

Strasbourg, 4 October 2022

CONSULTATIVE COUNCIL OF EUROPEAN PROSECUTORS (CCPE)

17th plenary meeting
Hybrid event, 3-4 October 2022
Room G03, Agora Building

ABRIDGED MEETING REPORT

A. FOREWORD

1. The Consultative Council of European Prosecutors (CCPE) held its 17th plenary meeting in the format of hybrid event on 3-4 October 2022. It was chaired by Antonio VERCHER NOGUERA (Spain), President of the CCPE. The agenda is appended to the present report.

B. ITEMS SUBMITTED TO THE COMMITTEE OF MINISTERS FOR DECISION

2. The CCPE **invited** the Committee of Ministers:
 - a. to take note of the Opinion No. 17 (2022) on the role of prosecutors in the protection of the environment, which will be forwarded to the competent authorities in the member States while encouraging its translation into appropriate languages, if need be, and to the relevant bodies of the Council of Europe, in order that they may take account of it in their work;
 - b. to take note of this report as a whole.

C. LIST OF ITEMS DISCUSSED AND DECISIONS TAKEN BY THE CCPE

The CCPE

3. **adopted** agenda of its plenary meeting, as it appears in Appendix 1;
4. **adopted** Opinion No. 17 (2022) on the role of prosecutors in the protection of the environment, subject to possible amendments on the form by its Bureau, which was entrusted to have any such amendments introduced if needed, in order to ensure consistency between the English and French versions;
5. **decided** to submit it to the Committee of Ministers to take note of it and to invite member States to ensure its dissemination as widely as possible among decision-makers and professionals of justice, including its translation where needed;
6. **took note** of the information provided by Mr Antonio Vercher Noguera, President of the CCPE, on the exchange of views with the Committee of Ministers of the Council of Europe on 15 September 2022, and the positive comments made by the Minister's Deputies about the CCPE work;
7. **welcomed** the Report of the Secretary General of the Council of Europe entitled "Moving forward 2022" where the CCPE work and in particular the adoption of the CCPE Opinion No. 16 (2021) on the implications of decisions of international courts and treaty bodies as regards the practical independence of prosecutors were stressed;
8. **noted** that, on 27 September 2022, the Committee of Ministers of the Council of Europe adopted Recommendation CM/Rec(2022)20 on human rights and the protection of the environment, calling on all 46 member States to actively consider recognising, at national level, the right to a clean, healthy and sustainable environment, as a human right;
9. **underlined** that the CCPE Opinion No. 17 (2022) on the role of prosecutors in the protection of the environment is directly relevant in this context;
10. **welcomed** the exchange of views with Mr Boštjan Škrlec, Vice-President of the European Union Agency for Criminal Justice Cooperation (Eurojust) and the information provided on the Agency's activities to combat environmental crime, as well as with respect to judicial co-operation regarding international crimes and Ukraine, and **noted** his comments as regards the increasing need to forge partnerships and cooperate with countries in Europe and beyond for the protection of the environment; further **welcomed** his assessment that the CCPE Opinion No. 17 (2022) mirrors the key findings of the Eurojust's environmental prosecutions;
11. **reiterated** the importance of strengthening the prosecutorial systems in the context of the priority 6 of the Strategic Framework of the Council of Europe focusing on the independence, efficiency and resilience of the judicial systems of member States. The overall preservation and further promotion of relevant European standards related to the rule of law is at the core of the CCPE mandate;

12. **welcomed** the information provided by the CCPE President and Vice-President, as well as by other members, about their efforts to disseminate the CCPE Opinions and standards and promote their implementation at national level;
13. **welcomed** in particular the information provided by the CCPE President, Vice-President and other members about their participation in the European Conference of Prosecutors which took place on 5-6 May 2022 in Palermo within the framework of the Italian Presidency of the Committee of Ministers of the Council of Europe;
14. **took note** of the information provided by Ms Livia Stoica Becht, Head of Legal Co-operation Division, on the follow-up activities based on the conclusions of the European Conference of Prosecutors and **entrusted** the Bureau to elaborate a proposal for the attention of the European Committee on Crime Problems (CDPC) regarding the possible need to review and update Recommendation CM/Rec(2000)19 of the Committee of Ministers on the role of public prosecution in the criminal justice system;
15. **welcomed** the continued close co-operation between the CCPE and other bodies and institutions of the Council of Europe, and in particular with the Venice Commission; **noted** in this respect the contribution of Mr José Manuel Santos Pais, member of the CCPE Bureau, to the recent Opinion of the Venice Commission on the draft amendments to the Law No. 3/2016 of the Republic of Moldova on the public prosecution service, adopted by the Venice Commission at its 131st plenary session on 17-18 June 2022;
16. **recalled** that it remains at the disposal of the Committee of Ministers and other bodies of the Council of Europe (particularly the Secretary General and the Parliamentary Assembly) or of the CCPE members and observers to prepare opinions and other texts concerning the specific situation of prosecutors in given member States;
17. **entrusted**, in this regard, the Bureau of the CCPE to prepare, adopt and publish such opinions and other texts concerning the specific situation of prosecutors in given member States;
18. **reiterated** its support to Ukraine's prosecution office and its openness for further cooperation, if requested;
19. **decided** to focus its 2023 Opinion on the Councils of Prosecutors as key bodies of prosecutorial self-governance, which is in line with the key strategic priorities 1 and 6 of the Strategic Framework of the Council of Europe, and **instructed** its Bureau and the Working Group of 2023 to prepare a draft Opinion on this issue for adoption at its 18th plenary meeting;
20. **took note** of the information provided by Mr Artashes Melikyan, Head of Judicial Independence Unit and Secretary of the CCPE, as regards the topics for prospective thematic studies of the CCPE in 2022-2025, and the recommendations of the Bureau of the CCPE in this regard;
21. **decided** to entrust the Bureau of the CCPE to proceed with the process of organisation of these thematic studies based on the Bureau's recommendations focusing on the

following topics (in order of priority): 1) new technologies in the work of the prosecution services and international co-operation; 2) international co-operation in crisis situations.

22. **appointed** Milica ANDJELIĆ-MANDIĆ (Montenegro), Alessandra GIRALDI (Denmark), Davit MELKONYAN (Armenia), Antonio MURA (Italy), Aivars OSTAPKO (Latvia), Peter POLT (Hungary), José Manuel SANTOS PAIS (Portugal), Onur USTALI (Türkiye), Laura VAIK (Estonia) as members, and Desislava PIRONEVA (Bulgaria), Horatiu Razvan RADU (Romania) as substitute members of the Working Group responsible for preparing the 2023 draft Opinion to be submitted to the 18th plenary meeting of the CCPE;
23. **elected** Jana ZEZULOVA (Czech Republic) as President, for a first term of one year; Mikael JÄRETOFT (Sweden) as Vice-President for a first term of one year; Antonio VERCHER NOGUERA (Spain) as member of the CCPE Bureau for a second term of two years (2023-2024) and strongly **thanked** him for his outstanding contribution to the work of the CCPE as its President in 2021-2022 and in particular for his crucial role in introducing the topic for the Opinion No. 17 (2022) on the role of prosecutors in the protection of the environment and for his active participation in the course of drafting of this Opinion;
24. **designated** Gordana BOSILJCIC (Bosnia and Herzegovina) as Gender Equality Rapporteur for 2023;
25. **expressed** its satisfaction with the manner in which its activities were implemented in a timely manner in 2022, despite the challenging context arising from the COVID-19 pandemic and online and hybrid settings of the meetings, **took note** of the views expressed of the added value of organising meetings only in-person, and **thanked** the Secretariat for its continuous hard efforts; **thanked** all members and observers for their constant and active involvement in the CCPE's work;
26. **decided** to hold its 18th plenary meeting on 19-20 October 2023;
27. **decided** to hold the 32nd and 33rd meetings of the Working Group on 16-17 February 2023 and 11-12 May 2023, respectively.

AGENDA

1. Opening of the meeting

2. Adoption of the agenda and order of business

3. Information by the President and the Secretariat

4. Draft Opinion No. 17 (2022) on the role of prosecutors in the protection of the environment (specific task i)

- Examination, with a view to its adoption, of draft Opinion No. 17 (2022)

5. Exchange of views on topical developments in member States in the area of prosecution reforms and independence of prosecution (main task i) & Annual exchange of views to evaluate the CCPE activities and future priorities and to advise the Committee of Ministers on future priorities in this sector (main task ii)

- Tour de Table on topical developments in member States in the area of prosecution reforms and independence of prosecution and other relevant events
- Discussion of the current situation and challenges for the prosecution and the key strategic priorities under the four-year strategic framework of the Council of Europe

6. Exchange of views on the CCPE's activities in 2023 and focus areas

- Introduction by Ms Livia Stoica Becht, Head of Legal Co-operation Division, and Mr Artashes Melikyan, Head of Judicial Independence Unit, Secretary of the CCPE
 - European Conference of Prosecutors : possible options for follow-up by the CCPE
- Discussion on the Councils of Prosecutors as key bodies of prosecutorial self-governance as a prospective topic for the CCPE Opinion No. 18 (2023), already discussed and approved by the CCPE Bureau, which is in line with the key strategic priorities 1 and 6 of the Strategic Framework of the Council of Europe
- Discussion of the state of play as regards the prospective studies of the CCPE in 2022-2025 (to be coordinated with the CCPE Bureau)
- Discussion on the outcome of the European Conference of Prosecutors (Palermo 5-6 May 2022) and orientations for follow-up actions by the CCPE and/or other competent bodies and committees of the Council of Europe

7. Elections (Bureau) and appointments (Rapporteurs)

7.1 Election of the President and of the Vice-President

7.2 Election of members of the Bureau

7.3 CCPE Working Group for 2023

7.4 Appointment of a CCPE Gender Equality Rapporteur

8. Information from other Council of Europe bodies and committees and observer organisations

- Exchange of views with Mr Boštjan Škrlec, Vice-President of Eurojust, who will address the Consultative Council of European Prosecutors

9. Any other business

10. Date and place of next meetings

11. Approval of the draft meeting report