

ABSTRACT

The thesis deals with an issue of cybercrime prosecution in international environment. The text focuses on particular problems met by law enforcement agencies when prosecuting cybercrime. Within the prosecution, the emphasis is put on the aspects of detection and investigation of cybercrime.

Within the thesis, cybercrime is understood as a part of computer crime. Computer crime is approached rather as global crime due to typical characteristics of information and communication technologies. Therefore, the international cooperation of law enforcement agencies is considered crucial.

First chapter introduces the issue of computer crime, including adopted terminology. It discusses the transformation of computer crime and cybercrime following its historical development and broad forms of modus operandi. Criminological findings about perpetrators and victims of computer crime are discussed likewise. Second chapter deals with criminal law jurisdiction and enforcement within cyberspace. The accent is put on local applicability of criminal law and related jurisdictional conflicts with possible remedies. Third chapter concentrates on the interconnection of computer crime and organized crime, as well as computer crime and terrorism. Why and how are the perpetrators of organized crime and terrorism abusing information and communication technologies is the question. Relating international legal instruments on both universal and regional level are discussed as well. Fourth chapter focuses on selected procedural powers of law enforcement agencies according to Czech Criminal Procedure Act and reveals several shortcomings. The core of the thesis is the fifth chapter which deals with international judicial cooperation within the scope of criminal law. The stress is put on particular form of cooperation - international legal assistance. The state of regulation influences greatly the prosecution of computer crime in international environment. The chapter deals with Czech International Judicial Cooperation in Criminal Matters Act as well as related international legal instruments on universal and regional level. Several problems of international cooperation within the prosecution of computer crime are discussed. The chapter warns before the practise of finding particular alternative ways to rigid methods of international cooperation and comments on expected development in the field.