

## **Abstract**

**Title of the thesis:** Crime of murder and manslaughter under section 140, 141 of the criminal code

This thesis deals with the crimes of murder and homicide under the provisions of § 140 and § 141 of the Criminal Code, which, as crimes against life, represent one of the most serious components of crime in society. In a broader sense, the thesis deals with all intentional killings under Czech law. The basic purpose of this work is to describe and evaluate the current legal regulation of these crimes after the recodification of Czech substantive criminal law effective from 1. 1. 2010.

The thesis first contains a comprehensive historical view of the development of legislation in question. Then the crimes of murder and homicide and individual components of their factums are analyzed and described in more detail, especially from an interpretative point of view, including elements established by recodification like premeditation, prior consideration, strong derangement caused by excusable mental motion and the previous condemnable conduct of the aggrieved person.

Subsequently, the thesis deals with murder and manslaughter from the point of view of comparative law, where these crimes are compared with some similar institutes within the framework of substantive criminal law. A separate subchapter also compares the current legislation on intentional killings with the previous legislation. However, the most beneficial of the comparisons that were made, in my point of view, is the comparison of the Czech regulation of intentional killings with the one of selected neighboring states, from which many useful findings have emerged.

In the final part of the thesis the crimes in question are subject to my own evaluation in terms of the knowledge previously described in the work. Also at this place the statistical data obtained from the activities of criminal courts are briefly interpreted. I also acquaint the readers with the basic aspects of the extensive issue of euthanasia, especially from the point of view of criminal law, while foreign legislation is also presented here for an overview. Finally, the findings, opinions of the professional public and case law, as well as my own views are taken into account in making specific recommendations for changes in the current Czech legislation on intentional killings, including the actual formulation of some factums.