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## **25<sup>th</sup> CONFERENCE OF EUROPEAN MINISTERS OF JUSTICE**

*Sofia (9-10 October 2003)*

- **INTERNATIONAL CO-OPERATION IN THE  
FIGHT AGAINST INTERNATIONAL  
TERRORISM AND IMPLEMENTATION OF  
THE RELEVANT INSTRUMENTS OF THE  
COUNCIL OF EUROPE**
  
- **THE RESPONSE OF THE JUSTICE SYSTEM  
- CIVIL AND CRIMINAL - TO TERRORISM**

*Report presented by the Minister of Justice of*

**HUNGARY**



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We are fully aware of the fact that terrorism is a global issue extending across country borders, and no counteraction may be effective if confined to individual countries. The investigation and, in particular, the prevention of terrorist acts is only possible through the concerted international action of democratic states.

In order to fight terrorism, several international conventions have been concluded under the aegis of the United Nations since the 70's, and Hungary has adhered to such conventions.

At that time, experience showed that the perpetrators of such offences would first acquire weapons, which they would use for capturing one or more persons or seizing considerable material possessions. As a next step, they would make demands on specific state bodies and organisations or private persons, threatening to exterminate the person or persons under their restraint or to destroy the material possessions in their control unless such demands were fulfilled.

In recent years, however, devastation and destruction have become the sole objective of terrorist acts. The offenders have not formulated any counter-demands during perpetration. Terrorist acts pose a threat to the fundamentals of democratic societies, while terrorists commit increasingly cruel acts.

Criminal Code 1978 of Hungary defined terrorist offences in similar terms. The Criminal Code was amended at the end of 2002, in the aftermath of 9/11, 2001, with regard to the Council Framework Decision on combating terrorism.

Naturally, Hungary adhered to the Convention of 1997 for the Suppression of Terrorist Bombings drafted at the end of the nineties, and the New York Convention of 1999 for the Suppression of the Financing of Terrorism. On May 15, 2003, Hungary was among the first countries to sign the Amending Protocol to the European Convention of 1977 for the Suppression of Terrorism.

In drafting the new law, we reviewed the relevant provisions of European Criminal Codes and took into consideration former UN conventions and the most recent international regulations.

But of course, criminal law was not the only area that needed alterations. One of the key tools in the fight against international terrorism is the adoption of effective measures against money-laundering, and the prevention of the financing of terrorist groups. In response to the new circumstances, we devised a control and reporting system against money-laundering. This necessitated the adoption of new rules on both the legislative and the executive-statutory level in compliance with the most recent recommendations of MONEYVAL and FATF.

This way, we enabled the Hungarian Government to enforce economic, trade, financial and other bans and restrictions on the persons named in the Resolution of the UN Security Council and the Common Position of the Council of the European Union.

We are currently working on the national laws that will contribute to an up-to-date co-operation in response to current criminal challenges with member states of the EU and the Council of Europe pursuant to the Second Protocol to the CE Convention on Mutual Legal Assistance in Criminal Matters.

Over the past years, we developed the legal framework for the physical and procedural protection of witnesses, offended parties and official persons acting in criminal proceedings and set up the Witness Protection Service within the police organisation to operate this protection program.

In conclusion, I would like to emphasise that we believe it is indispensable to enhance co-operation both within Europe and on an international scale between air transport security, the police and the national security forces in charge of intelligence; we are clearly in support of the drafting of a global anti-terrorism convention.

At the same time, as we emphasised at the Moscow Conference of European Ministers of Justice held in October 2001, we must respect all fundamental human rights accepted in democratic states when elaborating the new ways of co-operation. To this end, we must give special consideration to the Directives of the Council of Europe adopted on July 15, 2003 on human rights and the fight against terrorism. Accordingly, I fully support the adoption of the draft resolution on the fight against terrorism and encourage my colleagues to follow suit.

Budapest, October 7, 2003



