ABSTRACT

The aim of this Diploma thesis is to elaborate on the topic of the fight against organized crime with a focus on criminal instruments of such a fight. Organized crime is undoubtedly a unique and dynamic phenomenon that penetrates almost every area of society. Currently it is one of the most serious global risks threatening the stability, security and development of civil society. The Diploma thesis begins with the definition of terms such as organized crime, then it deals with the causes, structure, selected forms of organized crime as well as its perception in the international community. The following chapter deals with the historical development of organized crime and the context between its boom in our territory and the fall of the Iron Curtain. The third chapter is a key part of this thesis and contains a substantive regulation of the prosecution of organized crime. It defines the terms of an organized criminal group and an organized group contained in the Criminal Code, describes the offense of participating in an organized criminal group and the limits of punishing this crime. The next chapter de lege lata discusses the most effective procedural instruments for combating organized crime, in particular the operational investigative means of criminal investigation. The penultimate chapter focuses on the protection of persons involved in criminal proceedings. It contains a legislation of other effective means of the fight against organized crime, namely instruments providing protection of denouncing persons and also de lege ferenda polemic over the form of accomplice witness in Czech criminal law. In the end, the thesis deals with the comparison of the Czech legislation with the legislations of Slovakia and the USA, with a particular focus on the institutes of the accomplice witness and the agent provocateur and discusses the possibility of incorporating institutes that are absent in the Czech legal system, but are well known from the above mentioned foreign regulations.