

WELCOME ADDRESS BY THE PRESIDENT OF THE CROATIAN ASSOCIATION OF CRIMINAL SCIENCES AND PRACTICE

Honourable Envoy of the President of the Republic of Croatia,
Honourable Envoy of the Prime Minister, and Honourable Minister of Justice
of the Republic of Croatia,
Honourable Judges of the Constitutional Court of the RC,
Honourable Judges of the Supreme Court of the RC,
Honourable State Attorney General of the RC,
Dear Guests, Ladies and Gentlemen,

It is a great honour and pleasure to open this international conference on the *Integration of the EPPO in National Criminal Justice Systems: Institutional, Procedural and Cooperative Challenges* on behalf of the Croatian Association of Criminal Sciences and Practice, and to host you here in Zagreb and in Croatia.

It is a pleasure for me to welcome here among us representatives of the European Commission, the European Parliament, OLAF, Eurojust and Europol, as well as many prosecutors, judges, attorneys, representatives of the Ministry of Justice, the Ministry of the Interior, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Defence, and NGOs.

The Croatian Association of Criminal Sciences and Practice is the largest and most important criminal-law association in Croatia, with over 300 members who have been working for over 30 years on strengthening the Croatian criminal justice system and the rule of law. On behalf of the Association, I would like to thank the European Commission, and especially OLAF, for their trust in giving us the opportunity to hold this international conference on the EPPO, the most important criminal law institution in the European Union since its establishment, as part of the Hercules III Programme.

On behalf of The Croatian Association of Criminal Sciences and Practice, I would like to thank the speakers who have accepted the invitation to pass on their knowledge at this conference. They include Croatian experts, as well as experts from the previously mentioned European institutions, national ministries of justice, European justice professionals, as well as the most eminent professors of European criminal law.

I also wish to thank all the participants and their institutions who have recognised the importance, topicality and quality of this conference. We have over 200 participants, including 50 public prosecutors, 40 judges, 25 attorneys-at-law, 40 ministry officials, 30 professors, and other experts.

The idea of the EPPO came about nearly 30 years ago, with work on the famous *Corpus Juris*, whose first version was published in 1997, initiated by Francesco de Angelis, member of the European Commission, and by the co-author of the second draft, Professor John Vervaele. Both are here among us in this hall. Thousands of conferences, discussions and studies on the European Public Prosecutor have been organised over several decades, and many of them here in Croatia. In 2003, professors Davor Krapac, and Petar Novoselec, who is also here with us, published the translation of the second draft of *Corpus Juris*. In 2003, I defended my doctoral thesis which included a chapter on the European Public Prosecutor, and held an inaugural lecture on the same topic. I am certain that many among us today have had a similar professional path. All of us who have dealt with this topic for many years certainly feel professional satisfaction in knowing that these were not mere theoretical and academic debates, unsuccessful normative attempts, or failed political endeavours, as were, for instance, the Treaty of Nice, or the Constitution for Europe. It is now clear that a supranational European prosecution service will finally and definitively be established.

The question always arises on whether we need another criminal law institution in addition to European criminal institutions and national prosecution services. Unfortunately, the number of convictions for offences affecting the Union's financial interests tell us that this is necessary. Although significant progress has been made in the legislative area, and harmonised substantive-law competence for prosecution established, the situation in Europe, from the well-known ECJ judgment in *Commission v. Greece* of 1989, and the sugar scandal in Croatia in early 2000, the efficiency of the prosecution of criminal offences affecting the Union's financial interests has not significantly changed. Generally speaking, prosecution of criminal offences against the Union's budget is either inefficient or non-existent.

It has been foreseen that the European Public Prosecutor's Office will start work by the end of 2020. This is therefore an exceptionally topical and important body which the profession in Europe and Croatia should get to know and discuss. The general aim of this conference is to analyse the integration of the EPPO in particular European systems of criminal law. At the European level and at the level of many Member States, important steps have been taken to implement the Regulation on establishing the Public Prosecutor's Office, including measures for the selection and appointment of the Public Prosecutor and European Delegated Prosecutors, to develop a case management system, as well as to resolve many legislative, logistical, administrative and financial issues. At this Conference, the most eminent European experts will report on their experiences, considerations and practice.

The Conference has been divided into four sections: a) challenges at national and EU levels; b) procedural challenges; c) cooperation challenges; d)

integration of the EPPO in the Croatian criminal justice system. With regard to institutional challenges, the discussion will include the following issues: the structure and powers of the EPPO, the selection and appointment of the European Public Prosecutor and European Delegated Prosecutors, the independence and responsibility of the EPPO, and the possibility of extending the term of office. With regard to procedural challenges, the discussion will focus on investigation powers, procedural guarantees, the prosecutor's oversight, disciplinary liability, the language of criminal proceedings and linguistic problems of the Permanent Chambers, judicial control, procedural guarantees, and the admissibility and legality of evidence. With regard to cooperation challenges, the following issues will be discussed: cooperation of the EPPO with EU Member States which do not participate in it, with third countries, with Eurojust, OLAF, and Europol.

The fact that the Republic of Croatia will take over the Presidency of the European Union in the first half of 2020 gives special significance to this international conference. The conference is therefore an opportunity for us to present ourselves to the European judicial and criminal-law community as citizens of the future holder of the Presidency of the European Union, on an equal footing with other Member States in the professional, scientific and organisational sense.

Dear guests, on this positive note I conclude my introductory speech. I am confident that we will make use of these two days for an exchange of knowledge and experience among Croatian, foreign and European experts, to contribute to the development of mutual trust and cooperation, and to seize this opportunity for criminal-law integration that will finally establish the long-awaited European Public Prosecutor's Office in Europe.

Thank you for your attention, and I wish you a successful and stimulating conference.

Prof Zlata Đurđević, PhD
President of the Croatian Association of Criminal Sciences and Practice