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**CONFERENCE OF PROSECUTORS GENERAL OF EUROPE**  
**6<sup>TH</sup> SESSION**

organised by the Council of Europe  
in co-operation with the Prosecutor General of Hungary

**Budapest, 29 – 31 May 2005**

House of Parliament  
Hotel Margitsziget Termál

**RECOMMENDATION REC (2000) 19**

**RECENT DEVELOPMENTS  
IN THE PRINCIPALITY OF MONACO**

In reply to the letter of 7 April 2005 concerning the drafting of a report on recent developments in the public prosecution system, I am pleased to inform you that the recent accession of the Principality of Monaco to the Council of Europe has resulted in substantial changes and updates to Monaco's legal instruments, particularly in the sphere of criminal and civil justice.

As matters stand, a draft law introducing a new code of criminal procedure will be brought before the Principality's legislative body in the coming weeks. We will be able to provide more up-to-date analysis on the report's theme once these new legal instruments have entered into force.

To date and with reference to Recommendation (2000)19 of the Committee of Ministers to member States on the role of public prosecution in the criminal justice system, the Principality has continued to fulfil its tasks as set forth in points 1, 2 and 3 of the recommendation, namely effective exercise of public prosecution, supervision of investigations and execution of court decisions, in strict respect for the independence and impartiality of judges (points 19 and 20 recommendation), as well as scrutiny of the lawfulness of police investigations, including where observance of human rights by the police is concerned (21).

The public prosecutor's office also ensures that it treats defendants fairly, impartially and objectively, respects and seeks to protect human rights, ensures that the criminal justice system operates as expeditiously as possible (point 24), abstains from all forms of discrimination (point 25) ensures equality before the law (point 26) preserves the confidentiality of information obtained from third parties (point 30) and takes proper account of the views and concerns of victims (point 33).

In response (points 8, 9 and 39) to specific topical questions or matters and to the characteristics and development of crime, the public prosecutor's office has concentrated in recent years on training, awareness-building and specialisation for members of the judiciary in both the area of economic and financial crime and the sphere of international cooperation.

Since 1995 one of the four members of the Public prosecutor's office, on the basis of experience gained in the area, has been specialising in economic and financial cases, participating in various administrative commissions supervising joint stock companies and financial bodies and maintaining contact with the agencies operating in the business sphere.

Initiatives concerning access to the law, particularly regarding publication of the case-law of the Principality's courts, have also been undertaken.

The Prosecutor General, heading the Prosecution authorities, is responsible for matters concerning international cooperation under the authority of the Director of Judicial Services, who oversees the Public Prosecutor's office within the hierarchy.