

Strasbourg, 19 February 2003

*Short address of the web site of the Conference : <http://www.coe.int/prosecutors/>*

**Conference of Prosecutors General of Europe**  
4th session

**organised by the Council of Europe  
in co-operation with the  
Prosecutor General of the Slovak Republic**

Bratislava, 1 – 3 June 2003

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**QUESTIONNAIRE**  
**designed with a view to preparing the**  
**BRATISLAVA**  
**conference**

*Conference of Prosecutors General of Europe  
Co-ordinating Bureau*

*Strasbourg, 19 February 2003*

*The Chairman*

*to*

*The Prosecutors General*

*Dear Sir or Madam,*

*I have the honour of requesting your assistance with a view to the preparations for our next session, which will take place in Bratislava (Slovak Republic) from 1 to 3 June.*

*The programme for this session is enclosed, and the invitations should reach you shortly.*

*To enable the Bureau to prepare the ground as well as possible, I should also be grateful if you could answer the enclosed questionnaire.*

*Thank you in advance for your assistance.*

*Yours faithfully,*

*Marc ROBERT*

*Replies to this questionnaire should be sent to*

*Council of Europe  
for the attention of Mr Candido Cunha  
67075 Strasbourg cedex, France*

*by the end of March 2003.*

You may also contact us preferably by e-mail ([candido.cunha@coe.int](mailto:candido.cunha@coe.int))  
or alternatively by fax (+33 388 41 20 52)  
or telephone (+33 388 41 22 15)

### **1.- State of implementation of Recommendation (2000) 19 on the role of public prosecution in the criminal justice system**

To enable an assessment of implementation of the recommendation, which contains guiding principles common to all public prosecution services in Europe, please provide information on:

- reforms and initiatives of any kind undertaken in 2002 or early 2003, concerning all public prosecutors and based on all or part of the recommendation
- future plans in this area.

### **2.- Official recognition of the Conference of Prosecutors General of Europe**

As was the case in Bucharest in 2001, the 3rd plenary session, held in Ljubljana in May 2002, constituted an opportunity (cf. point 2 of the Conclusions) to request that the Committee of Ministers of the Council of Europe officially recognise the Conference as a fully-fledged body, in the same way as the Consultative Council of European Judges, and allot it the material resources necessary to its functioning.

It has so far not been possible to obtain this recognition, as some member states' representatives have expressed reservations and asked that the Conference, as an advisory body, be attached not to the Committee of Ministers direct, but to the European Committee on Crime Problems (on this subject see the report of the 4th meeting of the Bureau, to be found on the Council of Europe web-site).

Could you please give your opinion on this issue, which will determine the Conference's institutional strength and independence. Please also state the considerations on which you base your opinion.

### **3.- Main theme of the Bratislava conference: political influence over public prosecution**

At the request of a number of Prosecutors General, it has been decided to make the above matter the main theme of the next session, so as to enable representatives of public prosecution services who so wish to report any difficulties they have encountered and discuss in greater depth the guiding principles already set out in the recommendation, particularly those relating to public prosecutors' institutional role and impartiality.

To fuel the discussions, you may, if you desire, submit your thoughts on this theme, which you might expand upon in Bratislava.

### **4.- International co-operation in criminal matters: setting up "contact points" between public prosecution services**

In view of the conclusions of the Ljubljana meeting (see point 5), the Bureau proposes setting up a network of contact points, bringing together all the member states of the Council of Europe, including those that are members of the European Union.

These contact points should be made up solely of members of the public prosecution service, and their chief purpose should be to facilitate international co-operation in criminal matters between public prosecution services by supplying information on request relating to procedure to be followed and the authorities concerned. The aim would therefore be to provide assistance of a documentary nature. Save exceptions, the network would not have a functional role, since, under the international conventions in force, it is still diplomatic channels that predominate.

From a practical standpoint, the Bureau thought it inexpedient to increase the number of lists of correspondents, in view of the fact that the Council of Europe has already drawn up a "list of persons involved in the practical application of European Conventions" (cf. document PC-OC/INF.6 of 18.10.2002, appended hereto).

With a view to the Bratislava conference, you are requested to indicate:

- whether you endorse the Bureau's proposals;
- where the above-mentioned list, appended hereto, already contains the name of a member of your country's public prosecution service specialising in international co-operation in criminal matters, whether that person could in future play the role of "contact point", as defined above;
- where this is not the case, whether another public prosecution service official (or several if your public prosecution service has no centralised organisation) could assume this role (please specify the working languages and personal particulars (name, address, etc.) of the person(s) concerned).

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