



**ŁÓDŹ DECLARATION
OF THE PROSECUTORS GENERAL
OF THE VISEGRAD GROUP STATES**

ŁÓDŹ, 15 MAY 2024

Contemporary cross-border crime is a complex and dynamic phenomenon. It poses a serious threat to security and stability in Europe and the world, which is why the Visegrad States are making joint efforts to fight it and ensure the safety of their citizens.

Challenges in fighting cross-border crime include the need for efficient and effective execution of procedural actions in the case of individuals residing in different jurisdictions, securing ephemeral electronic data from electronic service providers operating globally, and fast identification of the proceeds of crime, which are increasingly laundered through cryptocurrencies, non-fungible tokens or computer games. Criminals use a variety of tactics, techniques and procedures, employing different methods to animate network traffic, encrypted communication channels and modern technology to create false identities and cover up the tracks of crimes.

International cooperation is of key importance in the fight against cross-border crime. Prompt and effective exchange of information and evidence between law enforcement and prosecution authorities leads to effective prevention and combating of crime.

1. The Impact of Digitalisation of Criminal Proceedings on the Cross-border Prosecution of Crime

The Prosecutors General of the Visegrad Group States are fully aware that the digitalisation of the criminal process, including both the digitalisation of criminal case files and the exchange of electronic data, is essential in the effective fight against cross-border crime.

Traditional paper-based means of information exchange do not satisfy fully the requirements of proper dynamics and efficiency of operations, in view of the need to analyse huge data sets and react quickly by securing and exchanging information in real time between actors involved in cross-border proceedings.

The Prosecutors General of the Visegrad Group States see the need to increase the dynamics and efficiency of criminal proceedings through the development of technologies enabling fast, direct, interoperable, reliable, accessible, secure and efficient electronic exchange of data on cross-border crimes.

The Prosecutors General of the Visegrad Group States recognise the benefits of the digitalisation of criminal proceedings, such as quick online access, via the Internet, to information from case files, faster collection of data required for criminal proceedings, and greater capabilities to analyse data from different sources.

Digitalisation of the files also facilitates better communication between citizens and criminal investigation authorities and thus improves the standards of the rule of law in the countries,

while it contributes to greater efficiency, accessibility and transparency in the activities of the national authorities as well.

The Prosecutors General of the Visegrad Group States support the idea of ensuring uniform standards for the digitisation and digitalisation of criminal proceedings in the European Union, strengthening cooperation in the use of modern technology to fight cross-border crime, ensuring the security of information systems and the data processed therein as well as of the services offered, and the transfer of digitisation-related knowledge and experience.

The Prosecutors General of the Visegrad Group States recognise the contribution of the European Judicial Cybercrime Network to the sharing of information and best practices in the field of cybercrime, electronic evidence and cryptocurrencies.

The Prosecutors General of the Visegrad Group States underline the importance of the activities for implementation of digitalisation at the level of the EU and its Member States as well as the key impact of the training for police and judicial authorities at the EU, Visegrad Group States and national levels, in order to apply the instruments of digitalisation in the most effective way.

The Prosecutors General of the Visegrad Group States are convinced that the involvement of the Visegrad Group in the process of digitisation and digitalisation of criminal proceedings in the European Union is a key step in ensuring a more effective protection of citizens against the threats posed by cross-border crime.

2. Cooperation with Third Countries

The Prosecutors General of the Visegrad Group States recognise the need to support and further develop cooperation with third countries in criminal matters in order to effectively fight all forms of international crime.

The task of the Prosecution Service is to obtain evidence from the territory of third countries in a swift and efficient manner and to obtain the effective and timely extradition of offenders who stay or evade justice in the territory of third countries.

Within the European Union, cooperation between judicial authorities in criminal matters is facilitated by EU instruments based on the principle of mutual recognition and mutual trust, and by direct contacts between prosecution authorities. Judicial cooperation with third countries in criminal matters is formalised and governed by the Council of Europe Conventions, including the Budapest Convention, United Nations Conventions and bilateral agreements concluded by Member States or the European Union. However, in view of the significant number of third countries where evidence or perpetrators are located,

there are still no binding contractual arrangements, and cooperation is based on the principle of reciprocity and national legislation.

The Prosecutors General of the Visegrad Group States recognise the need to seek new channels of communication with the judicial authorities of third countries, in particular with those with whom collaboration currently involves long waiting time, is formalised due to the use of the diplomatic route, and contacts are difficult or ineffective.

The Prosecutors General of the Visegrad Group States support the latest activities of the European Union aimed at improving cooperation with third countries in the area in question.

The Prosecutors General of the Visegrad Group States recognise the positive role of joint activities such as training of prosecutors, joint regional initiatives and meetings between prosecutors from the Visegrad countries and prosecutors from third countries in order to facilitate direct exchange of experience on current legal and factual challenges.

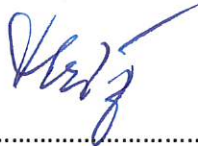
With regard to extradition proceedings with third countries, the Prosecutors General of the Visegrad Group States consider it particularly important to ensure respect for fundamental human rights, including observance of procedural guarantees, whose framework is outlined in the Convention for the Protection of Human Rights and Fundamental Freedoms, and the European Union Charter of Fundamental Rights. Efforts must be made to eliminate the risk of torture and ill-treatment of suspects, defendants and convicted persons in third countries requesting extradition, due to reasons such as conditions in prisons and detention centres. The relevant assessment should be based not only on the guarantees provided by the requesting state, but also on up-to-date, reliable and objective sources, such as reports from national and international, governmental and non-governmental organisations.

The Prosecutors General of the Visegrad Group States recognise the contribution of criminal judicial networks and similar regional structures in third countries specialised in facilitating international cooperation and initiating working contacts between prosecutors. In this respect, it is valuable to draw on the assistance and experience of EU structures such as the European Judicial Network, the Eurojust or the Liaison Prosecutors, where established, in cooperation with other judicial networks and regional structures outside the European Union.

The Prosecutors General of the Visegrad Group States are of the opinion, that setting up of joint investigation teams with third countries' judicial authorities may be an important tool to facilitate the course of criminal proceedings and the fight against cross-border crime.

The Prosecutors General of the Visegrad Group States express their willingness to further strengthen cooperation with the judicial authorities of third countries in criminal matters to ensure that perpetrators do not avoid justice, for instance by promoting more direct contacts, electronic communication or prior consultation through formal (central authorities) or informal channels such as the European Judicial Network, the Eurojust and the European Judicial Cybercrime Network.

Igor Stříž
Prosecutor General
of the Czech Republic



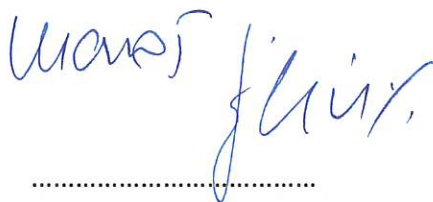
.....

Péter Polt
Prosecutor General
of Hungary



.....

Maroš Žilinka
Prosecutor General
of the Slovak Republic



.....

Adam Bodnar
Prosecutor General
of the Republic of Poland



.....