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**Ruský a ukrajinský organizovaný zločin. Hrozby a rizika pro ČR
v kontextu globalizace organizovaného zločinu**

**Russian and Ukrainian organised crime. Threats and risks for the Czech
Republic in the context of globalisation of organised crime**

ISBN: 978-80-7338-129-5

Summary

It is highly probable that those members of Russian-speaking organised crime groups in the Czech Republic who have been exposed, arrested and, mainly, convicted represent the more primitive end of the evolutionary spectrum. The higher-ranking criminal elements tend to remain untouchable both in their country of origin and abroad. These people cannot merely be called criminals and the structures which they head often bear no resemblance to criminal subcultures.

When attempting to describe modern forms of organised crime, criminological analysis must be accompanied by political analysis. The latter very frequently also provides answers to questions relating to the topic of organised crime. In the same way, political scientists involved in political analysis often find themselves driven to become criminologists and, instead of the clashes of political thought, they are studying the struggle between criminal syndicates and the workings of complicated corruption networks. This discovery in itself is an objective indication of a high degree of security risk which reflects much of the nature of this threat to which not even countries with a long tradition of democracy are fully immune.

As long ago as the early 20th century, American political scientist, Robert Michels, formulated his “Iron Law of Oligarchy”. According to this Law, every multiparty democracy evolves into party-based oligarchy and democrats become oligarchs.¹ Formerly democratic parties themselves thereby become a source of criminal behaviour. The probability that this in fact happening is higher in countries where the principle of division of power is disrupted. Political power becomes an instrument for achieving profit. Politics ceases to be based on ideals but becomes a certain type of business.

1 Michels, R.: *Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy*, Free Press, New Brunswick, [1911] 1990.

The greatest risk factor objectively increasing the vulnerability of a country to expanding and domestic organised crime today is irresponsible behaviour of the political elite of that country. This frequently manifests itself in the creation of various corruption networks. The supremacy of politics is replaced by supremacy of economics, and so each administrative and political decision carries a price.

Organised crime should therefore be described as the greatest non-military threat for the Czech Republic and the fight against organised crime is, therefore, one of the most important conflicts of the present day. It is primarily organised crime and its influence that seriously threatens the stability and security both of society and the state, even in a democratic country. It should be pointed out that not enough attention is paid to the matter of organised crime. Society and, all too often, also its elite, underrate this problem. The population is not sufficiently informed of this situation and therefore cannot demand that their political representatives take adequate steps against it.

Discussions and efforts towards launching or deepening democratisation in various countries around the world, including Russia and Ukraine, frequently underestimate the danger rooted in the existence of organised crime. So many well-intended reforms in practice founder either because they failed to take this aspect into account or that its capabilities have been underestimated. Central Europe, including the Czech Republic, is no exception in this respect. Here too, a range of transformation measures were unsuccessful, since their execution was affected by latent influence of various interest and criminal groups. The current situation in several branches of commerce and politics is actually dictated by groups, which could be for various reasons described as criminal syndicates.

In former Soviet states, this problem is particularly acute; corporate and corruption networks, the compound risks involved with attempts of exposing them are all too evident. The most visible difference in the nature of functioning of organised crime in Russia and Ukraine lie primarily in the fact that in Ukraine, organised crime has taken control of a large section of the state apparatus which, in its hands, has become an instrument for achieving high financial profit. It would not be too much of an overstatement to say that the situation in Ukraine is to a certain extent comparable to that in the Czech Republic.

On the other hand, in Russia, significant groups of organised crime have been swallowed up by the state, which in turn has taken over a large segment of the criminal marketplace. The power elite of the country consider a strong state to be the greatest imperative. Financial profit is therefore allowed only for those criminal networks which are not at odds with this concept.

An important factor in reducing risk is international cooperation between the security services of all countries involves. However, if organised crime has a strong influence on these state authorities, such cooperation becomes very problematic and is able to function only to a rather limited degree. The risks may be limited also by other means. A very important element in such considerations is to create conditions which would make it impossible for organised crime to offer its services and products in such a way that it is beneficial or even essential for certain groups of the population to use such services. Transparency in promoting the legitimate political and economic interests of various groups and effective and well-organised functioning of state authorities are an essential condition for achieving this goal. Legislative measures such as the Civil Service Act must be adopted in this area. One very important factor for limiting the influence of organised crime within political parties is passing an act on the financing of political parties. A fundamental step is the creation of a special state prosecution service aimed directly at combating this type of threat. It is also essential to buttress state police units whose personnel and financial assets currently are absolutely inadequate to the level and nature of the threat which they are meant to fight.

Apart from this, criminological research is exceedingly underfunded here in the Czech Republic. Effective exchange of knowledge between criminologists and the police is non-existent. The result of this situation is, among other things, that not even specialised police units have information on the workings and nature of foreign organised crime groups at their disposal. Conversely, Czech criminology does not have sufficient knowledge for more detailed research of the workings of organised crime in the territory of the Czech Republic.

In a situation where even the official administration of the Czech Ministry of the Interior identifies organised crime as the most acute non-military threat of the present day, such a situation is completely unacceptable. Almost certainly, it would mean massive savings for the state if the measures mentioned above were to be adopted. The interest of the political representation in taking such steps is, however, limited by their real financial interests, determined mainly due to infiltration of criminal elements into politics itself.

In today's world, there exists a whole range of threats and related risks. This study was aimed only at a few fundamental segments of one very acute threat. It should also be pointed out that a certain amount of risk comes with any type of human activity. Minimising the risks to zero would only be possible in a totalitarian and fully isolated state whose existence is merely a theoretical and utterly undesirable concept. The risk must be reduced through well-directed, well-thought out steps based on detailed analysis of the issue. All-encompassing intervention, limiting whole sections of the population are wholly ineffective, mostly hitting

completely upstanding citizens and in many cases causing these very citizens to become a criminogenic factor.

Translated by: Presto