

30th Council of Europe Conference of Ministers of justice
“transparent and efficient justice”
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SPEECH

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Excellencies and Distinguished delegates,

On behalf of the Italian Minister of Justice, Mr ALFANO, I would like, first of all, to express our gratitude and thanks to the Minister of Justice of Turkey, Mr ERGIN, for successfully hosting the 30th Council of Europe Conference of Ministers of Justice in this most fascinating and **history-rich city of the world**.

Our **sincere thanks** go also to the Deputy Secretary General of the Council of Europe, Ms Maud de Boer-BUQICCHIO and to the numerous Distinguished Delegates from other States for the strengthened co-operation in the justice and law enforcement activities.

While we celebrate the 60th Anniversary of the European Convention on Human Rights, signed in Rome on November 4th, 1950, we are all aware that the respect of Human Rights and Fundamental Freedoms is at the core of the organization and progressive evolution of **democratic and open societies**.

There is no democracy without security; but there can be no real sustainable security where **human rights and the rule of law are not consistently and thoroughly enforced**.

Physical integrity and human dignity, fundamental rights and freedoms are the **indispensable values of contemporary society**. Their full implementation depends on a number of factors. One crucial factor is **the well balanced organization and correct functioning of the judicial system**. This is an area where international co-operation has proved to be most fruitful and rewarding, and where the role of the Council of Europe and its relevant legal Conventions has been most appreciated.

Italy is happy to note that **Council of Europe priorities** and our **policy targets in the Justice sector agree significantly**. Over the last two years, the Italian Government has been promoting a overarching reform process in the judicial system. It is a wide, all-encompassing effort, touching a variety of sectors, including digital justice and data protection, amendments to the Criminal and Civil codes as well as enhanced administrative efficiency and Court and Jail reforms.

Now allow us to share a few thoughts with you on the issues tackled by Resolution N. 1.

If a transparent and efficient system of justice is our primary goal, a correct institutional balance, adequate legislation and **proper timing** are of essential importance.

In this respect, **Information and Communication Technologies** (ICT) can play a powerful role in improving the efficiency, transparency and effectiveness of the Justice system.

Two projects, one in the North and one in the South, deserve to be briefly mentioned.

- the reengineering of the **Civil Court organization** in **Milan**, which was included in the list of the most innovative projects in the European Day of Civil Justice of 2008;

- the **Bari AURORA project**, in the southern heel of Italy, where ICT technologies are being applied at a massive scale, resulting in an almost total elimination of the paper filing.

The "Aurora project" covering both Bari and Lecce Prosecutors' Offices allows, through specific scanning and classification, the digitalization of acts not covered by the judicial secret and the creation of **fully accessible electronic legal and judicial archives**.

Judges and prosecutors can consult, work and update their case files on-line and communicate electronically between each other in almost real time. The system also allows the electronic deposit of acts and the defendants' access through a *smart card*.

- One priority area aims at curtailing the long delays in the civil judicial proceedings, one of the main weaknesses of the Italian justice system.

To face this situation, the Italian Government has adopted numerous new civil and criminal procedural rules. In June 2009 the civil procedural code has been amended in different ways so as to quicken procedures, cut judicial terms and bring about an overall overhaul and simplification of the existing civil procedures. In this context, a special attention has been dedicated to the institute of mediation (*conciliazione*), as a quicker alternative to more complex judicial procedures.

Finally, in the criminal law area, I would like to mention the institution of the *Justice Fund*, which gathers the money and assets recovered from criminal organizations, in particular from the Mafia. The Fund is proving to be a practical success since it allows us to directly use the resources seized from the Mafia to strengthen the fight against organized crime. From June 2008 to March 2010, Italy seized cash (amounting to 2,3 billions euros) as well as immovable property, amounting to a total of around 9 billion euros. Of this total, over 1.6 million euros are immediately available to support the action of the law-enforcement authorities; another conspicuous amount will go to judiciary offices and authorities involved in the fight against crime.

In conclusion, the Italian Government stands fully behind the Council of Europe's work in the critical domain of the transparency and efficiency of Justice and is keen to keep providing its political support and technical contribution.

I thank you for your kind attention.