



## 8<sup>th</sup> Eurojustice Conference

Lisbon 2005

The Eighth Annual Eurojustice Conference gathering General Prosecutors of the European Union Member-States and other invited States, having met in Lisbon, Portugal, from the 12<sup>th</sup> to 14<sup>th</sup> October, adopted the following conclusions:

### 1. TRAINING

Political powers should pay better attention to the conditions of the administration of justice, turning the training of prosecutors into one of the priorities, both at a national and at an international level.

Daily praxis should be completed with training programmes that should be accessible to prosecutors during their entire professional lives and be open to further areas of knowledge.

All the prosecution system professionals should be given training regarding the European "acquis", both at a national and at an international level.

National training programmes should include European and EU law.

Internationally, authorities should take more advantage of the coordination work of European organisations that is already available in the field of training, and should develop joint training programs.

### 2. GOOD GOVERNANCE: THE ROLE OF HIERARCHY IN LEADING THE ORGANISATION OF THE PROSECUTION SYSTEM

The introduction of hierarchy in the organisation of the prosecution services is compatible with several national systems and traditions and, therefore, with different ways of facing strict legality or opportunity principles in prosecuting, and with the definition of criminal policies, as well.

There are advantages in unifying proceedings, nationally or regionally, which means more security and justice for populations. This can be achieved either by hierarchy, or by other mechanisms of coordination in countries where that is not possible for constitutional reasons.

The challenges presented by new forms of criminality justify more and more a collective work effort, with a permanent rethinking of proceedings and an evaluation of results.

### **3. THE EUROPEAN UNION AND JUSTICE - A JOURNEY**

The European Union Member-States should proceed with a permanent evaluation of the implementation of judicial cooperation instruments, exploring their potentialities at its maximum and reinforcing the mutual trust spirit in the "praxis"; simultaneously, we should proceed with the mutual recognition of judicial decisions programme and, where necessary, with the approximation of national legislations.

An effective fight against transnational crime requires effective coordination and cooperation between competent authorities. In particular, Eurojust and the European Judicial Network (EJN) are important instruments in obtaining this within the European Union and beyond and should be used even more intensively. The setting up of joint investigation teams should be encouraged.

The European Arrest Warrant has been a success story across Europe and should continue to fine-tune its practical application as regard issues such as translation and delays.

### **4. ILLEGAL IMMIGRATION**

The illegal immigration phenomenon is a permanent reminder of the wider question of globalisation, whereby some traditionally emigration countries became destination countries.

Illegal immigration must be faced, first of all, in a social, economical and political perspective but, since it generates criminal phenomena, it claims an important intervention from the prosecution system.

The fight against crime associated with illegal immigration means that national strategies should be associated with measures taken by the European institutions.

We are dealing with a kind of delinquency that justifies a special effort to turn national legislations closer and a permanent information exchange, cooperation and coordination between origin, transit and destination countries.

### **5. SEXUAL EXPLOITATION OF CHILDREN**

The fight against the sexual exploitation of children requires preventive and repressive measures that should be adequate and proportional to the worldwide gravity of the phenomenon. This implies the need for a better cooperation and in coordination between different countries.

Different international instruments should be adequately coordinated in order to allow children's rights to become effective, are stated in the Convention on Children's Rights.

Protecting children's interests and the need for a speedy, effective investigation also imply the need for a better, and more extensive use of new mechanisms, such as videoconferencing, expertise evidence common standards and new witness protection measures.

## 6. CONSENSUS AREAS IN CRIMINAL JUSTICE

Considering the high increase of crime and the limited criminal justice resources, new procedural solutions are required from the prosecution service.

New, more flexible mechanisms should be considered (even in "strict" legality systems), as well as the importance of the defendant confession and, regarding particular delinquency areas, the introduction of justice consensus between the accusation and the defence.

Directly connected to this issue is the need for a different way of facing victims' rights and involvement in proceedings.