

Abstract

This diploma thesis is concerned with the instruments of criminal law used in a fight against organized crime. The objective of this thesis is to outline the current state of both international and domestic organized crime and to discuss some of the instruments used to fight against it which are provided to us by the criminal law. The first part of this thesis provides an overview of the development of organized crime as well as the defining characteristics of this phenomenon. However, the primary focus of the first part of presented thesis is on the conception of organized criminal group and the differentiation between organized criminal group, organized group, terrorism and terrorist group as provided in the Czech criminal code. The second part of this thesis discusses some of the individual instruments of both substantive and procedural criminal law in depth. Specifically, the criminal offense of participation in an organized criminal group, sentencing enhancements for individuals committing crimes that benefit an organized criminal group, criminal liability of legal entities, spatial wiretapping, use of an agent and cooperating witness. In this part especially, the author's aim is to evaluate the contemporary legislation, to present different opinions on mentioned topics and eventually, to provide *de lege ferenda* thoughts using literature, recent case law and foreign legislation as well as relevant statistical data. The third and final part of this diploma thesis introduces in descriptive manner the international obligations of the Czech Republic regarding fight against organized crime and also introduces some of the international institutions that help ease the process of uncovering and investigating organized crime.