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**HIGH-LEVEL CONFERENCE
OF THE MINISTRIES OF JUSTICE AND
OF THE INTERIOR**

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**IMPROVING EUROPEAN CO-OPERATION
IN THE CRIMINAL JUSTICE FIELD**

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Ad 1.: Towards an improvement of the efficiency of the operation of European Conventions on judicial co-operation in criminal matters: the need to modernize the European mechanisms on extradition and on mutual assistance

At the outset of my contribution / Since I am taking the floor for the first time, I would like to join my voice in congratulating the host of our Conference, the Government of the Russian Federation, and President of the Russian Federation, Mr. Vladimir Putin for the excellent preparation of the Conference as well as in expressing my sincere thanks for his kind hospitality.

On behalf of the Croatian Government, I would also like to express our satisfaction with the choice of the topic of the Conference.

Organized crime, corruption, terrorism, cyber-crime, money laundering and trafficking in human beings are modern phenomena that represent a threat to any democratic society and the rule of law. They do not recognize boundaries and so require an efficient and modern legal framework, but also what is more important, effective implementation, both among and between law enforcement authorities and judicial bodies.

Croatia is a party to a number of Council of Europe Conventions in the field of criminal justice. Some of them were adopted a long time ago. From the practical point of view new solutions are needed in order to enhance co-operation in tackling all forms of serious crime at national, regional and international levels.

Therefore, we welcome the initiative in this field, as presented by the former Chairman of the Committee of experts on the operation of European Conventions on co-operation in criminal matters (PC-OC), Mr. Eugenio Selvaggio, both through practical measures and through proposals for the modernization of some of the Council of Europe Conventions, which would contribute to improving the efficiency of international co-operation.

In respect of the current subject of the first session, my Government fully supports the work of the Council of Europe bodies. I particularly refer to the European Committee on Crime Problems (CDPC), in which the Croatian experts actively take part. We support the scope of its work - the examination of the effective implementation of co-operation mechanisms provided by Council of Europe conventions in criminal matters, the task that was entrusted to it during the last year Conference held in Warsaw.

As a candidate country for the full membership to the EU Croatia has been continuously harmonizing its national legislation with the *Acquis Communautaire*. In this regard, Croatia introduced the institution of simplified extradition in the provisions of The Act on Mutual Legal Assistance in Criminal Matters (2004).

Bearing this in mind, we would like to share our positive experience which emerged from its implementation and with respect to the specific decision adopted at the 52nd meeting of the PC-OC, my delegation would like to express support for the idea of modernizing the 1957 European Convention on Extradition by including the mechanism of simplified extradition when the person consents to his or her extradition.

(With regard to the proposal of the Minister of Justice of Greece on the transfer of sentenced persons and related to it the mutual recognition of judgements, we are of the opinion that before starting work on the new instrument it is necessary to entrust the CDPC to conducting an additional survey of the existing legal framework and the practice of the CoE member states in this regard.)

Thank you for your attention.

Ad 3.: The operation of the European Conventions to fight specific Crimes: European co-operation

In respect of the current subject of the third session, we fully agree that the existing Council of Europe legal instruments which address specific crimes should be widely implemented by the competent authorities of the Council of Europe member states. In addition to that, proper monitoring mechanisms such as MONEYVAL and GRECO, the development of best practices and full use of the communication and information exchange channels established by Interpol and Europol are equally important if efficient European Co-operation is to be achieved.

Croatia is a party to all major instruments which deal with specific crimes, namely the European Convention on the Suppression of Terrorism (1997) with the Additional Protocol (2003), the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (1990), the Criminal Law Convention on Corruption (1999) with the Additional Protocol (2003), the Civil Law Convention on Corruption, and the Convention on Cyber crime (2001).

Though not yet ratified, the principles of the Additional Protocol to the Convention on Cyber crime (2003), concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems are already being implemented in the Croatian legal system.

A new Council of Europe Convention on the Prevention of Terrorism and on Action against Trafficking in Human Beings was signed last year during the summit in Warsaw and will soon be ratified.

Terrorism is a growing threat to the security of our citizens. It creates the constant need within the Council of Europe to seek common responses to the challenges posed by terrorist activities and different forms of other crimes related to them, namely money laundering and organized crime. In this regard I would like to congratulate CODEXTER specifically on its work.

The terrorist attacks that have taken place in Europe, have led to an ever growing need to respond jointly and efficiently to the needs of international co-operation against money laundering and financing terrorism. Organized crime sets out to accumulate financial gain, launder them and give them a lawful appearance in order to facilitate their injection into global financial circuits or to use them for financing terrorist activities.

European co-operation in suppressing and preventing terrorism could, therefore, become more effective through full implementation of a new legal instrument – the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of terrorism, adopted last year which my Government plan to sign in 2007.

Being fully aware of the importance of co-operation on a European level while fighting these modern scourges, certain actions could also be undertaken on a national level.

Croatia has undertaken a number of measures, among which I would like to point out:

1. The ratification of the 2nd Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters is in Governmental procedure.
2. In relation to it, recent Amendments to the Criminal Procedure Act as of October 2006 contain:
 - a. more clear provisions on International legal assistance while providing hearings through video conferencing. The amended provisions will contribute to better interstate co-operation in judicial proceedings.
 - b. the list of criminal offences for which special investigation measures may be carried out was extended in connection with criminal offences of abuse of office and corruption in business operations. These amendments will facilitate the work of USKOK, a special investigative body within the Public Prosecutor's office which deals with specific crimes, such as organized crime and corruption.
3. As a candidate country for the full membership to the EU, and with a view to facilitating co-operation between Croatia and EU member states in combating different forms of organized crime, I am pleased to say that the Croatian Government has recently finalized procedure and is ready to start negotiating the Agreement with Eurojust.

Finally, my Government remains committed to constant improvements important for more effective and efficient European co-operation necessary for fighting all the forms of crime we have mentioned under this section.

My delegation would therefore like to propose for consideration the possibility of further extending the work of the appropriate Council of Europe bodies aimed at exploring additional methods and means for the improvement of European co-operation through the Council of Europe's existing legal instruments.

Thank you for your attention.

Ad 4.: The mechanisms of monitoring and control of the operation of the criminal Conventions

Regarding of the subject of this session, underlining the fact that the financial power of certain criminal groups allows them to influence and even corrupt the structures of the State, my Government welcomes the action taken at the Council of Europe to combat corruption, especially the Agreement on the "Group of States against Corruption - GRECO", which is the institution responsible for monitoring compliance with international commitments regarding the fight against corruption.

Croatia is the 26th member of «GRECO» and was evaluated in the second round of supervision of the organization, means, powers and functioning of the authorities in charge of preventing, investigating, prosecuting and adjudicating corruption offences.

We give our full support to initiatives launched within the framework of the Multidisciplinary Group on Corruption (GMC) relating to the prevention of corruption in the financing of political parties and to corruption of arbitrators.

Croatia is one of 27 permanent members of the Select Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL). I am pleased to inform you that one month ago third evaluation round was successfully finished. Croatian experts also took active part in evaluation of other member states. We would like to encourage other states to participate in achieving the aim of creating effective systems to counter money laundering and terrorist financing and comply with the relevant international standards in these fields.

Being aware that monitoring mechanisms could be seen as a tool for better implementation of the Council of Europe's international instruments and the way differences in legal systems could be overcome, my Government supports the creation of monitoring mechanisms under other conventions, such as trafficking in human beings and terrorism.

Thank you for your attention.