecutors in carrying out their functions. The CCPE is available for co-operation with other bodies of the Council of Europe in this matter.</p>
<p>4. Combating violence against women</p> <p>The Council of Europe will take measures to combat violence against women, including domestic violence. It will set up a task force to evaluate progress at national level and establish instruments for quantifying developments at pan-European level with a view to drawing up proposals for action. A pan-European campaign to combat violence against women, including domestic violence, will be prepared and conducted in close co-operation with other European and national actors, including NGOs.</p>	<p>The CCPE is available for co-operation with other bodies of the Council of Europe in this matter.</p>
<p>5. Combating cybercrime and strengthening human rights in the information society</p> <p>We confirm the importance of respect for human rights in the information society, in particular freedom of expression and information and the right to respect for private life.</p>	<p>Participate in the AGIS Programme of the European Commission on "Information and Communication Technology for Public Prosecutor's Offices".</p>

III – BUILDING A MORE HUMANE AND INCLUSIVE EUROPE

We are convinced that social cohesion, as well as education and culture, are essential enabling factors for effective implementation of Council of Europe core values in our societies and for the long-term security of Europeans. The Council of Europe will therefore promote a model of democratic culture, underpinning law and institutions and actively involving civil society and citizens.

ITEMS OF THE ACTION PLAN	TASKS OF THE CCPE
<p>2. Building a Europe for children</p> <p>We are determined to effectively promote the rights of the child and to fully comply with the obligations of the United Nations' Convention on the Rights of the Child. A child rights perspective will be implemented throughout the activities of the Council of Europe and effective co-ordination of child-related activities must be ensured within the Organisation.</p>	<p>With reference to the Council of Europe's works in the field of legal protection of the family, undertake a study on the public prosecutor's role with regard to <u>children and juveniles</u>, taking into account the work and conclusions of the CPGE in Bratislava (June 2003) on juvenile delinquency and to the various instruments of the Council of Europe of relevance to this issue.</p> <p>Undertake an examination of the duties of public prosecutors towards <u>victims and witness</u>, in</p>

We will take specific action to eradicate all forms of violence against children. We therefore decide to launch a three-year programme of action to address social, legal, health and educational dimensions of the various forms of violence against children. We shall also elaborate measures to stop sexual exploitation of children, including legal instruments if appropriate, and involve civil society in this process.

Co-ordination with the United Nations in this field is essential, particularly in connection with follow-up to the optional protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography.

particular those who are juveniles, taking into account the Conclusions of the Moscow Conference (July 2006).

Prepare opinions on these two themes.