

CROATIA

**STATEMENT**

**BY**

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**Mr. President, Ladies and Gentlemen,**

At the outset of this high level meeting allow me to express my pleasure to be here today and to greet you all on behalf of the Government of the Republic Croatia and personally. It is without any doubt that each and every effort of this kind is moving us a step forward towards better understanding and more efficient co-operation.

With the beginning of new millennium we are challenged with the major threats which are jeopardizing the core of democracy of each and every country. The democracy we want, the democracy we are trying to build is lying at the grounds of the rule of law and sustainable economic development. The essential threats coming out from the crime nowadays intends to destroy and to minimize the same values. Our imperative is and our mission at the same time: to stop these threats and to make a strategic ally in crime prevention. We will give our full and complete contribution in supporting the United Nations in performing the leading role in achieving these goals.

**The report of the High Level Panel and report of the Secretary-General "In larger Freedom"** provide a strong base for further discussion about peace and security, rule of law and development and, in this context, about the reform of the UN.

Croatia recognizes that security and development are interlinked in more ways than one, but we would also like to emphasize that development is a pillar on its own, and not just a means to achieve security. We consider it important to reaffirm all the outcomes of the UN conferences, which form part of the agreed international development framework of which comprehensive debt relief and completion of the Doha round are key additional elements.

Due to the ever increasing links between national and international criminal activity in the suppression of terrorism, organized crime and corruption it is imperative to work on two levels: within international organizations on a global and regional level and on a national level by harmonizing legislation and implementing it efficiently and effectively.

The Republic of Croatia recognized from the very beginning the importance of the suppression and fight against terrorism, organized crime and corruption.

**The Republic of Croatia most strongly condemns acts of terrorism. It is also actively involved in all initiatives and activities as a member of the Antiterrorism Coalition founded in relation to the implementation of the United Nations Security Council Resolution 1373 (2001) on the suppression of the terrorism. Out of the twelve universal antiterrorist instruments of the UN, the Republic of Croatia has ratified 102 Conventions, while the process of the ratification for the rest of 2 will be ended soon. ALL OF THEM.**

The Republic of Croatia is geographically located on routes which are used by the international criminal organizations when illegally trading in drugs, arms, people and for the purpose of illegal migration.

Therefore, although the Republic of Croatia is taking measures to prevent the growth of crime both through preventive action and also through the prosecution of perpetrators of criminal offences, there are negative trends present in this region which may be seen in the growth in organized crime and corruption. All this, as well as technological innovations, with Croatia's position on international routes, has a significant influence on and determines the form and extent of the organized crime that exists in the territory of the Republic of Croatia, and the nature of the danger it involves. When talking about organized crime it has to be particularly emphasized that the discovery and proof of these criminal offences is extremely difficult and complex, with the view of secrecy and intimidation and their trans-national nature.

The Republic of Croatia was one of the first countries in the world to sign the UN Transnational Organized Crime Convention (UNTOCC) in Palermo 2000 and the UN Convention against Corruption in Merida 2003. The both of the Conventions have been ratified.

**Mr. Chairman,**

Croatian criminal legislation contains a whole range of incrimination measures and procedure which provide the necessary legal framework for the fight against transnational organized crime and corruption.

The **Penal Code** regulates several criminal offences, incriminating various forms of terrorism, organized crime and corruption and in this part is harmonized with international legal documents. The prison sentences have been increased in the latest amendments in accordance with the increased danger of these criminal acts.

With the adoption of the Act **on International Legal Assistance** in Criminal Matters, coming in force in July 2005, the provisions of international legal assistance will be implemented in the widest possible scope and in the manner which will facilitate the more rapid conduct of criminal proceedings. These changes will significantly contribute to the prevention, discovery and sanctioning of serious forms of transnational crime, including terrorism.

By the adoption of the Act **on Liability of Legal Entities for Criminal Offences** the Republic of Croatia has introduced the institution of the criminal law liability of legal entities, which creates the further legal conditions for suppression of organized crime and terrorism, all often linked with the legal forms of association.

The New Act **on International Restrictive Measures**, the Government of the Republic of Croatia was given an authority to introduce international restrictive measures, to implement or abolish them. Restrictive measures may be implemented against states, international organizations, territorial entities, movements or natural or legal persons and other entities, for violations of internationally legally binding decisions of the United Nations Organizations, and in order to participate in restrictive measures of other international organizations and in other cases.

The Republic of Croatia has adopted the **Witness Protection Act**, which makes possible the effective protection of all persons who are prepared to testify and cooperate with the justice system for the more efficient discovery and sanctioning of organized crime offences, corruption and other serious criminal acts. The purpose of this law is to make possible to provide the permanent

protection of persons, who perform the witnesses role in criminal proceedings and whose testifying make possible to apprehend and sentence the perpetrators of criminal offences. In this respect, the Ministry of Internal Affairs has set up a witness protection unit.

The **Office for the Suppression of Corruption and Organized Crime** is a special body for international cooperation and joint investigation for the corruption and organized crime offences, as being defined in that way, it represents the most important body entrusted with the task of the fight against corruption and the suppression of organized crime in the Republic of Croatia. Based on the latest amendments to the Act on the Office, its role has been significantly broadened up and its authority in criminal procedure has been strengthened.

The **Money Laundering Prevention Office** is a specialized financial intelligence agency (FIU Financial Intelligence Unit) dealing with the gathering of data on cash and suspect transactions (and those prescribed by the Act on the Prevention of Money Laundering) which are considered to contain or which could contain indications of the criminal offence of money laundering or predicate criminal offences relating to money laundering.

Further, The Croatian Parliament has adopted in September 2004 the **National Plan for Combating Organized Crime** which is a document of general character, whose aim is to provide an overview of the Republic of Croatia's legislative and institutional framework in the fight against organized crime, a presentation of the trends and structure of organized crime and a proposal of specific concrete measures for the suppression of crime.

Additionally, the Republic of Croatia is in a late stage of finalizing the National Strategy against Corruption. Although, the National Programme against Corruption has been adopted in 2001, it needed to be redefined. The project of establishing the Independent Anticorruption body is planned to be realized by the end of this year. The aim of this body is to substantially combine the monitoring, educational and preventive measure. The body will include the public and private sector and will be established according to the Article 6 of the United Nations Convention against Corruption.

Further, the Croatian National Committee established for this event has prepared two documents: **Making Standards Work: Fifty Years of Standard Setting in Crime Prevention and Criminal Justice**, the Report which was drawn by the expert group of the National Committee of the Republic of Croatia for Participation at the 11<sup>th</sup> UN Congress on Crime Prevention and Criminal Justice; and second document: **The Implementation of UN Convention Standards against Transnational Organized Crime in Croatian Legislation**. The both documents are at your disposal.

**Mr. Chairman,**

The Republic of Croatia is aware of the facts that the menace of terrorism, organized crime and corruption can not be fight individually. Therefore, the Republic of Croatia supports and seeks for cooperation, both, international and regional in order to strengthen and improve international cooperation, hence, to be more efficient in combating these acts of crime. Related to that, the Republic of Croatia and the UNODC has jointly organized the Regional Workshop on International Cooperation on Encounter Terrorism, Corruption and Fight against Organized Crime,

held in Zagreb, from 07 to 09. March 2005. The hosting of this conference is a proof of the continuation of the successful and active co-operation between the Republic of Croatia and the United Nations. The Republic of Croatia fully supports the important work of the United Nations regarding the establishment of new appropriate legal standards, and will continue to improve this cooperation.

The Republic of Croatia shares the opinion that the United Nation's influence derives not from power but from the values it represents. These values, reflecting the spirit of the Charter: Freedom, Equity and Solidarity, Tolerance, Non Violence, urge us to do our best in making these values sustainable and implementable.

These last few days of the Congress, the Ministerial segment, should enable us to confirm the results achieved in the course of the discussions, which are reflected in a **Bangkok Declaration**, to which I would like to give my full support. They also give us the opportunity to reaffirm, for the public at large, our determination to prevent and combat many form of crime.

**Thank you.**