

Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

Speech of Minister of Justice of the Slovak Republic Mr. Jan Carnogurský

Free people around the world have beaten two big dictatorships through the connected effort in the past century - the communism and nazism. At present there is no threat of a big war which would at the same time present the biggest crime. The efforts to extinguish the war fires were not successful, however, again thanks to the effort of the international community have only a limited character. The organised crime remains for us a big challenge to the security of the 21st century. Technical development has enlarged the possibility of the organised crime too. As we were successful in beating the two big dictatorships in Europe, we will also manage the challenge, which is represented by the organised crime.

The international effort with the solid international grounds is necessary and in this connection I allow myself to mention that the Slovak Republic:

- has ratified the OECD Convention on Bribery of Foreign Public Officials in International Business Transactions on 24th September 1999;
- has signed the Council of Europe Criminal Law Convention on Corruption on 27th January in Strasbourg. The ratification was approved by the Slovak Parliament on 16th March 2000;
- on 1st March 2000 the Slovak Government has approved the proposal for signature of the Council of Europe Civil Law Convention on Corruption. Its signature by the Slovak Republic is foreseen in June 2000;
- Slovak Republic has signed in September 1999 and is preparing the ratification of the Convention on Money Laundering, Search, Seizure and Confiscation of Proceeds of Crime of 8th November 1999.

The main focus of the fight against crime lies with the national institutions. As of 1st September 1999 the amendment of the Criminal Code implementing the OECD Convention on Bribery of Foreign Public Officials in International Business Transactions and the Council of Europe Criminal Law Convention on Corruption measures entered into force. This amendment contains the separate chapter called "Corruption" which includes the special criminal offences of the active and passive bribery even in relation to the foreign public officials and it introduces more severe criminal sanctions.

The last amendment of the Code of Criminal Procedure has introduced the institute of the special agent with the aim to increase the effectiveness of the fight against corruption, organised crime and other forms of especially dangerous and harmful forms of crime. It is the new institute of the Slovak legal system, which should contribute to the detecting and sanctioning of persons suspected from the corruption offences.

The money laundering problematics in the Slovak Republic is regulated by the separate Law on the Fight against the Legalisation of Proceeds from the Most Serious, in Particular Organised Forms of Crime. The purpose of this Law is to create the set of special legal tools to prevent detect and sanction the acts of legal and natural persons aiming at the legalisation of the proceeds from the most serious, in particular organised forms of crime.

In the field of the prevention of crime the Slovak Government has approved the "Strategy of the Prevention of Crime" as the main programme of the prevention of crime and at present is in the stage of preparing the draft Law on the Prevention of Crime and Other Anti-social Activities And on the Crime Prevention Fund.

On 3rd March 1999 the Slovak Government has approved the participation of the Slovak Republic in the "Group of States Against Corruption - GRECO" which

represents the monitoring mechanism of the Council of Europe in the fight against corruption. The Secretary General of the Council of Europe received the notification of the participation of the Slovak Republic in the GRECO on 21st April 1999.

Within the framework of the joint project of the Council of Europe and the European Union "Octopus I" the Slovak Government has taken its standpoint to the recommendations of the experts and has imposed on the Minister of Justice, Minister of Interior and the Prosecutor General to elaborate the analysis and to take measures to fight against corruption and organised crime. The Slovak Republic is involved in the second phase of the project - "Octopus II" as well and takes part in the activities organised within its framework.

The amended provisions of the passed legal norms were used in the court proceedings in the case "M.C.", which was concerned with the extraordinary serious organised criminal activities endangering the lives and personal freedoms of citizens. In this proceedings the sanctions of imprisonment from 2 to 15 years were imposed and the institute of the protected witness was used.

To conclude, allow me to wish the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders the fruitful discussions and the approval of such conclusions which will support further development of the prevention of crime and improve the treatment of offenders in the international context.