

Conference of Heads of Prosecutor's Office of the European States, St Petersburg, Russian Federation 8 JULY 2021

As delivered

Prosecutor General of the Russian Federation,
Secretary General of the International Association of Prosecutors,
Prosecutors General,
Distinguished speakers,
Ladies and gentlemen,

The Council of Europe's Statute is clear and direct in its aims.

Multilateralism and co-operation are the means for member states – and I quote: “to achieve greater unity...by agreements and common action in...legal and administrative matters” – end quote.

And to conclude - by these means, the “further realisation of human rights and fundamental freedoms” are secured.

It has always been clear that prosecutors have an essential role to play: ensuring that this vision translates to everyday reality.

Your co-operation is required to share experience, insight and best practice, so that there is consistency across our common legal area.

I am therefore grateful to the Russian General Prosecutor's Office, and the International Association of Prosecutors for co-organising this important event, together with the Council of Europe, including the Venice Commission and the European Commission for the Efficiency of Justice.

It is a clear signal of our shared determination to deepen the relationships that already exist.

And it builds on the long-running work of the Council of Europe's Consultative Council of European Prosecutors.

This provides a platform for exchange between prosecution services, enhancing their independence, impartiality and competence.

Its "soft law" recommendations and guidelines also steer the profession towards best practice, which help address long-term problems.

Take for example Consultative Council's Opinion on fighting corruption and related economic and financial crime.

Equally, we have seen dynamic initiatives that address new and pressing problems.

A case in point, being its Opinion last year on the role of prosecutors in emergency situations, which laid out good practice to follow during the pandemic period.

The Consultative Council also contributes to our pan-European Human Rights Education for Legal Professionals, whose online courses are used by many prosecutors' offices.

I encourage all of you to make use of these tools.

This is important because, ultimately, each of them helps prosecutors do their bit to implement the European Convention on Human Rights.

Next month, Protocol 15 will enter into force, enshrining the principle of subsidiarity in the Convention's preamble.

In this, the Council of Europe is stepping up its efforts to support all domestic authorities in playing their role.

This includes ensuring the execution of judgments from the European Court of Human Rights.

But it also involves anticipating where national case law might result in violations of the Convention, and intervening to put this right.

On this too, the Council of Europe stands ready to help.

National prosecutors also have a role in ensuring full respect for the principles of fair trial in criminal proceedings, in line with the case law of the Strasbourg Court;

Also to require adequate sanctions for human rights violations;

And to promote the adoption of general measures that prevent further infractions.

This point is pertinent to the new role of the Russian Prosecutor's Office, which I know has been discussed at this conference.

It is legal tradition in the Russian Federation to give prosecutors a role outside criminal procedure.

And the same is true in some of our other member states.

The Council of Europe – through recommendations of the Committee of Ministers – is clear that, beyond criminal law, the remit of prosecutors should be:

“To represent the general or public interest, [to] protect human rights and fundamental freedoms and [to] uphold the rule of law” in an independent and transparent manner.”

So, the new role of the Russian General Prosecutor's Office, representing its country at the European Court of Human Rights, involves an additional and important human rights responsibility.

And it will be central to implementing the European Convention and the Strasbourg Court's judgments, which requires both individual measures for the applicants, and general measures to solve the broader problems at the origin of the violations.

Indeed, I hope that every prosecutor in every member state will maintain this approach, whether their remit is restricted to criminal law, or ranges beyond it.

Certainly, our Organisation will be there to support you on that journey.

I am pleased that you have taken the decision to commission a revised edition of the Human Rights Guide for Prosecutors.

This will be a powerful and practical means of support.

Along with the International Association of Prosecutors, the Council of Europe will be happy to review and update the Guide, not least in light of the rich material presented at this conference.

We will also ensure that it is translated and disseminated widely.

Because we know that the responsibility being placed on this profession is complex, and at the same time, vital.

And we will do our utmost to provide clarity and support.

So at the end, let me thank you for all that you do in embedding a human rights culture across our continent.

I hope that you have had a successful and informative conference.

Thank you for your attention.