

SNEZANA MALOVIC, Ministry of Justice of the Republic of Serbia

Ministerial Conference: STRENGTHENING OF REGIONAL COOPERATION

Belgrade, September 28, 2009, Palace “Serbia”

Dear Mr. President, Vice-President Barrot, honorable Colleagues, Ladies and Gentlemen,

It is my pleasure to address you at such an important Conference, and I would like to thank to all delegations and guests for participating in the work of this international reunion, which will contribute, I am assured, in enhancing overall regional cooperation, and especially cooperation in the field of combating organized crime.

Today – I am sure – we will send message from the Western Balkans to all the World, that we are determined to deal with problems depraving the essence of democracy and basic civilization values, that in combating organized crime we have erased borders between our countries, that through implementation of world and European standards, we will clearly say that the mafia on the territory of our country will have no peace.

The fact is that organized crime is a malign form of criminality, which, if it isn't successfully suppressed, smolders lingeringly demolishing country's foundation. Organized crime has become an international and cross-border phenomenon. If we, as a whole region, strive efficiently to handle this form of crime, and I am assured that it is our mutual goal we all aspire to, it is necessary for all regional countries, their justice and law enforcement representatives, to make further and new steps towards intense and productive cooperation.

Respectable state institutions, fighting against organized crime, have been established, there is a clear political will in all the regional countries, and what is most important, our citizens are struggling for justice. Fight against all serious forms of crime predicts existence of strong, solid, efficient and responsible state institutions, principally an independent and objective judiciary, stiff, courageous, professional and technically equipped prosecution system, but also politicians, who are ready to assume responsibility for the velocity of enacting adequate legal framework. Laws are weapons in the hands of professionals, and if they are good, the effect is certain.

Due to envious cooperation between the Serbian and Bosnian police and prosecutors, as well as between Serbian and Croatian, several outspread and very dangerous criminal groups have been discovered recently, which, as their place of committing criminal acts, had the territory of Western Balkans and EU countries. Examples of good cooperation between judicial bodies – hereby I would especially like to mention cooperation among Serbian and Croatian prosecutors in the field of war crimes, who shared evidences for 26 cases – represent a role model also for us, politicians, teaching us how the good cooperation can contribute to efficient protection of our citizens' interests.

Ministry of Justice has drafted number of important laws, which have been adopted by the National Parliament of the Republic of Serbia, what provided our public prosecutors and judges with adequate legal means for efficient combat against organized crime. Hereby I would especially like to point out the Law on seizing assets obtained by committing criminal acts, the Law on international legal assistance in criminal matters, the Law on amendments of the Criminal Code, as well as the Law on amendments of the Law on Criminal Proceedings.

I hope that this reunion, and other similar, will help us resolve the problems used by criminals to gain wealth, such as the fact that our citizens possess two, three or more citizenships, then problems of parallel investigations, unavailability of perpetrators of crimes to justice.... This is the reason for the necessity of signing multilateral agreement between Western Balkan countries in the future, which will, inter alia, establish the procedure of extraditing domestic citizens charged for participating in organized crime cases, and other crimes, according to precisely established criteria.

The Government of the Republic of Serbia has clearly defined its European path. Europe isn't just a geographical term, it is a system of values and rules we intend to accept and implement. In such a system of values, there is no space for crime and corruption. Not only we won't allow organized criminal groups to endanger the strength and state authority, **but also we won't permit them to create dangerous illusion of being stronger than the state.**

It is equally important to enable only the best, the most competent and most conscientious holders of juridical functions to become public prosecutors and judges, who are going to be involved in criminal proceedings of organized crime. In this matter, in the case of Serbia, one of the most important systematic reforms currently implementing – overall judicial reform - will have an outstanding role. Following the idea that “all laws are valuable, only as much as value the people who implement them”, I claim to you that in Serbia independent, autonomous, conscientious, competent, efficient and brave ones, will be applying laws we have enacted.

I want to inform such judges and prosecutors, that system of justice in the Government of the Republic of Serbia and Ministry of Justice will have a permanent partner, who will keep trying constantly and forwardly to create adequate technical, financial and legal conditions for them.

In the end, I would like to say to all of you: Democratic Serbia will defeat Serbia in which rules Mafia, that left blood tracks, Serbia in which Prime Minister was killed, where state plundering was everyday life, and Serbia where political opponents and journalists were being killed.

It is our duty to ensure for the future generations, our kids, here in Western Balkan region, to be part of European family together with their friends from Europe. We can't leave our burden and responsibility to future generations, letting them live in the society in which adaptable organized crime dictates its rules. That problem has to be solved by us. Right now.

This is the main political goal of the Republic of Serbia; this is the road Serbian judicial system definitely is going to take.

Mr. President, Mr. Barrot, Ladies and Gentlemen, I am assured that the Democratic European Serbia, Serbia of the future, won't tolerate crime!

SNEŽANA MALOVIĆ, ministarka pravde Republike Srbije

Ministarska konferencija: JAČANJE REGIONALNE SARADNJE

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Poštovani gospodine predsedniče, potpredsedniče Baro, uvažene kolege, dame i gospodo, Zadovoljstvo mi je da vam se obratim na ovako važnoj konferenciji, i želim da se zahvalim svim delegacijama i gostima na učešću u radu ovog međunarodnog skupa koji će, sigurna sam, doprineti unapređenju sveukupne regionalne saradnje, a posebno saradnji u oblasti borbe protiv organizovanog kriminala.

Danas ćemo – uverena sam – sa Zapadnog Balkana poslati poruku celom svetu, da smo odlučni da se uhvatimo u koštac sa pojavama koje podrivaju samu srž demokratije i osnovne civilizacijske vrednosti, da smo u borbi protiv organizovanog kriminala izbrisali granice između naših zemalja, da ćemo kroz primenu svetskih i evropskih pravnih standarda, jasno reći da mafija na prostorima naših država neće imati mira.

Činjenica je da je organizovani kriminal maligna forma kriminaliteta, koja, ako joj se efikasno „ne stane na put“, podmuklo tinja rušeći temelj države. Organizovani kriminal je postao međunarodni i prekogranični fenomen. Ukoliko kao region nastojimo da se efikasno obračunamo sa ovim oblikom kriminala, a uverena sam da je to zajednički cilj koji svi danas delimo, neophodno je da države regiona, njihova pravosuđa i policija, učine dalje i nove korake u pravcu intenzivne i plodne saradnje.

Uspostavljene su respektabilne državne institucije koje se bore protiv organizovanog kriminala, postoji jasna politička volja u svim zemljama regiona, i što je najvažnije, naši građani vaze za pravdom. Borba protiv svih najtežih oblika kriminala podrazumeva snažne, stabilne, efikasne i odgovorne državne institucije, pre svega, nezavisno i nepristrasno sudstvo, odlučno, hrabro, profesionalno i tehnički opremljeno tužilaštvo, ali i političare koji snose odgovornost za brzinu donošenja adekvatnog zakonskog okvira. Zakoni su oružje u rukama profesionalaca, i ako su oni dobri, efekat je izvestan.

Upravo je zahvaljujući zavidnoj saradnji policije i tužilaštava Srbije i Bosne, Srbije i Hrvatske u poslednje vreme razbijeno nekoliko razgranatih i izuzetno opasnih kriminalnih grupa, kojima su mesto izvršenja krivičnih dela bili Zapadni Balkan ali i zemlje Evropske Unije. Primeri dobre saradnje između pravosudnih organa - ovim posebno želim da pomenem saradnju tužilaštva Srbije i Hrvatske u oblasti ratnih zločina gde su međusobno ustupljeni dokazi za 26 predmeta – uзор su i nama, političarima kako se dobrom saradnjom doprinosi efikasnoj zaštiti interesa naših građana.

Ministarstvo pravde je izradilo niz važnih zakona, koji su usvojeni u Narodnoj skupštini Srbije, čime je omogućeno da naši javni tužioci i sudije, dobiju adekvatna pravna sredstva za delevornu borbu sa organizovanim kriminalom. Tu bih posebno istakla Zakon o oduzimanju imovine stečene vršenjem krivičnih dela, Zakon o međunarodnoj pravnoj pomoći u krivičnim stvarima, Zakon o izmenama i dopunama Krivičnog Zakonika, kao i Zakon o izmenama i dopunama Zakonika o krivičnom postupku.

Nadam se, da će mo na ovom i ovakvim skupovima rešiti probleme koje kriminal koristi da bi sticao bogatstvo, kao što su činjenica da građani naših zemalja poseduju po dva, tri i više državljanstava, probleme paralelnih istraga, nedostupnosti izvršilaca krivičnih dela pravdi...Zato je neophodno da se u budućnosti potpiše multilateralni sporazum zemalja Zapadnog Balkana kojim bi se, između ostalog, uredilo i pitanje izručivanje domaćih državana okrivljenih za krivična dela organizovanog kriminala ali i nekih drugih oblasti po precizno utvrdjenim kriterijumima.

Vlada Srbije je jasno definisala svoj Evropski put. Evropa nije samo geografski pojam, to je i sistem vrednosti i pravila koje ovde želimo da prihvatimo i primenimo. U takvom sistemu vrednosti nema mesta za kriminal i korupciju. Ne samo da nećemo dozvoliti da organizovane kriminalne grupe ugrožavaju snagu i autoritet države, **već im nećemo dopustiti da one ikada imaju opasnu iluziju da mogu biti jače od države.**

Podjednako je važno i da omogućimo da samo najbolji, najstručniji i najsavesniji nosioci pravosudnih funkcija, budu javni tužioci i sudije koji će postupati u krivičnim postupcima organizovanog kriminala. U tome će, u slučaju Srbije, svakako doprineti jedna od najvažnijih sistemskih reformi koja se u ovom trenutku sprovodi - sveobuhvatna reforma pravosuđa. Rukovodeći se idejom da „svi zakoni vrede, samo onoliko koliko vrede ljudi koji te zakone primenjuju“ ,tvrdim Vam da će u Srbiji nezavisni, samostalni, savesni, stručni, efikasni i hrabri primenjivati zakone koje smo doneli.

Takvim sudijama i tužiocima želim da poručim da će pravosudje u Vladi Republike Srbije i ministarstvu pravde imati stalnog partnera u da ćemo se uporno i tvrdoglavo truditi im stvorimo odgovarajuće tehničke, materijalne i zakonske uslove.

Na kraju, želim svima da poručim: Srbija demokratije pobediće mafijašku Srbiju koja je ostavila krvavi trag, onu u kojoj je ubijen premijer, u kojoj su državne pljačke bile svakodnevnica, Srbiju u kojoj su ubijani politički protivnici i novinari.

Imamo obavezu da budućim generacijama, našoj deci, ovde na području Zapadnog Balkana, omogućimo da sa svojim prijateljima iz Evrope budu deo evropske porodice. Ne možemo generacijama koje dolaze ostaviti teret i obavezu iz prošlosti, dozvoliti da oni žive u društvu u kome prilagodljivi organizovani kriminal diktira pravila. Taj problem moramo mi rešiti. Sada.

To je glavni politički cilj Srbije, to je put kojim će se pravosudje Srbije definitivno kretati.

Gospodine Predsedniče, gospodine Baro, Dame i Gospodo uverena sam da demokratska evropska Srbija, Srbija budućnosti neće tolerisati kriminal!