

CCPE: Opinion on Strengthening Independence of Prosecution Services



News

Thomas Wahl

On 29 October 2024, the Council of Europe's Consultative Council of European Prosecutors (CCPE) published an [Opinion on managing prosecution services to ensure their independence and impartiality](#). The Opinion also aims at reinforcing the efficiency of the work of prosecution services.

Given that prosecution services in most European countries have a hierarchical structure, led by a prosecutor general, the Opinion focuses on the central role played by prosecutors general as guarantors of prosecutorial independence through the management of prosecution services

Taking into account the work by other CoE bodies and institutions, the CCPE developed several principles for independence and impartiality for the following aspects:

- The appointment/election procedure, in addition to the term of office of prosecutors general, the safeguards concerning their removal and against undue interference with their work;
- Ethical and professional standards, accountability and disciplinary proceedings;
- The management functions of prosecutors general and their tasks, in particular with regard to careers of prosecutors and staff of the prosecution services, and consistent application of law and case management.

The CCPE agreed on 16 recommendations that are to ensure full independence and impartiality of prosecutors general. They include that influence of the executive on prosecutors' general appointment or election must be prevented, clear and objective criteria for their selection must be determined, clear rules and procedures for disciplinary proceedings must be established, there must be guarantees regarding any possibility of removing them from office before the end of their term, and relationships between the different layers of the hierarchy in the prosecution services must be governed by clear and unambiguous rules so that personal or other considerations do not play an unwarranted role.

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