

International Conference

Together we are stronger?

**Harmonising the fight
against fraud and corruption
in Europe**

Lukáš Volak
25 – 26 February 2008
at the Maternushaus in Cologne

Coordination of investigations and detection of corruption

The following characteristics are significant in the present: the combination and penetration of particular cultures and/or peoples as well as the abolition of common borders and the possibility of movement for people, goods and funds.

Being an EU Member State, the Czech Republic has been benefiting from these principles for many years already, and the citizens regard these basic principles as enlargement of their freedom of movement within the European Union, as freedom in the field of business activities and as an implementation of their own ideas.

This trend, though, seems to have certain dark sides, like many other things, too. The freedom of movement for example is misused by criminal organisations. Committing criminal acts with the benefits offered to the citizens of the European Union leads to a more complicated identification and prosecution of perpetrators.

For this reason it is evidently necessary to intensify the co-operation of particular police and legal authorities of the involved Member States to the highest degree. This must be done in a way that does not tarnish the co-operation with redundant administrative or bureaucratic measures. On the other hand, we must consider the sovereignty of particular Member States and their right to fight criminality according to their own principles and statutory provisions. The political representation of single Member States plays an important role in the equalisation of the factors mentioned above. The co-operation between police and legal authorities must not be

undertaken uncoordinatedly – it must be based upon uniform principles that are neither confusing nor complicated.

On one of the last conferences on “International police co-operation” I attended, it was expressed that the thesis that “There are not enough laws and standards to arrange a co-operation between police and legal authorities” was not maintainable. It was rather about having too many standards of this kind, and this is the reason why this area is so confusing. I absolutely agree with this opinion and against this background I decided to structure my article within the scope of this workshop in a way that primarily practical aspects of our work are represented and less the theoretical aspects we have to acquaint ourselves with anyway to a certain degree in our daily work.

From my personal experience, international co-operation in criminal cases is carried out optimally on the level of personal relations. It is vital to personally know the contact partner in the particular Member State. When this kind of relationship is given, the required foundation of trust also exists. In my opinion, ladies and gentlemen, we all know what we are talking about. It is not advisable to request a letter rogatory if I do not even know if the particular Member State really possesses the information I need. You certainly have already had experiences with the “hit/no hit” method yourselves. However, this method is only applicable if we personally know our contact persons in the particular Member States.

Therefore, I structured my article as follows:

- the structure and organisation of the Czech Republic police force
- presentation of the police department I represent at this time - "Department for investigating corruption and commercial criminality" and its function in the matter of legal assistance
- the organisation of legal assistance in the Czech Republic in general,
and finally
- the co-operation with Europol and Interpol