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THE HAGUE SPECIAL CRIMEX SESSION

The Hague, (NL), 29 January 2019

GENERAL PRESENTATION

The **1st Meeting of the EuroMed Forum of Prosecutors General**, held in Madrid on 23 January 2018, under the auspices of the Spanish Prosecutor General, represents a key phase for the improvement of judicial cooperation between the EU Member States and the South Partner Countries (SPCs). The Madrid 1st Meeting established the foundations of the much-needed high-level prosecutorial mechanism of cross-regional consultations and dialogue.

The **Madrid Declaration and Road Map** (annexed) express the determination of the Prosecutors General from South Partner Countries (SPCs)¹ and of the Prosecutors General from European Union (EU) Member States² to strengthen at the highest prosecutorial level, cross-regional judicial cooperation in fighting terrorism and serious forms of cross-border organised crime, benefiting from the support of Eurojust, the European Judicial Network in criminal matters (EJN), together with the main European and international stakeholders³.

Entrusted by the **Madrid Declaration and Road Map**, the participants in the **8th EuroMed Justice Group of Experts in criminal matters (CrimEx)** (held on 12-15 November 2018 at the Spanish Judicial School in Barcelona) discussed and summarised the opinions regarding the modalities to establish an effective EuroMed Forum of Prosecutors General. Based on the 8th CrimEx debates, opinions and written proposals received from SPCs and EU MS, the EuroMed Justice Key Experts prepared the Draft of the Guiding Principles of the EuroMed Forum of Prosecutors General (annexed).

Therefore, the 8th CrimEx paved the way for the **2nd Meeting of the EuroMed Forum of Prosecutors General** to take place in The Hague, at Eurojust premises, on 30-31 January 2019.

The purpose of **The Hague CrimEx Special Session** is to discuss and work out the final draft of the proposal for the Guiding Principles of the EuroMed Forum to be submitted to the Forum debates. Moreover, during the Special Session, the relevant cross-regional issues affecting the work of the prosecutorial authorities, regarding the thematic priorities identified in the EuroMed Justice Areas as well as the experiences and good practices will be discussed and proposals for common observations or opinions will be formulated for the Forum debates.

¹ Algeria, Egypt, Israel, Jordan, Morocco, Lebanon, Palestine and Tunisia

² Belgium, Cyprus, France, Malta, Portugal Spain, Greece and Italy

³ United Nations Office on Drugs and Crime, the Counter-Terrorism Committee Executive Directorate, the Consultative Council of European Prosecutors and the International Association of Prosecutors.

OBJECTIVES

OBJECTIVE 1:

TO AGREE ON THE PROPOSALS FOR THE GUIDING PRINCIPLES OF THE EURO MED FORUM OF PROSECUTORS GENERAL

During the Special Session of 29 January 2019, CrimEx, representatives from the national prosecution services EU and international organisations will debate and finalise the proposals for the Guiding Principles of the EuroMed Forum of Prosecutors General. The Guiding Principles are drafted by the EuroMed Justice Key Experts based on the previous consultations and opinions formulated during the 8th CrimEx in Barcelona (12-15 November 2018) and the written proposals received from the SPCs and EU MS. The Draft of the Guiding Principles was sent in advance to the Prosecutors General, CrimEx, Eurojust, the EJM and international organisations for written comments; the amended draft will be debated during the Hague Special CrimEx Session and an agreement reached prior to the Prosecutors General's Forum of 30th January 2019.

OBJECTIVE 2:

TO DISCUSS AND AGREE UPON THE POSSIBLE WAYS OF COORDINATION AND SYNERGIES WITH OTHER PLATFORMS OF JUDICIAL COOPERATION, as mentioned in the article 5 of the Draft Guiding Principles. Objective 2 will be addressed along with the debates on the draft Guiding Principles, article 5. **Forum cooperation with other platform and international organisations.** It is in the benefit of the cross-regional cooperation that the EuroMed Forum of Prosecutors General foster the synergies and coordinate with other platforms of judicial cooperation such as: the annual TAIEX International Forum for Prosecutors on Fighting Cross-Border Organised Crime, the recent Aix-en-Provence initiative of December 2018 on the "Union des Procureurs généraux de la Méditerranée", as well as the Network of West African Central Authorities and Prosecutors Against Organized Crime – WACAP, together with the Regional Judicial Platform of the Sahel Countries.

OBJECTIVE 3:

TO DISCUSS THE RELEVANT CROSS-REGIONAL ISSUES AFFECTING THE WORK OF THE PROSECUTORIAL AUTHORITIES, REGARDING THE FOLLOWING THEMATIC PRIORITIES IDENTIFIED IN THE EURO MED JUSTICE AREAS, AS WELL AS TO SHARE EXPERIENCES AND GOOD PRACTICES AND TO FORMULATE PROPOSALS FOR COMMON OBSERVATIONS OR OPINIONS.

- a) Cyberspace and judicial cooperation in criminal matters. Main challenges posed by the use of the cyberspace by terrorists and organised crime, in particular:
 - Collection of electronic evidence - utilising the EuroMed Justice and Police Manual on Digital Evidence;
 - Personal data protection and cooperation with 3rd countries.

- b) Experiences in Joint Investigations Teams, countering terrorism and organised crime, in particular human trafficking, smuggling of migrants, and drug trafficking in the Euro-Mediterranean region.

METHODOLOGY

EuroMed Justice Key Experts will moderate The Hague Special CrimEx Session.

CrimEx representatives from the national prosecution services have to present the position of their respective national prosecution authorities, discuss and reach an agreement regarding the content of the Draft **Guiding Principles** and the **coordination with other platforms**.

The **interventions on the two thematic priorities** a) cyberspace and judicial cooperation in criminal matters and b) experiences in Joint Investigations Teams, countering terrorism and organised crime, should cover in a **concise manner** the **relevant challenges faced in the prosecution** of terrorism and organised crime. The representatives should **share their strategic approach, positive experience and good practices** in finding solutions to cooperate effectively in countering terrorism and organised crime in cyberspace and in using the JITs.

The CrimEx representatives from the Ministries of Justice and the Judiciary, the representatives from Eurojust, EJN, the Consultative Forum of Prosecutors General, the NADAL Network and other international organisations are invited to present their comments regarding the objectives 1 to 3.

Upon request, EuroMed Justice will facilitate bilateral meetings and consultations to take place during the breaks and at the end of each day.

The Hague Special Session of the CrimEx will take place in English and French, with simultaneous interpretation in Arabic, English and French.

PARTICIPANTS

- CrimEx Members.
- European Commission, Eurojust and the European Judicial Network in criminal matters (EJN).
- Representatives of Prosecutors General, Attorneys General and Directors of Public Prosecutions from the South Partner Countries (SPCs) and from the European Union Member States (EU MS).
- Representatives of the United Nations Office on Drugs and Crime (UNODC), United Nations Counter Terrorism Executive Directorate (UN CTED),– and the International Association of Prosecutors (IAP).
- EuroMed Police.

EXPERTS

- EuroMed Justice Key Experts:
 - *Mrs. Victoria PALAU - Team Leader (FIIAPP - Spain)*
 - *Mr. Virgil IVAN-CUCU – Judicial Capacity Building (EIPA - Luxembourg)*
 - *Mrs. Dania SAMOUL - Coordinator (FIIAPP – Spain)*

Tuesday 29th January 2019

8.20 Transport from the Hotel to Eurojust premises

09.00 Opening and Welcome

- President of Eurojust – Mr. Ladislav Hamran

09.10 Introduction of the CrimEx Special Session by the EuroMed Justice Key Experts

- Presentation of the Objectives 1 to 3
- Updating EuroMed Tools for Judicial Cooperation: CrimEx Documents and digital Evidence Manual

09.30 (I) CrimEx Special Session – Objectives 1 & 2 - Debates on the draft Guiding Principles of the EuroMed Forum of Prosecutors General and **coordination with other platforms**

Tour de table: CrimEx representatives of the prosecution authorities and from the Ministries of Justice and the Judiciary: **Algeria, Egypt, Israel, and Jordan** – 10 min each

10.10 *Coffee Break*

10.40 (II) CrimEx Special Session – Objectives 1 & 2 - Debates on the draft Guiding Principles of the EuroMed Forum of Prosecutors General and **coordination with other platforms**

Tour de table: CrimEx representatives of the prosecution authorities and from the Ministries of Justice and the Judiciary: **Morocco, Lebanon, Palestine, and Tunisia** – 10 min each

11.20 Objectives 1 & 2 - Debates on the draft Guiding Principles of the EuroMed Forum of Prosecutors General and **coordination with other platforms**

Tour de Table: General Prosecutors from EU MS.

Representatives of Eurojust and EJM.– 10 min each

12.00 Objectives 1 & 2 - The draft Guiding Principles of the EuroMed Forum of Prosecutors General and **coordination with other platforms**. Representatives of CTED, UNODC, and IAP

12.30 *Lunch Break*

13.30 Objectives 1 & 2 – CrimEx Special Session approval on:
- The **draft Guiding Principles** of the EuroMed Forum of Prosecutors General, and
- The draft **Opinion** on coordination with other platforms.

13.40 (III) CrimEx Special Session – Objective 3 - Thematic priorities

Tour de table: CrimEx representatives of the prosecution authorities and from the Ministries of Justice and the Judiciary: **Algeria, Egypt, Israel, and Jordan** (10 min each)

14.20 (IV) CrimEx Special Session - Objective 3 - Thematic priorities

Tour de table: CrimEx representatives of the prosecution authorities and from the Ministries of Justice and the Judiciary: **Morocco, Lebanon, Palestine, and Tunisia** (10 min each)

15.00 European Commission – DG Justice and consumers

Peter Csonka

15.15 Coffee Break

15.40 Objective 3 - Debates on thematic priorities

Tour de Table: General Prosecutors from EU MS.

Representatives of Eurojust and EJM

16.10 Objective 3 - Debates on thematic priorities

Representatives of CTED, UNODC, IAP,

16.40 Objective 3 - CrimEx Special Session approval on the Draft Opinions regarding thematic priorities

***** End of The Hague CrimEx Special Session *****