



OCTOPUS II PROGRAMME

Joint Programme between the European Commission and the Council of Europe on the Fight against Corruption and Organised Crime in States in Transition

February 1999 – December 2000

Budget: EUR 2,454,600

Corruption and organised crime in States in transition

Most countries of Europe are affected by organised crime and corruption in one way or the other. This includes the countries of central and eastern Europe which since 1989 are undergoing a process of political and economic reform. Although there is great diversity, in many of these "States in transition" corruption – in the form of bribes, misappropriation of funds or trafficking in influence – is often found in the public sector but also in the banking and financial sectors and in private business. Organised crime usually involves the trafficking in drugs and stolen vehicles, and to varying degrees prostitution, trafficking in immigrants and arms, money laundering, or banking and financial fraud.

Corruption and organised crime are often closely related. Corruption is one of the instruments used by criminal organisations to conduct and expand their activities, to avoid law enforcement and prosecution, or to obtain licences and contracts. This is particularly affecting the process of privatisation which is both an important source of corruption and a means by which criminal organisations launder money, expand their business and infiltrate the legal economy.

Corruption and organised crime can undermine democratic, social and economic reform in States in transition. This is recognised by Governments in these countries who see the need for action against these phenomena. These problems are also of major concern to the Council of Europe and the European Union who are ready to support efforts by national governments. In June 1996, the European Commission and the Council of Europe therefore launched the first phase of the Octopus Programme. During that first phase problems related to corruption and organised crime as well as the measures undertaken by Governments were analysed and for each country a set of recommendations prepared. Octopus II, which started in February 1999, is to build on these.

Objectives of the Octopus II Programme

The Octopus II Programme is co-financed by the European Commission and the Council of Europe. Both organisations consider the control of organised crime and corruption an important contribution to promoting democracy, human rights, the rule of law, and social and economic progress in Central and Eastern Europe.

The objective of Octopus II is to strengthen capacities, policies and cooperation (national and international) for the control of organised crime and corruption in Europe.

Ten of the sixteen programme countries of Central and Eastern Europe are candidates for membership in the European Union. Octopus II will help them adopt the "acquis communautaire", that is, the legislations, standards and practises of the European Union required to fight organised crime and corruption.

All programme countries are members of the Council of Europe. The Council of Europe has a number of instruments against corruption and organised crime at its disposal. Octopus II will help all sixteen programme countries adopt and implement these conventions and agreements.

Octopus II has very much a networking and training character. It will allow all countries involved in this programme to share information on best practice in the fields of .

Themes

Following the problem analyses and the recommendations emerging from the first phase of the programme, Octopus II covers the following themes:

- Criminalisation of corruption and organised crime, and punitiveness of sanctions
- Corporate criminal liability
- Enhancement of investigative means
- Enhancement of interagency cooperation and setting up of specialised units
- Protection of witnesses and victims
- Economic and financial crime
- Crime prevention and juvenile delinquency
- Enhancement of international cooperation
- International sharing of sensitive information.

Related activities consist of a series of eight seminars on the one hand. These preferably take place in the programme countries of Central and Eastern Europe. During these seminars for each of the programme countries a set of recommendations on the theme of the event will be drafted.

Secondly – and building on these recommendations – experts from programme countries will have the opportunity to participate in study visits in order to discuss with counterpart experts of EU countries, how the instruments of the Council of Europe and the „acquis communautaire“ are implemented in the European Union. During these study visits concrete proposals for improvements should be prepared for each programme country. The composition of the delegations participating in study visits is multi-disciplinary - including judges, prosecutors, officials or parliamentarians involved in the drafting of legislation, investigators, police officers – in order to ensure that different points of view are taken into account when proposals are drafted.

Participating countries

The sixteen programme countries are:

Albania, Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Russian Federation, Slovakia, Slovenia, “The Former Yugoslav Republic of Macedonia” and Ukraine

Member States of the European Union also actively participate in Octopus II by providing rapporteurs for seminars and by hosting study visits. Thus countries from Central and Eastern Europe and from the European Union are given an opportunity for sharing experience and networking against organised crime and corruption.

Activities

The following activities are to be implemented between February 1999 and December 2000:

0	Start-up conference
1V	Study visits for specialised police officers, prosecutors and judges to examine the crime prevention programmes put in place to control juvenile delinquency
2S	Seminar on the enhancement of investigative means
2Va	Study visits for prosecutors to examine investigative methods used in the fight against corruption and organised crime and the legal conditions for their use
2Vb	Study visits for specialised police officers to examine modern investigative means used to fight corruption and the legal conditions for their use as well as to examine the organisation and working methods of specialised units combating corruption

2Vc	Study visits for specialised police officers to examine modern investigative means used to fight organised crime and the legal conditions for their use as well as to examine the organisation and working methods of specialised units combating organised crime
3S	Seminar on the enhancement of interagency cooperation and setting up of specialised units
3V	Study visits for judges, prosecutors and police officers to examine methods of conducting corruption, organised crime, drug and tax evasion cases, interagency cooperation and functioning of specialised units
4S	Seminar on cooperation with criminal justice agencies and protection of vulnerable targets including witnesses
4V	Study visits for judges, prosecutors and police officers to examine ways for ensuring protection of witnesses and victims
5S	Seminar on the criminalisation of corruption and organised crime and punitiveness of sanctions
6S	Seminar on corporate criminal liability
7S	Seminar on the enhancement of bilateral and multilateral cooperation in the fight against corruption and organised crime
8S	Seminar on the investigation, prosecution and sanction of economic crimes (credit cards, electronic payments)
8Va	Study visits for police officers, prosecutors and judges to examine how economic crimes (credit cards, electronic payments) are dealt with
8Vb	Study visits for officials from Ministries of Finance and National Banks to examine the implementation of financial law to combat corruption and organised crime
9S	Seminar on the enhancement of international sharing of sensitive information
10	Final evaluation conference