



MJU-25 (2003) Concl.

25th 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**

Conclusions and Resolutions of the Conference

**Report by the Secretary General
of the Council of Europe**

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Introduction

1. The 25th Conference of European Ministers of Justice was held in Sofia on 9 and 10 October 2003 at the invitation of the Bulgarian Government. The agenda, list of participants and Resolutions adopted are set out in Appendices I-III to this report.

2. The Bureaux of the European Committee on Legal Co-operation (CDCJ) and the European Committee on Crime Problems (CDPC), as well as the Senior Officials, held their preparatory meetings on the eve of the Conference.

3. The Minister of Justice of Bulgaria was elected Chair of the Conference. The Ministers of Justice of Finland and the Russian Federation were elected Vice-Chairs.

4. The themes of the Conference were:

- International co-operation in the fight against international terrorism and the implementation of the relevant instruments of the Council of Europe;
- The response of the justice system – civil and criminal – to terrorism.

5. The main report was submitted by the Minister of Justice of Bulgaria, the Secretary General also submitted a report, and a number of Ministers submitted memoranda. The list of documents appears in Appendix IV.

6. The Prime Minister of Bulgaria, Mr Simeon Saxe-Coburg Gotha welcomed the participants and stressed the important role of the Council of Europe in the international fight against terrorism.

7. The Prime Minister underlined that multilateral intergovernmental organisations provide an adequate forum to respond effectively to terrorism. He welcomed the rapid response of the Council of Europe to the terrorist attacks of 11 September 2001 and underlined his country's support for the continuation of the Organisation's action in this field.

8. The Prime Minister concluded highlighting the importance of the event and the need for strengthening both international action and national judicial responses to terrorism.

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9. On the occasion of the Conference, a number of Council of Europe Conventions were signed and/or ratified; details are provided in Appendix V to this report.

Report by the Secretary General

10. In his report to the Conference, the Secretary General, Mr Walter Schwimmer, referred to the efforts deployed by the Council of Europe since the terrorist attacks against the United States and underlined in particular the adoption of the "Guidelines on Human Rights and the fight against terrorism" by the Committee of Ministers on 11 July 2002, and of the Protocol Amending the 1977 European Convention on the Suppression of Terrorism (ETS No. 190), opened for signature on 15 May 2003.

11. The Secretary General pointed out the need to step up the Council of Europe's efforts against terrorism and called for support for the elaboration of a European Comprehensive Convention against terrorism.

12. He noted that for the last few years, the United Nations (UN) had been negotiating a comprehensive anti-terrorist convention, which, in spite of early progress, was confronted with serious difficulties unlikely to be overcome in the near future.

13. Against this background, he recalled that the Parliamentary Assembly, in its Opinion No. 242 (2003) concerning the draft Protocol amending the European Convention on the Suppression of Terrorism, expressed its belief "that it would be appropriate, in due course, to consider the possibility of drawing up a general Council of Europe anti-terrorist convention, taking into account the work carried out by the United Nations" (paragraph 4).

14. Further to that, at its 112th ministerial session (Strasbourg, 15 May 2003), the Committee of Ministers "stressed the necessity of reinforcing international co-operation in the fight against terrorism and supporting the efforts of the United Nations in this field. In this context [the Ministers for foreign affairs] noted with interest the proposal of the Parliamentary Assembly to draft a comprehensive convention against terrorism under the aegis of the Council of Europe."

15. He recalled that the Committee of Ministers would resume consideration on the elaboration of a future European Comprehensive Convention against terrorism in the light of the conclusions of this European Ministers of Justice Conference and their consideration by the Committee of Experts on Terrorism (CODEXTER), which would meet 27-30 October 2003.

16. The Secretary General concluded by stressing that the time had come to give a strong political support to the initiative, which was consistent with the call of the Parliamentary Assembly of the Council of Europe and the wish of a significant number of States and was favourably considered by our fellow international organisations.

17. The presentation of the report by the Secretary General was followed by the presentation of a report by the Minister of Justice of Bulgaria.

Report by the Minister of Justice of Bulgaria

18. The Minister of Justice of Bulgaria, Mr Anton Stankov, noted that a most effective way to counter terrorism was to duly implement and apply the international instruments and national legislation aimed at preventing and punishing terrorist acts and their financing and, finally, at bringing the perpetrators of those acts and their supporters and abettors to justice.

19. Regarding the criminalisation of terrorism, he referred to the work of the United Nations and to the existing international instruments and in particular to those of the Council of Europe. While recognising the major role that the UN were called upon to play, he expressed his belief that the Council of Europe could initiate the drafting of an international instrument in this area, which would have the potential to contribute favourably to the efforts of the UN, particularly in the light of the difficulties the UN was confronted with and given the particular importance and the pressing nature of the problem. The Minister further referred to the possible content of such an instrument.

20. He then underlined the importance of cracking down on any possible sources for the financing of terrorism, which should be established as criminal offences in domestic legislation, and the key role of extradition and legal assistance for the efficient prosecution of terrorism. Domestic laws and regulation on international judicial cooperation should match international standards or at least give priority to international treaties, so that internal legislation would not form an obstacle to the prosecution of terrorists.

21. He also noted that the fight against terrorism would only be efficient if prosecution were carried out by well trained and qualified investigators, prosecutors and judges who had at their disposal the necessary equipment and expertise.

22. He stressed the importance of special investigation techniques, which should be regulated explicitly in domestic legislation while providing adequate guarantees for the protection of human rights and fundamental freedoms and the need to introduce effective measures for the protection of witnesses and informants.

23. The Minister concluded by subscribing to the Secretary General's view that the fight against terrorism should be pursued in full compliance with the fundamental values that the Council of Europe stands for as enshrined in the European Convention for the Protection of Human Rights and Fundamental Freedoms.

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24. The representative of the Parliamentary Assembly, Mr Eduard Lintner, as well as the representative of the Committee of Ministers, Ambassador Yuri Sterk, and the Commissioner for Human Rights, Mr Alvaro Gil-Robles, made statements to the Ministers.

Summary of the discussions

25. The European Ministers of Justice held extremely fruitful discussions about national developments in the fight against terrorism and gave a strong message of support for the Council of Europe work in this area.

26. They welcomed the progress achieved by the Council of Europe in the implementation of the counter-terrorism activities agreed upon by the Committee of Ministers at the 112th ministerial session and called for their pursuance as a matter of priority.

27. Several speakers emphasised in particular the importance of the ongoing Council of Europe activities relating to the protection of witnesses and *pentiti* (PC-PW Committee), and the regulation and use of special investigation techniques in relation to acts of terrorism (PC-TI Committee); on “*apologie du terrorisme*” and incitement to terrorism; and on the fight against financing of terrorism (Moneyval Committee).

28. In this connection, they further stressed the need to deprive terrorist organisations of their financial support, in particular by becoming Parties to the 1999 International Convention for the Suppression of the Financing of Terrorism and to the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS No. 141) and by adopting the necessary measures implementing UN Security Council Resolution 1373 (2001).

29. The Ministers were unanimous in supporting the UN process of drafting a Comprehensive Convention against terrorism and called on member States to contribute to the discussions in the UN with the intention of resolving the outstanding issues in negotiations on the draft UN Comprehensive Convention against terrorism and on the draft UN Convention for the suppression of acts of nuclear terrorism.

30. At the same time, they discussed thoroughly the possible elaboration of a European Comprehensive Convention against terrorism within the Council of Europe and agreed that it was more important than ever to pursue together their efforts at a regional level by taking stock of existing international instruments and initiatives under way, identifying gaps and thus tailoring the Council of Europe’s contribution to provide the necessary added value.

31. The Ministers therefore agreed to invite the Committee of Ministers to launch work in this connection, particularly through the Committee of Experts on Terrorism (CODEXTER), which had already received terms of reference to this effect from the Committee of Ministers, so as to examine the added value of a European Comprehensive Convention against terrorism, or elements of such a Convention as a significant contribution to the UN efforts in this field.

32. In this context, they stressed that the Council of Europe was particularly well placed to strike the right balance between the need to enhance the efficiency of the fight against terrorism while ensuring the protection of fundamental rights and freedoms.

33. As regards the response of the judicial system – civil and criminal – to terrorism, the Ministers agreed that effective implementation of international treaties, national laws and policies, was instrumental for a successful fight against terrorism.

34. In this context, they invited the Committee of Ministers to entrust the European Commission for the Efficiency of Justice (CEPEJ) with the task of ensuring the preparation of an assessment report on the effectiveness of national judicial systems in their responses to terrorism.

35. The Ministers also voiced their strong support for strengthening existing treaties on the awarding of compensation to the victims of terrorist acts and their families.

36. Finally, the Ministers agreed on a proposal by the Russian Federation to invite the Committee of Ministers to consider the feasibility of setting up a European register of national and international standards, starting as a matter of priority with standards in the field of the fight against terrorism.

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37. The Secretary General wishes to pay tribute to the Bulgarian authorities and thank them for the excellent organisation of the Conference and the warm welcome extended to participants.

38. The Ministers expressed their gratitude to the Bulgarian authorities for hosting the Conference, and for their cordial hospitality.

APPENDIX I

AGENDA

1. Opening of the Conference by the Secretary General of the Council of Europe
2. Address by the Prime Minister of Bulgaria
3. Address by the Secretary General of the Council of Europe
4. Address by the Representative of the Parliamentary Assembly of the Council of Europe
5. Address by the Representative of the Committee of Ministers of the Council of Europe
6. Election of the Chairman and two Vice-Chairmen
7. Adoption of the agenda
8. “International co-operation in the fight against international terrorism and implementation of the relevant instruments of the Council of Europe”
9. “The response of the justice system – civil and criminal - to terrorism”
10. Other questions
11. Adoption of Resolutions
12. Close of the Conference

APPENDIX II

LIST OF PARTICIPANTS

ALBANIA/ALBANIE :

- Mr Spiro PEÇI, Ministre de la Justice.
- Mr Alfred CAUSHI, Assistant and Interpreter.

ANDORRA/ANDORRE :

- M. Joseph Maria CABANES DALMAU, Ministre de la Justice et de l'Intérieur.
- Mme Montserrat ALONSO ZAMARREÑO, Secrétaire d'Etat à la Justice et à l'Intérieur.
- M. Xavier SOPENA GONZALEZ, Directeur de la Police.

ARMENIA/ARMÉNIE :

- Mr Davit HARUTYUNYAN, Minister of Justice.
- Mr Anatoly AVAGYAN, Deputy Minister of Justice.

AUSTRIA/AUTRICHE :

- Mr Dieter BÖHMDORFER, Federal Minister of Justice.
- Mrs Gertraude KABELKA, Director, Federal Ministry of Justice.
- Mr Michael SCHÖN, First Secretary.
- Mr Werner PLEISCHL, Senior Public Prosecutor.
- Mr Wolfgang FELLNER, Director General.

AZERBAIJAN/AZERBAÏDJAN :

- Mr Musayev TOGHRUL, Deputy Minister of Justice.
- Mr Bayramov KAMRAN, Senior Adviser, Department of International legal co-operation, Ministry of Justice.

BELGIUM/BELGIQUE :

- M. Gérard DIVE, Conseiller au Cabinet de Madame la Ministre.
- M. Claude DEBRULLE, Directeur Général, Service Public Fédéral de la Justice.
- Mme Roseline DEMOUSTIER, Directeur Général, Service Public Fédéral de la Justice.
- Mme Danielle DEL MARMOL, Direction de la Mondialisation, Service Public Fédéral des Affaires Etrangères.

BOSNIA AND HERZEGOVINA/BOSNIE-HERZÉGOVINE :

- Mr Slobodan KOVAC, Minister of Justice of Bosnia and Herzegovina.
- Ms Borjana KRIŠTO, Minister of Justice of Federation of Bosnia and Herzegovina.
- Mr Miroslav STAROVLAH, Interpreter.
- Mrs Mirela SVETE, Interpreter.

BULGARIA/BULGARIE :

- Mr Anton STANKOV, Minister of Justice.
- Mr Nikola FILCHEV, Prosecutor General.
- Mr Vladislav SLAVOV, President of the Supreme Administrative Court.
- Mr Ivan GRIGOROV, President of the Supreme Court of Cassation.
- Mr Roumen GEORGIEV, Deputy Director of the National Investigation Service.
- Mr Mario DIMITROV, Deputy Minister of Justice.
- Mr Sevdalin BOJIKOV, Deputy Minister of Justice.
- Ms Marian ABRASHEV, Secretary General of the Ministry of Justice and Chief Coordinator of the Conference.
- Ms Ofelia KIRKORIAN, Head of the Cabinet of the Minister of Justice.
- Mr Peter RASHKOV, Director of International Legal Co-operation and International Legal Assistance Directorate.
- Mr Mario MILOUCHEV, Head of Department, European Integration Directorate, Ministry of Foreign Affairs.

CROATIA/CROATIE :

- Mr Miljenko KOVAC, Deputy Minister of Justice.
- Mr Zdravko STOJANOVIC, Assistant Minister, Directorate for Mutual Legal Assistance, International Co-operation and Human Rights, Ministry of Justice.
- Mr Dubravko PALIJAŠ, Assistant Minister, Criminal Law Directorate, Ministry of Justice.

CYPRUS/CHYPRE :

- Mr Doros THEODOROU, Minister of Justice and Public Order.
- Mr Solon NIKITAS, Attorney General of the Republic of Cyprus.
- Ms Eva RASSIDOU-PAPAKYRIACOU, Counsel of the Republic.
- Mr Constantinos HADJIPAVLOU, Administrative Officer.

CZECH REPUBLIC/RÉPUBLIQUE TCHÈQUE :

- Mr Karel CERMÁK, Minister of Justice.
- Mr Vladimír KRÁL, Deputy Minister.
- Mr Jaroslav FENYK, First Deputy Supreme Public Prosecutor.

DENMARK/DANEMARK :

- Mr Lars HJORTNAES, Deputy Permanent Secretary, Ministry of Justice.
- Ms Anne Kristine AXELSSON, Head of Office, Ministry of Justice.

ESTONIA/ESTONIE :

- Ms Priidu PÄRNA, Secretary General, Ministry of Justice.

FINLAND/FINLANDE :

- Mr Johannes KOSKINEN, Minister of Justice.
- Mrs Kirsti RISSANEN, Permanent Secretary, Ministry of Justice.
- Mr Pekka NURMI, Director General, Ministry of Justice.
- Mr Esa VESTERBACKA, Director General, Ministry of Justice.
- Mr Juha KERANEN, Ministerial Counsellor, Ministry of Justice.
- Mr Tolvanen TAISTO, Ambassador of Finland in Bulgaria.

FRANCE :

- M. Pierre BEDIER, Secrétaire d'Etat à la Justice.
- M. Joseph SILVA, Conseiller diplomatique du Garde des Sceaux.
- M. François WERNER, Directeur de Cabinet du Secrétaire d'Etat à la Justice.
- Mme Anne KOSTOMAROFF, Chef du Bureau de la lutte contre le terrorisme, Direction des Affaires criminelles et des grâces, Ministère de la Justice.
- M. Eric RUELLE, Chef du Bureau des négociations pénales, Service des Affaires Européennes et Internationales, Ministère de la Justice.
- Mme Cécile TRINITE, Attachée de Presse.
- M. Rachid MEDIOUNI, Officier de sécurité.

GEORGIA/GÉORGIE :

- Excusé.

GERMANY/ALLEMAGNE :

- Ms Brigitte ZYPRIES, Minister of Justice.
- Mr Christian LEHMANN, Deputy Director of the Criminal Department, Ministry of Justice.
- Ms Angelika SCHLUNCK, Head of Division of International Fight against Terrorism, Ministry of Justice.
- Mr Eberhard DESCH, Head of Division of International Law, Ministry of Justice.
- Mr Harald KINDERMANN, Ambassador of Germany in Bulgaria.
- Mr Markus KLINGER, German Embassy in Bulgaria.

GREECE/GRÈCE :

- Mr Ioannis GAVRILIS, Secretary General, Ministry of Justice.
- Mr Nikolaos PAPASPYROU, Lawyer, Special Council to the Minister of Justice.

HUNGARY/HONGRIE :

- Mr Péter BÁRÁNDY, Minister of Justice.
- Mr Endre BÓCZ, Ministerial Chief Adviser.
- Ms Borbála GARAI, Legal Adviser.
- Mr Ildiko VARKONYI, Interpreter.

ICELAND/ISLANDE :

- Mr Björn BJARNASON, Minister of Justice.
- Mr Thorsteinn DAVIDSSON, Political Adviser, Ministry of Justice.
- Mr Björn FRIDFINNSSON, Permanent Secretary, Ministry of Justice.

IRELAND/IRLANDE :

- Mr Diarmuid COLE, Assistant Secretary.
- Mr Sylvester CARRUTH, Assistant Principal Officer.

ITALY/ITALIE :

- Mr Roberto CASTELLI, Minister of Justice.
- Mr Rosario PRIORE, Head of Giovanal Justice.
- Mr Marco MARESCA, Diplomatic Advisor.
- Mr Stefano SIMONETTI, Secretary of the Minister.
- Mr Carlo CORTI, Chief of International Affairs Office.
- Mr Gian B. CAMPAGNOLA, Ambassador of Italy in Bulgaria.
- Mr Roberto ALBERGO, Embassy of Italy in Bulgaria.
- Mr Dante BRANDI, Embassy of Italy in Bulgaria.
- Mr Lorenzo LEBINI, Embassy of Italy in Bulgaria.
- Mr Nebbioso SETTEMBRINO, Embassy of Italy in Bulgaria.
- Mr Stefano CIMA, Security Officer.
- Mr Giovanni DI GIOVANGIACOMO, Security Officer.
- Ms Gina LOMVOIO.

LATVIA/LETTONIE :

- Mr Aivars AKSENOKS, Minister of Justice.
- M. Karlis TRAUTMANIS, Head of European Issues Department , Ministry of Interior.

LIECHTENSTEIN :

- Ms Rita KIEBER-BECK, Vice-Prime Minister, Minister of Justice.
- Mr Robert WALLNER, Prosecutor General.
- Ms Patricia WILDHABER, Government Officer.

LITHUANIA/LITHUANIE :

- Mr Vytautas MARKEVICIUS, Minister of Justice.
- Mrs Aušra BERNOTIENĖ, Deputy Director of the International Law Department, Ministry of Justice.

LUXEMBOURG :

- M. Luc FRIEDEN, Ministre de la Justice.
- M. Marc MATHEKOWITSCH, Premier Conseiller de Gouvernement, Ministère de la Justice.

MALTA/MALTE :

- Mr Carmelo MIFSUD-BONNICI, Parliamentary Secretary.
- Mr Anthony BORG BARTHET, Attorney General.
- Mr Marco CACHIA, Personal Assistant.

MOLDOVA :

- Mr Vasile DOLGHIERU, Minister of Justice.
- Ms Victoria IFTODI, Deputy Minister of Justice.
- Mr Vitalie PÂRLOG, Director, Governmental Agent and International Relations Directorate, Ministry of Justice.

NETHERLANDS/PAYS-BAS :

- Mrs Henriette van LYNDEN, Ambassador of the Netherlands in Sofia
- Ms Nicoline VAN DER AREND, Staff Adviser.
- Mr Gert BOGERS, Senior Policy Officer.
- Mr Hans BEVERS, Department of Criminal and Sanctions Law, Ministry of Justice.
- M. Gerard C. DE BOER, Legal Adviser.

NORWAY/NORVÈGE :

- Mr Jørn HOLME, State Secretary.
- Mr Morten RUUD, Secretary General, Ministry of Justice.
- Mr Inge Lorange BACKER, Director General, Legislation Department, Ministry of Justice.
- Ms Toril M. ØIE, Assistant Director General.
- Ms Håkon SKULSTAD, Assistant Director General.

POLAND/POLOGNE :

- Mr Grzegorz KURCZUK, Minister of Justice.
- Mr Jan CISZEWSKI, Director of the International Co-operation and European Law Department.
- Mr Ryszard RYCHLIK, Director of the State Prosecution Office for Organised Crime.
- Mr Krzysztof KOCEL, Ambassador, Permanent Representative of Poland to the Council of Europe.
- Mr Piotr PASZKOWSKI, Interpreter.

PORTUGAL :

- M. Paulo Tiago Jeronimo da SILVA, Ambassadeur du Portugal en Bulgarie.
- M. Antonio VILHENA DE CARVALHO, Directeur Adjoint, Bureau des Relations Internationales, Ministère de la Justice.
- Mme Luisa Maia GONÇALVES, Chef de Service, Bureau des Relations Internationales, Ministère de la Justice.

ROMANIA/ROUMANIE :

- Mme Rodica Mihaela STĂNOIU, Ministre de la Justice.
- M. Florin Razvan RADU, Directeur, Direction des Relations Internationales et des Droits de l'Homme, Ministère de la Justice.
- M. Constantin GRIGORIE, Ambassadeur.
- M. Marian PAVELESCU, Conseiller.
- M. Victor BOJIN, Conseiller.
- M. Vasile Bogdan CONSTANTIN, officier de protection.

RUSSIAN FEDERATION/FEDERATION DE RUSSIE :

- Mr Yury Y. CHAYKA, Minister of Justice.
- Mr Yevgueny ZABARTCHUK, Vice-Minister of Justice.
- Mr Y. SINDEEV, Head of the Administrative Department.
- Mr V.P. ZIMIN, First Deputy Head of the Department of international cooperation.
- Mr V.P. KOROBAYNICOV, Chief of Protocol of the Department of logistics.

SAN MARINO/SAINT-MARIN :

- M. Damiano BELEFFI, Représentant Permanent Adjoint de Saint-Marin auprès du Conseil de l'Europe.

SERBIA AND MONTENEGRO / SERBIE-MONTÉNÉGRO :

- Mr Vladan BATIĆ, Ministre de la Justice de Serbie.
- Ms Branka LAKOCEVIĆ, Deputy Minister of Justice of Montenegro.
- Ms Vesna RACKOVIĆ, Adviser to the Minister of Justice of Montenegro.
- Mme Natasa RADULOVIĆ, Conseillère pour les relations publiques.
- Mme Aleksandra POPOVIĆ, Conseillère juridique.
- M. Chedomir RADOYKOVIĆ, Ambassador in Bulgaria.
- Ms Diana SAKAN, Embassy in Sofia.
- Ms Mirjana CVOROVIĆ, Interpreter.
- Mr Marko VRTACA, Driver.
- Mr Predrag JOKIĆ, Driver.
- Mr Knezević DRAGAN, Driver.
- Mr Sasa KUSAKOVIĆ, Security Officer.
- Mr Zarko VELJOVIĆ, Security Officer.
- M. Nenad KALEMBER, Driver.

SLOVAK REPUBLIC/RÉPUBLIQUE SLOVAQUE :

- Mr Daniel LIPSIC, Deputy Prime Minister and Minister of Justice.
- Mr Jozef KANDERA, Director General of the Criminal Law Department, Ministry of Justice.
- Mr Branislav BOHÁČIK, Director, Division for Judicial Co-operation in criminal matters, Ministry of Justice.
- Mr Kiss FRANTISEK, Security Officer

SLOVENIA/SLOVÉNIE :

- Mr Ivan BIZJAK, Minister of Justice.
- Mr Rok ŠTEBLAJ, Head of the Cabinet, State Under-Secretary.
- Ms Andreja LANG, Counsellor to the Government.
- Ms Maja VELIĆ, Advisor, Ministry of Justice.

SPAIN/ESPAGNE :

- Mr José María MICHAVILLA NÚÑEZ, Minister of Justice.
- Mrs María José GARCÍA BEATO, Permanent Under-Secretary of Justice.
- Mr Santiago MARTÍNEZ GARRIDO, Chief of the Private Office of the Minister.
- Ms Ana María FERNÁNDEZ, Private Office of the Minister.
- Ms Marta BETANZOS ROIG, Deputy Director General for Justice.
- Ms María PELAYO, Chief Press Officer.
- Mr María José Ángel LOPEZ JORRIN, Ambassador of Spain in Bulgaria.

SWEDEN/SUÈDE :

- Mr Dan ELIASSON, State Secretary, Ministry of Justice.
- Mr Niklas WÅGNERT, Legal Advisor.
- Mr Johan WILHELMSSON, Legal Advisor.

SWITZERLAND/SUISSE :

- M. Heinrich KOLLER, Secrétaire d'Etat, Directeur de l'Office Fédéral de la Justice.
- M. Philippe BOILLAT, Sous-Directeur de l'Office Fédéral de la Justice, Chef de la Division des affaires internationales
- M. Ernst GNÄGI, Docteur en Droit, Chef du Service du droit pénal international de l'Office Fédéral de la Justice.
- M. Pierre LUCIRI, Ambassadeur de Suisse en Bulgarie.

"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"/"L'EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE" :

- Mr Ismail DARLISHTA, Minister of Justice.
- Mrs Snezana MOJSOVA, Chief of the Department for International Relations and European Integration, Ministry of Justice.
- Ms Danica STANOJEVIC, Councillor, Department for European Integration and Legal Co-operation, Ministry of Justice.

TURKEY/TURQUIE :

- Mr Cemil ÇIÇEK, Minister of Justice.
- Mr Centgiz DIVANLIOGLU, Member of the Supreme Counsel.
- Mr Ahmet IMIRZALIOZLU, Judge.
- Mr Volkan VURAL, Chargé d'Affaires.
- Mr Umut ACAR, Third Secretary.
- Mr Cengiz KILICASLAN, Police Officer.

UKRAINE :

- Mr Olexandr LAVRYNOVYCH, Minister of Justice.
- Mr Viascheslav POCHVALSKYI, Ambassador.
- Ms Olena ZERKAL, Director of Department.
- Mr Oleksii ZARYTSKYI, Adviser.
- Mr Andry CHERNAVSKYI, First Secretary.

UNITED KINGDOM/ROYAUME-UNI :

- The Rt. Hon. Lord Peter GOLDSMITH, QC., Attorney-General.
- Mr Peter STORR, International Director, Home Office.
- Mr Richard BRADLEY, Judicial Co-operation Unit, international Policy Section, Home Office.
- Mr Daniel DENMAN, Legal Secretariat to the Law Officers.

EUROPEAN COMMISSION/COMMISSION EUROPÉENNE :

- M. António VITORINO, Commissaire en charge de la Justice et des Affaires Intérieures.
- M. Francisco FONSECA MORILLO, Chef de Cabinet Adjoint.

SECRETARIAT GENERAL OF THE COUNCIL OF THE EUROPEAN UNION/SECRÉTARIAT GÉNÉRAL DU CONSEIL DE L'UNION EUROPÉENNE :

M. Charles ELSÉN, Directeur Général DG H - « Justice et Affaires Intérieures ».

COMMITTEE OF MINISTERS/COMITÉ DES MINISTRES :

- M. Yuri STERK, Ambassadeur, Représentant Permanent de la Bulgarie auprès du Conseil de l'Europe, Président du Groupe de Rapporteurs des Délégués des Ministres sur la coopération juridique.

PARLIAMENTARY ASSEMBLY/ASSEMBLÉE PARLEMENTAIRE :

- Mr Eduard LINTNER, Chairman of the Committee on Legal Affairs and Human Rights.

COMMISSIONER FOR HUMAN RIGHTS/COMMISSAIRE AUX DROITS DE L'HOMME :

- M. Alvaro GIL-ROBLES, Commissaire.

**EUROPEAN COMMITTEE ON LEGAL CO-OPERATION /(CDCJ)
COMITÉ EUROPÉEN DE COOPÉRATION JURIDIQUE (Bureau) :**

- Mr Inge Lorange BACKER, Director General, Ministry of Justice (Norway).
- Mr Pekka NURMI, Director General, Ministry of Justice (Finland).

- Mme Roseline DEMOUSTIER, Directeur Général, Service Public Fédéral de la Justice (Belgique).
- Ms Xenì SKORINI-PAPARRIGOPOULOU, Professeur Associé, Faculté de Droit (Grèce).

**EUROPEAN COMMITTEE ON CRIME PROBLEMS(CDPC)/
COMITÉ EUROPÉEN POUR LES PROBLÈMES CRIMINELS (Bureau) :**

- M. Mario-Michel AFFENTRANGER, Chef de la Section des traités internationaux , Office Fédéral de la Justice (Suisse)
- Mr Esa VESTERBACKA, Director General, Head of Department, Ministry of Justice (Finland).
- Mr Richard BRADLEY, Judicial Co-operation Unit, international Policy Section, Home Office (United Kingdom).
- M. Claude DEBRULLE, Directeur Général, Service Public Fédéral de la Justice (Belgique).
- M. Branislav BOHÁCIK, Director, Division for Judicial Co-operation in criminal matters, Ministry of Justice (Slovak Republic).

**EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)/
COMMISSION EUROPÉENNE POUR L'EFFICACITÉ DE LA JUSTICE**

- Mr Eberhard DESCH, Head of Division of International Law, Ministry of Justice (Germany).

**MULTIDISCIPLINARY GROUP ON INTERNATIONAL ACTION AGAINST
TERRORISM (GMT)/
GROUPE MULTIDISCIPLINAIRE SUR L'ACTION INTERNATIONALE
CONTRE LE TERRORISME**

- M. Philippe de KOSTER, Président, Avocat Général.
- Mr Zadzislaw GALICKI, Vice-Président.

OBSERVERS/OBSERVATEURS

HOLY SEE/SAINT-SIÈGE :

- H.E. Archbishop Giuseppe LEANZA, Apostolic Nuncio.
- Mr Giorgio FILIBECK, Member of the Secretariat of the Pontifical Council for “Justice and Peace”.
- Ms Paulina Georgieva MILOSHEVA, Member of the Secretariat of the Pontifical Council for “Justice and Peace”.

UNITED STATES OF AMERICA/ÉTATS-UNIS D'AMÉRIQUE :

- Mr James PARDEW, Ambassador of the United States of America in Bulgaria.
- Mr Mark RICHARD, Senior Counsel for European Union and international criminal matters, US mission to the European Union in Brussels.
- Mr Thomas PEEBLES, Department of Justice, Embassy of the United States in Bulgaria.

CANADA :

- Mr John H. SIMS, Associate Deputy Minister of Justice.
- Mr William BARTLETT, Senior Counsel, Criminal Law Policy Section, Department of Justice.

JAPAN/JAPON :

- Mr Naotake YAMASHITA, Deputy Head of Mission, Embassy of Japan, Bulgaria.
- Mr Atsushi YASUTOMI, Special Adviser, Embassy of Japan, Bulgaria.

MEXICO/MEXIQUE :

- M. Rafael MACEDO DE LA CONCHA, Procureur Général de la République du Mexique.
- M. Carlos SALAZAR DIEZ DE SOLLANO, Observateur Permanent Adjoint auprès du Conseil de l'Europe.
- M. Jose Luis MARTINEZ, Ambassadeur du Mexique en Hongrie.
- M. Rafael CAZARES AYALA, Adjoint à l'Attaché pour les Affaires de l'Information Stratégique, Bureau du Procureur pour l'Union Européenne et la Suisse.
- Monsieur Carlos Miguel LOPEZ, Attaché Policial du Bureau du Procureur pour l'Union Européenne et la Suisse.
- M. Marco Antonio JACQUES, Coordonnateur des Voyages du Procureur.
- M. José Fernando CASTILLO TAPIA, Conseiller du Vice-Procureur Juridique et des Affaires Internationales.
- Mme Azucena JIMENEZ, Interprète/traductrice.

INTERNATIONAL ORGANISATIONS/
ORGANISATIONS INTERNATIONALES

EUROPOL :

- Excusé.

**INTERNATIONAL COMMISSION ON CIVIL STATUS /
COMMISSION INTERNATIONALE DE L'ÉTAT CIVIL :**

- M. Miguel TEIXEIRA DE SOUSA, Vice-Président.

INTERPOL :

- Mr Willy DERIDDER, Executive Director, Polices Services
- Mr Christopher John EATON

**THE HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW/
CONFÉRENCE DE LA HAYE DE DROIT INTERNATIONAL PRIVÉ :**

- Mr Hans van LOON, Secrétaire Général.

UNIDROIT :

- Excusé.

**WORLD HEALTH ORGANISATION /
ORGANISATION MONDIALE DE LA SANTÉ :**

UNMIK / KOSOVO

- Mr Jean-Christian CADY, Deputy Special Representative of the Secretary-General,
Head of the Police and Justice Pillar.
- Mr Paul COFFEY, Director of the Department of Justice.
- Ms Kelly Maureen LOW, Special Assistant.

**SECRETARIAT GENERAL OF THE COUNCIL OF EUROPE/
SECRÉTARIAT GENERAL DU CONSEIL DE L'EUROPE :**

- Mr Walter SCHWIMMER, Secretary General.

**PRIVATE OFFICE OF THE SECRETARIES GENERAL/
CABINET DES SECRÉTAIRES GÉNÉRAUX :**

- M. Paul DEWAGUET, Directeur Adjoint de Cabinet.

**DIRECTORATE GENERAL I - LEGAL AFFAIRS/DIRECTION GÉNÉRALE I -
AFFAIRES JURIDIQUES :**

- M. Guy DE VEL, Directeur Général des Affaires Juridiques.
- M. Roberto LAMPONI, Directeur de la Coopération Juridique.
- M. Manuel LEZERTUA, Chef du Service des problèmes criminels.
- M. Rafael A. BENITEZ, Chef de la Task Force contre le terrorisme, Adjoint au Chef du Service du droit public.
- M. Patrick TITIUN, Administrateur, Service du Conseil Juridique, Secrétaire de la Conférence.
- M. Gianluca ESPOSITO, Adjoint au Chef du Service du droit privé.
- Mme Catherine GALLAIS, Assistante administrative.
- Mme Christiane DECONINCK, Secrétaire.
- Mme Odile GEBHARTH, Secrétaire.
- Mme Danielida WEBER, Secrétaire.

**DIRECTORATE GENERAL OF POLITICAL AFFAIRS
DIRECTION GENERALE DES AFFAIRES POLITIQUES:**

- M. François FRIEDRICH , Administrateur.

**SECRETARIAT OF THE COMMITTEE OF MINISTERS/
SECRÉTARIAT DU COMITÉ DES MINISTRES :**

- Ms Ulrika FLODIN-JANSON, Administratrice.

**SECRETARIAT GENERAL OF THE PARLIAMENTARY ASSEMBLY/
SECRÉTARIAT GÉNÉRAL DE L'ASSEMBLÉE PARLEMENTAIRE :**

- Ms Danielle COIN, Head of the Secretariat of the Committee on Legal Affairs and Human Rights.

**OFFICE OF THE COMMISSIONER FOR HUMAN RIGHTS/BUREAU DU
COMMISSAIRE AUX DROITS DE L'HOMME :**

- M. Christos GIAKOUMOPOULOS, Directeur.
- M. John DALHUISEN, Administrateur.

PROTOCOL/PROTOCOLE :

- Mme Isabelle FLECKSTEINER, Assistante.

PRESS AND INFORMATION/PRESSE ET INFORMATION :

- Ms Cathie BURTON, Press Officer, Spokeperson's Service.

LANGUAGE SERVICES/SERVICES DES LANGUES :

- Mr Philippe QUAINÉ, Chef de l'équipe des interprètes.

INTERPRETERS/INTERPRÈTES :

- Ms Amanda BEDDOWS-LARIVIERE.
- Ms Iliana SARAIOULEVA.
- Ms Adda GRIGOROVA-TEHOVA.
- Mr André BERNHARD.
- Ms Noemi PLASTINO.
- Ms Nadia CAROTTI.
- Mr Christian KODERHOLD.
- Ms Elisabeth BERNECKER.
- Mr Igor FEKLISOV.
- M. Michail FARAFONOV.

APPENDIX III

ADOPTED RESOLUTIONS

Resolution No. 1

On Combating Terrorism

1. THE MINISTERS participating in the 25th Conference of European Ministers of Justice (Sofia, October 2003);
2. Deploring the loss of life and the injuries suffered by thousands of innocent people as a result of terrorism;
3. Condemning all terrorist attacks and reaffirming their determination to combat all forms of terrorism while fully respecting human rights;
4. Aware that concerted international action is vital to success in the fight against the scourge of terrorism, including action aiming, where appropriate, at preventing or remedying situations which may foster terrorism;
5. Welcoming the efforts of international organisations and institutions to fight against terrorism under the aegis of the UN and, in particular, the creation of the Counter-Terrorism Committee (CTC) by the Security Council of the UN and, in this respect:
6. Welcoming the co-operation between the Council of Europe and these organisations and institutions, in particular the EU, the OSCE and the UN;
7. Welcoming the decisions taken by the Committee of Ministers of the Council of Europe, in particular its Declaration of 12 September 2001, its Decision of 21 September 2001 and the outcome of the 109th, 110th and 111th Ministerial sessions and ;
8. Welcoming the adoption the Guidelines on Human Rights and the Fight against Terrorism on 11 July 2002;

9. Welcoming the setting up of the European Commission for Efficiency of Justice (CEPEJ) by the Council of Europe on 18 September 2002;
10. Considering the relevant texts adopted by the Parliamentary Assembly¹;
11. Bearing in mind Resolution No. 1 adopted at their 24th Conference (Moscow, October 2001);
12. Resolved to pursue their efforts to reinforce the fight against terrorism and to increase the security of citizens, in a spirit of solidarity and on the basis of the common values to which the Council of Europe is firmly committed: the rule of law, human rights and pluralist democracy;
13. Recognising the need to raise public awareness, through education and information, about the dangers of terrorism and encourage the public to co-operate with authorities against this form of criminality;
14. Convinced of the need to continue to strengthen international co-operation;

* * * *

15. WELCOME the results achieved by the Multidisciplinary Group on International Action against Terrorism (GMT) of the Council of Europe, in particular the drafting of the Protocol Amending the European Convention on the Suppression of Terrorism of 15 May 2003 (European Treaty Series, ETS No. 190);
16. CALL UPON the member States of the Council of Europe to become Parties to this Protocol to ensure its entry into force as soon as possible; and INVITE observer States to become Parties to the European Convention on the Suppression of Terrorism, as revised by its amending Protocol;
17. WELCOME the large number of member States of the Council of Europe which have become Parties to international treaties on terrorism, in particular, those concluded in the framework of the United Nations, as well as to the Rome Statute of the International Criminal Court; and INVITE those which have not yet done so to become Parties as soon as possible to these instruments and also to other international treaties concerning co-operation which are most relevant in the field of the fight against terrorism;

¹ In particular, Recommendation REC 1534 (2001) Democracies facing terrorism; Recommendation REC 1550 (2002) and Resolution RES 1271 (2002) - Combating terrorism and respect for human rights; Recommendation REC 1549 (2002) - Air transport and terrorism: how to enhance security ? and Recommendation REC 1584 (2002) - The need for intensified international co-operation to neutralise funds for terrorist purposes.

18. SUPPORT the priority counter-terrorism activities launched by the Council of Europe in response to Resolution No.1 adopted at their 24th Conference (Moscow, October 2001); and in this respect:
19. WELCOME the setting up by the Committee of Ministers of the Committee of Experts on Terrorism (CODEXTER), responsible for coordinating the work of the Council of Europe in the field of the fight against terrorism;
20. INVITE the Committee of Ministers, on the one hand, to pursue without delay the work with a view to adopting relevant international instruments on the protection of witnesses and *pentiti* and on the use of special investigation techniques relating to acts of terrorism and, on the other hand, to review the European Convention on the Compensation of Victims of Violent Crimes of 24 November 1983 (ETS No. 116) or, where necessary, adopt new rules concerning the improvement of the protection, support and compensation of victims of terrorist acts and their families;
21. CALL upon all member States to contribute to discussions in the United Nations with the intention to resolve the outstanding issues in negotiations on the draft UN Comprehensive Convention against terrorism and on the draft UN Convention for the suppression of acts of nuclear terrorism;
22. INVITE the Committee of Ministers to launch work with a view to examining, in the light of the opinion of the CODEXTER, the added value of a comprehensive European Convention against terrorism, open to observer States, or some elements of such a convention, which could be elaborated within the Council of Europe, and to contributing significantly to the UN efforts in this field;
23. INVITE the Committee of Ministers to entrust the CEPEJ with the task of ensuring the preparation of an assessment report on the effectiveness of national judicial systems in their responses to terrorism;
24. INVITE the Committee of Ministers, in the framework of the co-operation programmes with member States of the Council of Europe, to provide support for States in upgrading their counter-terrorism legislative and institutional capacities and to pursue effective co-ordination with other international bodies;
25. INVITE the Committee of Ministers to consider the feasibility of setting up a European register of national and international standards, starting as a matter of priority with standards in the field of the fight against terrorism;
26. ASK the Secretary General of the Council of Europe to report on the steps taken to give effect to this Resolution, on the occasion of their next Conference.

Resolution No. 2

THE MINISTERS participating in the 25th Conference of European Ministers of Justice (Sofia, October 2003),

Aware of the advantage of arranging personal contacts between the Ministers responsible for their governments' policy in the legal field in order to foster the progress of cooperation in this area in Europe,

EXPRESS the warmest thanks to the Bulgarian Government for the excellent organisation of the 25th Conference in Sofia and for its kind hospitality ;

TAKE NOTE with gratitude of the invitation of the Minister of Justice of Finland to hold the 26th Conference of European Ministers of Justice in Helsinki, on 7-8 April 2005.

APPENDIX IV

LIST OF DOCUMENTS

MJU-25(2003) 1	Report presented by the Minister of Justice of Bulgaria
MJU-25(2003) 2 + Addendum	Report presented by the Secretary General of the Council of Europe
MJU-25(2003) 3	Report presented by the Ministry of Justice of Turkey
MJU-25(2003) 4	Report presented by the Minister of Justice of Norway
MJU-25(2003) 5	Report presented by the Minister of Justice of Germany
MJU-25(2003) 6	Report presented by the Minister of Justice of Bosnia and Herzegovina
MJU-25(2003) 7	Report presented by the Ministry of Justice of Liechtenstein
MJU-25(2003) 8	Report presented by the Minister of Justice of Sweden
MJU-25(2003) 9	Report presented by the Minister of Justice of Slovenia
MJU-25(2003)10 <i>(English only)</i>	Report presented by the Minister of Justice of Serbia (Serbia and Montenegro)
MJU-25(2003)11 <i>(English only)</i>	Report presented by the Attorney General of Cyprus
MJU-25(2003)12	Report presented by the Minister of Justice of Canada
MJU-25(2003)13	Memorandum presented by the International Commission on Civil Status
MJU-25(2003)14 <i>(English only)</i>	Report presented by the Minister of Justice of Poland

MJU-25(2003)15 <i>(English only)</i>	Report presented by the Minister of Justice of "the former Yugoslav Republic of Macedonia"
MJU-25(2003)16 <i>(English only)</i>	Report presented by UNMIK (in Kosovo)
MJU-25(2003)17 <i>(English only)</i>	Report presented by the Minister of Justice of Hungary
MJU-25(2003)18 <i>(French only)</i>	Report presented by the Minister of Justice of Spain
MJU-25(2003)19 <i>(English only)</i>	Report presented by the Minister of Justice of the Russian Federation

APPENDIX V

SIGNATURES AND RATIFICATIONS

Albania signed:

- the European Convention on the Compensation of Victims of Violent Crimes (ETS No. 116)
- the Protocol amending the European Convention on the Suppression of Terrorism (ETS No. 190)
- the Convention on Contact concerning Children (ETS No. 192)

Bulgaria signed:

- the European Convention on the International Validity of Criminal Judgments (ETS No. 070)
- the European Convention on the Transfer of Proceedings in Criminal Matters (ETS No. 073)
- the Additional Protocol to the Convention on the Transfer of Sentenced Persons (ETS No. 167)

Finland signed:

- the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS No. 182)

Greece signed:

- the Convention on Contact concerning Children (ETS No. 192)

Iceland signed:

- the Additional Protocol to the Convention on cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189)

Lithuania signed:

- the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS No. 182)

Poland ratified:

- the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (ETS No. 182)

Following this ratification, this treaty will enter into force on 1 February 2004 for the three States which ratified it (Albania, Denmark and Poland)

Romania signed:

- the Additional Protocol to the Convention on cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189)
- the Additional Protocol to the Criminal Law Convention on Corruption (ETS No. 191)

Serbia and Montenegro signed and ratified:

- the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS No. 141)

Spain signed:

- the Protocol amending the European Convention on the Suppression of Terrorism (ETS No. 190)

Switzerland signed:

- the Additional Protocol to the Convention on cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189)

