

Project
PACO
Networking

Witness protection: issues

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What measures to protect witnesses and collaborators of justice?



- Provisions in international instruments
- Experience in different countries
- Elements of a witness protection approach
- Specific measures for victim-witnesses of THB
- Elaboration of country-specific proposals

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Instruments

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(See document “Selected relevant provisions regarding the protection of victims and witnesses in international and European legal instruments”)

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United Nations Convention on Transnational Organized Crime:

- **Article 24 Protection of witnesses**
- **Article 25 Assistance and protection of victims**

Protocol to Prevent, Suppress and Punish Trafficking in Persons:

- **Article 6 Assistance to and protection of victims of trafficking in persons**

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Criminal Law Convention on Corruption (CoE - ETS 173)

- **Article 22 Protection of collaborators of justice and witnesses**

Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (CoE - ETS 182)

- **Article 9 Hearing by video conference**
- **Article 10 Hearing by telephone conference**
- **Article 23 Protection of witnesses**

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CoE Recommendation R (97)13 concerning Intimidation of Witnesses and the Rights of the Defence

- **Definitions**
- **General Principles**
- **Measures to be taken in relation to organised crime**
- **Measures to be taken in relation to vulnerable witnesses**
- **International cooperation**

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CoE Recommendation R (2000)11 on Action against Trafficking in Human Beings for the Purpose of Sexual Exploitation

- Assistance to and protection of victims

CoE Recommendation R (2001)11 on Guiding Principles on the Fight against Organised Crime

- Principles 17 and 18 on the protection of witnesses and collaborators of justice
- Principle 24 on international cooperation

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Council of the European Union - Resolution of 20 Dec 1996 on individuals who cooperate with the judicial process in the fight against international organized crime

Council of the European Union - Resolution of 23 November 1995 on the protection of witnesses in the fight against international organized crime

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Issues

(See “Matrix to guide discussions”)

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Protection measures					
Procedural measures					
Non-procedural measures					
Witness protection programmes					

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Project PACO Networking	Protection measures	Legal framework			
	Procedural measures				
	Non-procedural measures				
	Witness protection programmes				
Witness protection					

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Project PACO Networking	Protection measures	Legal framework	Who is to be protected? (Target group)		
	Procedural measures				
	Non-procedural measures				
	Witness protection programmes				
Witness protection					

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Protection measures	Legal framework	Target group	What institutions are involved?		
Procedural measures					
Non-procedural measures					
Witness protection programmes					

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Protection measures	Legal framework	Target group	Institutions involved		
Procedural measures			Implementation: what works, what doesn't?		
Non-procedural measures					
Witness protection programmes					

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Project PACO Networking	Protection measures	Legal framework	Target group	Institutions involved	Implementation	Country-specific recommendations
	Procedural measures					
	Non-procedural measures					
	Witness protection programmes					

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Project PACO Networking	What about victims-witnesses of THB?										

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Protection measures	Legal framework	Target group	Institutions involved	Implementation	Recommendations
Specific procedural measures					
Specific non-procedural measures					
Police protection programmes or Cooperation agreements (NGOs)					

What about victims-witnesses of THB?

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Protection measures	Legal framework	Target group	Institutions involved	Implementation	Recommendations
Specific procedural measures	Take	note	during	presentations	and
Specific non-procedural measures	discussions	in	workshops	and	use
Police protection programmes / Cooperation agreements (NGOs)	as basis	for	country-specific	recommendations	

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Programme against
corruption and organised
crime in South-eastern Europe

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