

## ***DECLARATION OF INTENT***

At the meeting “Managing complex data in organized crime and corruption cases” held in Belgrade on 26 and 27 May 2016, representatives of prosecutors who participated in the initiative (the "Offices") agree to approve the following declaration, having regard to international legal instruments in the field of criminal justice and international cooperation for the fight against organized crime and terrorism, the UN Convention on transnational crime, signed in Palermo, Italy, 15 December 2000, and the competence and the role assigned to each office by the respective domestic law provisions.

The increased size of organized transnational crime and the existence of dangerous criminal groups, operating in all countries where the offices exercise their jurisdiction, affect the safety of persons and the rights of citizens and require joint efforts to improve the effectiveness of judicial actions for facing these forms of crime.

This corresponds to an increased need to further strengthen the operational level of the cooperation and direct relations between judicial offices, as key tools to tackle all types of transnational crime, and to fight these crimes through the timely and effective exchange of information, technical assistance and cooperation.

For this purpose, we identify the following priorities:

1. increase cooperation in the fight against organized crime, by giving priority importance, in the judicial action carried out by each Office, to all the circumstances of time, place and manner of commission of such crimes and to their legal status, within the fully compliance with the international legal framework, international obligations and their respective competencies and operational capabilities, according to their domestic laws;
2. promptly communicate to each other, in accordance with their respective legal systems, information related to criminal activities carried out by groups or individuals, involved in criminal proceedings in the area of jurisdiction of an office, and which may affect the territory of one of the other offices. Information exchanged will be treated as "confidential" because of their nature and in order to respect the confidentiality of investigations. The information will be used only for the purpose for which it was transmitted and the disclosure shall not be granted to third parties without the written consent of the Office that provided it;
3. assisting each other, under their own legislation, in order to facilitate the execution of letters of request (“LoR”). Information will be provided since the beginning of the investigation, in order to make clear, to the other Offices involved in the proceedings, what are the formal requirements of the LoR, or / and to be helpful in the identification of the judicial authority to which the Letter of Request must be sent. The facilitation ensured in this Article does not exempt the Offices of the transmission of a formal letter of request, through official channels pursuant to national legislation, and in accordance with international law and bilateral or multilateral treaties;

4. pursue the widest possible cooperation, also through the exchange of information related to respective national legislation, professional experience and investigative techniques adopted against organized crime, terrorism and related crimes. It will also set up training sessions, to be held in their respective countries, to raise awareness of the Prosecutors on new emerging trends in organized crime and terrorism and new investigative requirements, as well as about the use of computer systems for processing data concerning criminal associations;
5. establish an informal direct contact between judicial offices, using fax or e-mail, unless the nature of the information does not require a confidential way of transmission, or using any other tools of simple consultation, in order to communicate information or requests as appropriate, using the national language of requesting Office and the English language.

The following contact points are designated for the implementation of the correspondence provided by this statement:

- ❖ Republic Public Prosecutor's Office of the Republic of Serbia: The Prosecutor's Office for Organized Crime under the authority of the Republic Public Prosecutor's Office
- ❖ National Anti-Mafia and Counterterrorism Directorate of Italy: International Cooperation Service
- ❖ Special State Prosecutor's Office of Montenegro: Department for International Cooperation, contact person, the Special Prosecutor, Mira Samardžić
- ❖ Specialized State Prosecutor's Office of the Republic of Slovenia: Harij Furlan, Senior Prosecutor, deputy Darja Šlibar, Senior State Prosecutor
- ❖ The Office for Combating Corruption and Organized Crime of the Republic of Croatia: Department for International Cooperation
- ❖ Prosecutor's Office of Bosnia and Herzegovina chief prosecutor Goran Salihović; Special Department for Organized Crime, Economic Crime, Corruption and Terrorism – head of Special Department Božo Mihajlović
- ❖ Special Prosecutor's Office for Combating Organized and Serious Economic Crime Special Prosecutor's Office of Republic of Srpska
- ❖ Basic Public Prosecutor's Office for criminal prosecution of organized crime and corruption of the Republic of Macedonia
- ❖ General Prosecutor's Office of Albania
- ❖ The Prosecutor's Office of Bulgaria
- ❖ National Bureau of Anti-Corruption Romania
- ❖ Metropolitan Prosecutor's Office of Hungary

This declaration of intent does not establish any new obligation under international law and will always be interpreted in an authentic and effective spirit of collaboration, in order to support Offices each other and find timely solutions in the common efforts to fight organized crime, taking into account the national legislation of all countries where the offices operate, and their international obligations, arising from bilateral or multilateral agreements previously concluded.

Each party receives a copy of the Declaration on the Serbian, Italian and English.

*Signed in Belgrade, 26 May 2016*