

# Conference of European Prosecutors General

3<sup>rd</sup> Session

organised by the  
Council of Europe  
in co-operation with the  
Principal State Prosecutor of Slovenia

*Ljubljana, 12 – 14 May 2002*

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**The future EUROPEAN DATABASE  
on PUBLIC PROSECUTION  
Technical memorandum from the *Conference Bureau*  
(2 May 2002)**

*At its meeting in Bucharest (16 May 2001),  
the Conference of European Prosecutors General  
instructed its Bureau  
to study the arrangements for a future database  
on Public Prosecution.  
This memorandum sets out the Bureau's proposals,  
on which the Conference is invited to give an opinion  
at its meeting in LJUBLJANA.*

In accordance with the instructions given to it, and in liaison with Council of Europe specialists in this field, the *Bureau* has defined the content and arrangements for a future “*database on public prosecution*”.

## **I.- OBJECTIVES**

There are several objectives, including :

\_to adopt a comparative approach at a time when both public prosecution services and procedural law are undergoing wide-ranging reform.

Each public prosecution service must therefore have access to legal texts governing the organisation, status and procedural law applied in all other European public prosecution systems.

\_to promote the harmonisation of public prosecution services on the basis of common principles set out not only in Recommendation (2000) 19 but also in other official Council of Europe texts concerning public prosecution services.

The main aim is to simplify access to all of the documents concerned, while stressing their importance for public prosecution.

\_to facilitate relations, exchanges, co-operation and mutual assistance between the various public prosecution services; this also requires wide knowledge of the specific features of each service.

\_to identify the problems currently facing each prosecution service to help the *Conference* decide what needs to be done in future.

On the other hand, the *Bureau* decided that it was there was no point including documents concerning international co-operation in the future database as useful notes has already been drawn up on the Council of Europe's initiative and will soon be accessible on the Internet.

## **II.- ARRANGEMENTS**

The purpose of the future database will be to make the following information available to all public prosecution services represented at the *Conference*:

\_ information on public prosecution services already gathered by the Council of Europe at its various meetings and the various relevant texts (conventions, resolutions, recommendations, etc)

\_ information gathered from each public prosecution service on previously determined issues.

The database will be housed on the Council of Europe website, in the part already reserved for the *Conference of European Prosecutors General*.

If this database is to be successful,

\_ each public prosecution service must undertake to forward the information requested in one of the Council of Europe's two official languages and in electronic form (via the web, for example)

– each public prosecution service must undertake to update the relevant information, at regular intervals still to be specified ; this will require the appointment of a specialist, who can be contacted by the database manager.

– the Council of Europe must earmark funds for the setting up and running this database (protecting data, defining research criteria, translating information into the other official language, updating information, etc).

### **III.- CONTENT of the INFORMATION to be forwarded by each Public Prosecution Service**

The information to be forwarded and updated should, in the first place, concern :

- constitutional texts or Basic Laws specifically concerning the public prosecution service
- laws and other standard-setting texts concerning not only the powers and responsibilities of public prosecution services but also their organisation and the status of members
- codes or conduct and ethics for members of public prosecution services
- certain texts on criminal procedure directly concerning the role of the public prosecutor, insofar as it is related to the issues discussed in *Recommendation (2000) 19*
- particularly significant case-law decisions, on the same subject
- draft reforms and recent laws which are, for one reason or another, of relevance to the public prosecution service, as well as studies and research concerning public prosecution.

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*The Ljubljana meeting should give the  
Conference of Prosecutors General the opportunity  
to give its opinion on this project  
and to give its Bureau instructions concerning its implementation .*