

**STATEMENT**  
**by Ms. Hanna Suchocka**  
**Minister of Justice -Attorney General**  
**of the Republic of Poland to**  
**the X United Nations Congress on the Prevention of Crime**  
**and the Treatment of Offenders**  
Vienna, 10 - 17 April 2000

Mr President

In the era of rapidly developing technology, the disappearance of national borders, the fight against international crime became a priority task in democratic states around the globe. Until recently, international treaties devoted to combating crime were restricted to extradition agreements and a certain degree of legal assistance. Discussions on penal law focused on the rights and freedoms of men and citizens. Crimes committed in one country were rarely recognised as a potential threat to the functioning of another state.

Today, countries have come to form communities to render mutual assistance in the fight against organised crime on an international scale. The first results of this co-operation are already visible.

Having recognised the need to closely work with other countries in the fight against international crime, Poland signed a number of conventions and international agreements which regulate those cooperation principles, while systematically adjusting its internal laws to international standards.

We signed inter alia:

- OECD Convention on combating Bribery of Foreign Public Officials in International Business Transactions.

- Council of Europe Criminal Law Convention on Corruption / 1999 /

Poland ratified also the United Nations Convention against illicit traffic in narcotics drugs and psychotropic substances - of 1988.

Mr President,

Poland's uncompromising approach to the problem of fighting organised crime was reflected in the Polish president's initiative of September 1996 to present the project of the UN Convention on the fight against organised crime to the United Nations General Assembly.

Consequently, Poland is taking an active part in the works of the Ad Hoc committee which was established in Vienna two years ago to develop the Convention. We are of the opinion that it is still possible to conclude the work on the convention and the protocols this year however, great determination and perseverance will be necessary.

All acts of international law as quoted above and currently in preparation have or will require measures to adjust internal solutions to international standards also in Poland.

While developing its administrative and legal system, Poland fully supports all activities which constitute efficient forms of fight against organised crime and corruption under collective and bilateral agreements.

The changes and new institutions in the penal code and the penal proceedings code came into force as of 1 September 1998. The new penal code introduced changes which provide for an efficient legal instrument in the fight against organised crime.

The new measures involve an extraordinary mitigation of punishment with regard to the perpetrators of crime who agree to cooperate with investigative authorities and release information concerning persons participating in the crime and related circumstances. In the light of the new legislation, perpetrators are deprived of material benefits directly or indirectly derived from the crime. The property originating from crime is subject to obligatory forfeiture to the State, unless returned to the victim or an authorised party.

The crown witness act of 1997 is the first legal act which contains procedural regulations solely for the purpose of prosecuting organised crime. The above regulations and the extended principles of extraordinary mitigation of punishment under the new penal code have been designed to weaken the

solidarity and efficiency of criminal groups. The act also facilitates the acquisition of key evidence in penal proceedings.

The regulations on the protection of confidential bank data are being gradually developed. Under the Banking Act of 1997, implemented on 1 January 1998, information containing confidential banking data can be released to the prosecutor before investigative proceedings in the event of a justified suspicion of money laundering activity.

New legislative regulations facilitate the activity of investigative authorities responsible for prosecuting certain types of crime and furnish them with new detection instruments. This in particular applies to controlled purchases, secretly monitored deliveries, acceptance or handing of material benefits.

The changes in the structure and form of criminal activity led to changes in the operating principles of investigative authorities, mainly the police and the prosecutor's office. Separate units for fighting organised crime have been created at the National Police Headquarters, which were subsequently transformed into the Central Investigation Bureau in March 2000. The Organised Crime Bureau was formed in the Ministry of Justice in 1996 as part of the National Prosecutor's Office to co-ordinate the prosecutor's office's activities with the operations of national security agencies and other investigative authorities. The above measures were adopted to fight organised crime even more efficiently.

The spreading of crime, including its organised forms, prompted the authorities to improve the safety of crime victims and develop the Victims' Charter of Rights. *The Charter lists the rights* available to crime victims, including clear instructions as to what assistance the victims are entitled. The main goal of this measure is to ensure that the victims' rights are executed in practice.

Before concluding I would like to stress again that Poland is ready to join all initiatives aiming to restrict the growing wave of crime and is ready to assist other countries by sharing its experiences.