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Conference's website address: [www.coe.int/prosecutors](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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Memorandum introducing the theme  
**“Co-operation between prosecutors’ offices in Europe:  
future prospects”**  
prepared by  
Mr Marc Robert, Chair of the Bureau

Apart from its task of promoting the harmonisation of prosecutors’ offices on the basis of the guiding principles laid down in *Recommendation 2000(19)*, the *Conference of Prosecutors General of Europe* is chiefly concerned to encourage co-operation between them. The Committee’s aim is to identify prospects for future action in this area.

More specifically, three themes will be considered:

### **Evaluation of the implementation of *Recommendation 2000(19)* by prosecutors’ offices in member states**

So far, the extent to which individual prosecutors’ offices have applied the *Recommendation* has been gauged with the help of various questionnaires, sent out and processed by the *Bureau*. The working seminars organised by the *Council of Europe* on a co-operative basis

have also provided opportunities to discuss reform projects with reference to this *Recommendation*.

As the conclusions of previous plenary sessions of the *Conference* have suggested, the important thing now is to decide whether this can be taken further, and to work out the practicalities of new forms of exchange.

On the basis of the report by Mr Knut H. Kallerud, Prosecutor in the Office of the Director of Public Prosecutions in Norway, the Committee will thus be discussing the usefulness of introducing a reciprocal assessment system, of the kind already used by several international agencies.

Establishment of a network of contact points between prosecutors' offices in Europe

On the basis of the report by Mr Marc Van Erve, Chief Prosecutor, Rotterdam (Netherlands), the Committee will be required to decide on the *Bureau's* project, and on practical details of its implementation, bearing in mind the results of the survey of all directors of prosecutors' offices .

### **Future work of the Conference**

Since the *Conference of Prosecutors General* has set out, at its plenary sessions, to explore some of the principles laid down in the *Recommendation* and, whenever necessary, to consider issues not raised by that text but of interest to all or some prosecutors' offices , the Committee is invited to make proposals on the future work of the *Conference* and thus its *co-ordinating Bureau*.

Apart from preparation of a code of ethics – already under way – there are several questions which might interest the *Conference*. These include:

- **the organisation of prosecutors' offices** : this would involve studying the composition, functioning and powers of judicial service commissions or prosecutors' offices, and also of associations of prosecutors general.
- **the role of prosecutors' offices in the administration and management of courts and of justice in general**
- **the powers of prosecutors' offices in non-criminal matters**: the importance of this question, which the *Recommendation* did not cover, has been highlighted on several occasions by the tasks assigned to prosecutors' offices in central and east European states, and also in some west European states; this would involve listing the areas of activity concerned (civil, commercial, administrative, etc.), and defining principles to guide the action of prosecutors' offices, as well as restrictions imposed on that action by the general principles laid down in the *Recommendation*.
- **the concept of crime policy**: apart from dealing with specific cases, prosecutors' offices are sometimes given a fundamental role in this area, and the growing challenges of crime are increasing it; it would be useful to compare the powers of the prosecutors' offices concerned, as well as the limits of such powers and the ways in which they are exercised.

- **prosecutors' offices and the advisability of prosecuting:** the *Recommendation* merely referred, in this area, to the principles laid down by the Council of Europe in a 1987 text, but the reforms effected in various states, and the general role assigned to prosecutors' offices, make this a topical question.
  
- **the role of prosecutors' offices in international courts:** the establishment of the *International Criminal Tribunal* and the *International Criminal Court*, and the thought which the EU is giving to setting up a *European prosecution service*, make it necessary to consider the role of prosecutors' offices within these authorities in the light of the *Recommendation*.