



DECLARATION

1ST MEETING of the EUROMED FORUM OF PROSECUTORS GENERAL

MADRID, JANUARY 23rd 2018

The Prosecutors General from South Partner Countries (SPCs): *Algeria, Egypt, Israel, Jordan, Morocco, Lebanon, Palestine and Tunisia and their designated representatives*

The Prosecutors General from European Union (EU) Member States: *Belgium, Cyprus, France, Malta, Portugal, Spain, Greece¹ and Italy²*

Together with the representatives of the *United Nations Office on Drugs and Crime, the Counter-Terrorism Committee Executive Directorate, Eurojust, EJN in criminal matters, the Consultative Council of European Prosecutors and the International Association of Prosecutors*

Reaffirming our willingness to strengthen judicial cooperation in fighting terrorism and serious cross-border and organised crime,

Being aware of the fact that tangible results and sustained improvements in countering cross-border crime may be achieved by being coherent, coordinated, protective to international human rights law and compliant with the Rule of Law in the Euro-Mediterranean,

Acknowledging the differences between the national legislation of EU Member States and South Partner Countries and the possible implications this may have for the collection and admissibility of evidence from other jurisdictions,

Emphasising the importance of increasing international cooperation, in order to prevent, investigate, and prosecute terrorist acts and serious cross-border crimes, and expressing the concern about the use of information and communications technologies by organised crime and for terrorist purposes,

Seeking to strengthen the international response to terrorism, as required by the relevant Resolutions of the UN Security Council, including 1373 (2001), 1624 (2005), 2178 (2014), 2322 (2016), and 2396 (2017) to reinforce international criminal justice and judicial cooperation, the 19 universal Conventions and Protocols against terrorism, and the United Nations Global Counter-Terrorism Strategy (2006) as reviewed.

¹ Greece - Hellenic General Prosecutor Office fully supported the Declaration through the letter of 4 May 2018.

² Italy – The *Procura generale della corte di cassazione* fully supported the Declaration through the letter of 13 February 2018.

Taking note of the UN Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and their Development in a Changing World, adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice in San Salvador, Brazil, on the 12th to the 19th of April 2010, with the objective of supporting development of judicial networks of international cooperation in criminal matters,

Taking into consideration also the Resolution on Strengthening of regional networks for international cooperation in criminal matters adopted at the nineteenth session of the United Nations Commission on Crime Prevention and Criminal Justice, in Vienna, on the 17th – 21st of May 2010, which *urges Member States participating in networks for legal cooperation to strengthen international cooperation in criminal matters and the coordination among such networks*,

Taking note in particular of the provisions of paragraph 8 (a) of the Doha Declaration on integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation adopted at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice in Doha, from 12 to 19 April 2015,

Highlighting the need for further synergies, closer cooperation and coordination as effective responses against crime, which becomes more varied and international, as well as increasingly cross-border and cross-sectorial in nature as reflected in the 2015 European Agenda on Security COM(2015) 185 final,

Aware of the provisions of the 1990 U.N. Guidelines of the Role of the Prosecutors and of the Recommendation of the Council of Europe Rec (2000)19 on the Role of the Public Prosecution in the Criminal Justice System, which mention that “the public prosecution plays a key role in the criminal justice system as well as in international cooperation in criminal matters and that the efficiency of not only national criminal justice systems but also international co-operation on criminal matters should be enhanced”,

Commending the positive role of the South Partner Countries members of the *EuroMed Justice Expert Group in Criminal Matters (CrimEx)* in participating in EuroMed activities,

Recognising the potential benefits and the relevant contribution in combating transnational crime in the close cooperation with Eurojust, European Judicial Network in criminal matters (EJN), the United Nations Counter-Terrorism Executive Directorate (UN CTED), the United Nations Office on Drugs and Crime (UNODC), the Council of Europe and the International Association of Prosecutors (IAP), as well as the need to continue the exploration towards a EuroMed Justice mechanism of cooperation in criminal matters,

Evaluating the valuable experience of other platforms of high level coordination such as: the quadripartite meetings of the counterterrorism Chief Prosecutors from France, Belgium, Spain and Morocco, the Consultative Forum of Prosecutors General and Directors of Public Prosecutions of the Member States of the European Union, the annual

meetings of the Network of Public Prosecutors or equivalent institutions at the Supreme Judicial Courts of the Member States of the European Union (NADAL Network) or the Consultative Council of European Prosecutors (CCPE).

Have agreed as follows, in full respect of national laws and legislation:

1. The establishment of a EuroMed Forum of Prosecutors General as a mechanism for coordination and consultation is considered useful and effective in order to build at a high-level trust and confidence, aimed at enabling SPCs to fully participate in cross-border (*South-South*) and cross-regional (*South-North*) judicial cooperation.
2. The Forum may facilitate successful cross-border investigations and prosecutions, and could identify and discuss difficulties and obstacles of legal or practical nature and to ease the cooperation between national prosecution authorities from EU and SPCs.
3. The Forum will provide high-level contributions to prosecution-related issues, and could contribute to the development of informal or formal contacts, as appropriate, between prosecution authorities.
4. To take adequate measures for the implementation of the international and regional legal instruments for combating serious and organised crime, terrorism, illegal smuggling of migrants, human trafficking, cybercrime, money laundering, and regarding the preservation, collection and admissibility of evidences, in particular digital evidence, as far as it is consistent with the national Law.
5. To periodically discuss relevant regional and cross-regional trends of cross-border crime and the appropriate investigative and prosecutorial measures to counter them, to assess their impact on the work of the prosecutorial authorities, and formulate common observations or opinions.
6. To share experiences and good practices in judicial cooperation in criminal matters, and in the use of mutual legal assistance instruments and special investigation techniques for the investigation and prosecution of serious and organised crime.
7. To acknowledge the valuable assistance and important role Eurojust, EJM, UNODC, CTED, IAP play in the process to better plan and progress towards the judicial cooperation with the SPCs.
8. To continue through the CrimEx and the representatives of the Prosecutors General the discussions on the steps proposed in the Road Map.