

## Omissions in Criminal Law

### Abstract

The submitted thesis represents a relatively comprehensive, and given the contemporary state of the domestic criminal law theory, also a quite complex elaboration of questions associated with the phenomenon of omission in criminal law. From my point of view, the text itself deals with all significant problems related to criminal liability for omissive conduct. This concerns in particular the subject matter associated with the institution of omission within the doctrine of substantive criminal law, the term of omission in criminal law and the reason and historical evolution of criminalization of omission. Furthermore, the thesis deals with the individual types of criminal omissions and questions associated therewith, including a note of the differences between the traditional dual distinction on the one hand and the newer triple distinction of criminal omissions on the other, while comprising the emphasis of shortcomings of the traditional approach and the advantages of the newer concept. Saying that, in the most part the thesis focuses on the newer approach towards criminal liability for omission and it describes the foundation points thereof in great detail, since I consider it to be the key subject of this dissertation. I also comment on the very important subject of causality, of course mainly from the viewpoint of criminal liability for omission. Moreover, attention is also being paid to the domestic approach towards criminal liability for omission, not only from the theoretical, but also from the practical point of view, while at the same time projecting the principles of the newer approach consisting in triple distinction of criminal omissions in the Czech legal environment. Naturally, brief *de lege ferenda* considerations are not omitted. The conclusion of the thesis is dedicated to lines dealing in particular with the relationship between omission as one of two basic forms of human behavior (as opposed to commission) and special forms of criminal conduct (development stages of criminal activity and participation).