



27th CONFERENCE OF EUROPEAN MINISTERS OF JUSTICE

Yerevan (12-13 October 2006)

**VICTIMS:
PLACE, RIGHTS AND ASSISTANCE**

*Address by Mrs. Ana LOVRIN,
Minister of Justice of Croatia*

www.coe.int/minjust

Mister Chairman,
Distinguished Ministers and Delegates,
Ladies and Gentlemen,

At the very beginning of my address, I would like to congratulate the host of our Conference, the Minister of Justice of the Republic of Armenia, Mr. Davit Harutyunyan, for the excellent preparation of the Conference. I also pass on my sincere thanks for his kind hospitality.

With respect to the subject of our Conference, let me express my personal satisfaction, as well as that of my Government, with the choice of subject of this Conference: **Victims, place, rights and assistance.**

My Delegation and myself fully agree with the draft text of the Resolution on victims of crime. I am convinced that the adoption of this resolution will contribute to the further successful work of the European Committee on Legal Cooperation (CDCJ), the European Committee for Crime Problems (CDPC) and the Committee of Experts on Terrorism (CODEXTER).

The increasing rate of crime, as well as the threat and acts of terrorism, show the pressing need to elaborate and implement modern measures to assist victims. Such measures could aim at promoting the individual's security and dignity, through the response of States to crime and violence, and through social and judicial measures.

It is important to promote and develop support and assistance to victims, to facilitate their access to justice and compensation, and, most of all, to ensure that victims of crime do not also become victims of procedures and administrative burdens.

May I recall the determination of our Heads of Government that was shown in the Warsaw Declaration in 2005. Determination was expressed to build a cohesive society by ensuring fair access to social rights, fighting exclusion and protecting vulnerable social groups.

I am sure that this Conference will be a step forward in addressing the needs of victims. It will provide an exchange of views and best practices among countries, thus contributing to a better understanding of the needs of victims.

As a candidate country for full membership of the European Union, Croatia is paying particular attention to the harmonization of its legislation with international standards and with the *acquis communautaire*. An important area of concern is prevention and assistance to victims provided by the State and non-state actors.

Croatia's recent history, and the suffering caused by the Homeland War, resulted in a large number of people becoming victims of war crimes and displacement. Croatia has been continuously making considerable efforts to create a supportive and healthy environment for a peaceful life.

Croatia has a solid legal and institutional framework for the protection of victims. This protection addresses the rights, position and support of victims – those who suffer the consequences of criminal proceedings, and social and psychological trauma.

Furthermore, in an effort to meet one of the basic principles of justice for victims of crime proclaimed by the UN – the right of the victim to free legal assistance –, a new **draft Act on the**

Right to Legal Aid is being prepared. This is being done in cooperation and coordination with the relevant state bodies, the Croatian Bar Association and representatives of NGOs.

Mr. Chairman,

Croatia actively took part in the work of the plenary meeting in April 2006 of the **CDPC** when the Council of Europe Recommendation on assistance to crime victims [Rec (2006) 8] was examined and approved. We have already undertaken some administrative, legislative and practical measures in order to put this instrument into practice.

With regard to compensation by the State for victims of crime, Croatia is at present a signatory to the **European Convention on the Compensation of Victims of Violent Crimes**. However, we plan to make additional legislative changes in order to further develop a system as foreseen in the Convention.

Considering the dramatic effect of **terrorism** on the full enjoyment of human rights, and taking into account the current phenomena of terrorism, assistance to victims of terrorism deserves special attention.

My Government supports and actively takes part in the work of **CODEXTER**, in particular with regard to the victims of terrorism. Croatia signed the Council of Europe Convention on the prevention of terrorism and will soon finish the ratification procedure. On a national level the **Act on Liability for Damage Arising from Terrorist Acts and Public Demonstrations** has been adopted. This Act establishes a system for compensation for damage resulting from terrorist activities and other acts of violence that seriously disturb public order.

There are different categories of victims. And it is a particular challenge to define vulnerable groups amongst them. One of our very important tasks is to deal with this issue. Let me recall **CDCJ**'s last plenary meeting in March 2006. Then, it was seen that when defining this category, attention should be paid to those victims that are in a weaker position in comparison with others, and hence in greater need of assistance.

Victims need to be rehabilitated, just as perpetrators of crimes do, in the sense of returning to the community without unnecessary trauma and a feeling of being left to themselves. We recognize the valuable contribution of the existing Council of Europe Recommendations on mediation to this end, even though the Croatian legislation is not yet fully in line with them.

A great number of activities have been undertaken by State and non-state actors to assist victims. These activities include the organization of seminars and the dissemination of guides and information aimed specifically at victims of crime such as domestic violence, human trafficking, sexual exploitation of children and so on.

Support schemes within courthouses for the victims of crime have been developed first in the two regions most affected by the events of the Homeland War: Vukovar and Sisak.

An important role is played by the professional training of employees of various state institutions who assist victims. A great deal of effort has been made to create social sensitivity, with a view to ensuring the appropriate treatment of victims and to decrease their secondary victimization.

In the Republic of Croatia, there is a large number of NGOs which assist, support and protect victims of family and sexual violence. In that regard, I share the opinion of my Armenian colleague – that great emphasis should be placed on the intensification of collaboration between NGOs and public bodies and services, within the framework of mutual assistance and exchange of information.

In view of the geographical position of the Republic of Croatia, the criminal act of **trafficking in human beings** is our special concern. Trafficking in human beings undermines the enjoyment of human rights and is an offence to the dignity and integrity of the human being.

Guided by the desire to contribute to the fight against human trafficking on a national and international level, Croatia signed the Council of Europe Convention on Action against Trafficking in Human Beings.

In addition to that, my country adopted the Operational Plan for the Suppression of Trafficking in Human Beings for the period 2004-2008. The Plan of the activities for the suppression of trafficking of children is under way. There is also a special SOS telephone line aimed at providing help to victims and giving all relevant information related to trafficking in human beings.

The competent Croatian institutions and the International Organization for Migration (IOM) are involved in caring for victims of trafficking in human beings, where the majority of victims are children and women. The programme of assistance and protection of victims of trafficking in human beings includes safe accommodation, psychological and social protection, as well as health and legal protection. These forms of protection are based on individual programmes for each individual who is a victim of trafficking.

Mr Chairman,

All I have said allows me to conclude that my Government does not limit itself to declarations on victims, their needs, position and rights. Rather, it is actively incorporating international standards and mechanism into the domestic legal system. It is thus creating the basis for **practical action**.

I am convinced that the Croatian criminal and civil justice system is a solid base for the activities required to provide adequate support and protection for victims of crime.

At the same time, we are working continuously on improving the organization and functioning of state institutions, judicial bodies and various institutions. We are also paying due attention to professional training. In this way, my Government endeavors to attain an even higher level of protection and assistance for the victims of crimes.

Let me emphasize, in the end, that my Government remains committed to the constant development, improvement and adjustment of this system, in line with the new international achievements in this field. The task before us, after all, is based on our constitutional obligation to create, ensure and protect the rule of law, for the benefit of our citizens. What's more, this **very** task is important for Croatia as a responsible member of the Council of Europe and as a serious European Union candidate country.

Thank you for your attention.