

COMMONWEALTH NETWORK OF CONTACT PERSONS (CNCP) FRAMEWORK OF THE CNCP

PRINCIPLES OF THE CNCP

The purpose of the network of Contact Persons will be;

1. to facilitate international co-operation in criminal cases between Commonwealth Member States including mutual legal assistance and extradition.
2. to provide legal and practical information necessary to the authorities in their own country and Commonwealth Member States wishing to invoke international co-operation.

The network of Contact Persons will be an informal network. The Contact Person does not act as the Central Authority of a member State unless the Central Authority also acts as Contact Person; and the role of the Central Authority under the Harare Scheme on Mutual Assistance in Criminal matters remains unaffected by the establishment of the CNCP.

Article 1 - Establishment

The Commonwealth Network of Contact Persons, hereinafter referred to as the Network or CNCP, which shall include prosecutors and other authorities with responsibility in criminal matters, shall be established in the Commonwealth.

It will be for each Member State, taking into account their own constitutional rules, legal traditions and internal structure to nominate Contact Person(s).

The Contact Person(s) may include the Central Authority, if the Member State so chooses.

Article 2 – Objective

The objective of the CNCP is to improve and enhance international assistance and co-operation in criminal cases.

Article 3 – Composition

1. The CNCP shall comprise of at least one Contact Person from each of the jurisdictions of the Commonwealth.
2. The Commonwealth Secretariat shall designate one of its officials to co-ordinate the activities of the CNCP.

Article 4 – Functions of the Network

The CNCP shall, in particular:

- (a) facilitate the establishment of appropriate contacts between Contact Persons in the various criminal jurisdictions of the Commonwealth in order to carry out the functions laid down in Article 5;
- (b) meet periodically, as arranged by the Commonwealth Secretariat, to review activities;
- (c) make every effort to collaborate with other Networks.

Article 5 – Functions of the Contact Persons

1. The Contact Persons shall seek, to the extent permitted by their domestic laws, to facilitate international co-operation in criminal matters between Member States of the Commonwealth. They shall enable the most appropriate direct contacts between prosecution agencies, other competent authorities and Contact Persons in Commonwealth jurisdictions. They may, if necessary, travel to meet other Contact Persons, on the basis of an agreement between the administrations concerned.
2. The Contact Persons shall seek to provide legal and practical information to prosecution agencies, other competent authorities and Contact Persons in their own and other Commonwealth jurisdictions to improve international co-operation in criminal cases .
3. They shall aim to improve co-ordination of international co-operation in criminal cases where a series of requests from a Commonwealth jurisdiction necessitates co-ordinated action in another Commonwealth jurisdiction.
4. Contact Persons, through the Commonwealth Secretariat, shall distribute any changes in legislation or procedure introduced within their jurisdiction

Article 6 – Meetings

1. Contact Persons shall endeavour to meet periodically to review the activities of the CNCP.
2. The aims of the periodic meetings shall be as follows:
 - (a) to allow the Contact Persons to get to know each other and exchange experiences;
 - (b) to provide a forum for discussion of practical and legal problems encountered; and
 - (c) to provide to the Commonwealth Secretariat any information or collective opinions which may assist the Secretariat in its work.

Article 7 - Provision of Information

1. It will be the responsibility of each Member State initially to provide the details of the Contact Person(s) to the Commonwealth Secretariat.
2. It shall be the responsibility of each Contact Person to check the accuracy of the data contained in the system and to inform the Commonwealth Secretariat immediately if any of these details need to be amended or updated.

Article 8 – Role of the Commonwealth Secretariat

Activities of the network should be co-ordinated by the Commonwealth Secretariat which shall, *inter alia*:

1. maintain an up-to-date list of Contact Persons;
2. maintain an up-to-date web page concerning the activities of the CNCP;
3. facilitate meetings of Contact Persons;
4. disseminate information amongst Contact Persons.