

Název práce, abstrakt a klíčová slova v anglickém jazyce

Title

Criminal offences related to substance abuse.

Abstract

The main purpose of this work is to acquaint the reader with the Czech legal regulation of the so-called drug criminal offenses defined in the provisions of Sections 283 to 287 of the Criminal Code in the view of substantive law. This work will provide a general description of individual relevant crimes, their interpretation, as well as analysis of some terms that are associated with these crimes and which are still under discussion.

Overall, the work is divided into six parts. The first part is devoted to the explanation of several basic terms, which are used in the work and whose understanding is necessary to understand the rest of the text, as well as the purpose of some legal provisions, which are further addressed.

The second part deals with the issue of addictive or narcotic and psychotropic substances as such. This part provides several possible variations of the classification of these substances into groups and subgroups according to various aspects. Finally, the individual groups of addictive substances are mapped with regard to their characteristic psychoactive effects, toxicity or ability to induce psychological or physical dependence on an individual. For each of the groups of substances, their most relevant representatives are also listed.

In the third part is mapped the historical development of legal regulation of addictive substances and drug crimes in our territory, starting with the Austro-Hungarian Monarchy, ending with the fall of the communist regime in November 1989. Besides the Czech historical legislation and the historical realities, this section also provides development of international conventions in the field of addictive substances starting with opium conventions and ending with Convention against illicit traffic in narcotic drugs and psychotropic substances from 1988.

The fourth part provides a detailed analysis of the individual offenses defined in the provisions of Sections 283 to 287 of the Czech Criminal Code. There are some vague legal concepts, the interpretation of which is still not completely unified. In this respect, a relatively large part is devoted to the problematic legal concept of drug quantity greater than small. The ending of this part deals with the regulation of the issue of handling with narcotic and psychotropic substances in the view of Czech administrative law.

The fifth part is devoted to map of Portuguese mostly criminal but also administrative legislation in the field of illicit handling with narcotic drugs and psychotropic substances. To

create a broader view of the current Portuguese legislation, the historical context and the evolution of this legislation are also presented in this part.

The last sixth part contains a comparison of the most significant sections of the Czech and the Portuguese relevant legislation, their evaluation and last but not least, considerations de lege ferenda with proposals for potential changes in the current Czech legislation on drug criminal offenses.

Keywords

Substantive criminal law

Addictive substances

Drug crimes