

## **Penal aspects of corruption**

### **Abstract**

This thesis deals with the aspects of corruption that are sanctioned under criminal law. The aim of the thesis is to define the current criminal legislation punishing this form of crime, to present its problematic aspects and to propose possible solutions to these issues. In this context, a part of the thesis is also devoted to the definition of the concept of corruption, the historical development of the legal regulation in the Czech Republic in particular, the legal regulation in the field of international and European law, as well as legal comparison with foreign countries. First, the thesis devotes a section to various definitions of corruption by both Czech and foreign academics. Subsequently, the typology of corruption and the factors influencing its occurrence, extent and severity are outlined. Next, the first cases of criminalisation of corruption, the development of legal regulation in the Czech lands, and in particular its regulation within criminal codes are presented in the framework of historical development. Then, the international conventions dealing with the fight against corruption to which the Czech Republic has acceded are presented, as well as the legislation within the European Union. Furthermore, the thesis defines the crimes that are committed during corruption. However, given the extent of this issue, the thesis focuses primarily on the crimes of bribery as one of the most typical areas of crime stemming from this social phenomenon. Subsequently, the issues arising from the current legislation, which are the subject of criticism from at least part of the professional public, are presented. These include, in particular, the definition of bribe in the Criminal Code, the somewhat vague expression "procurement of public interest", and the question of the special provision on effective regret for the crimes of bribery, which has not been incorporated into the current Criminal Code. In view of these controversies, the following is a comparison of the legislation with several other European countries - namely Slovakia, Germany and Italy, each of which deals with the criminalisation of corruption in a different way. Finally, I conclude with my thoughts on possible improvements to the legislation in light of the controversies in the current legislation outlined earlier and a comparison with the legal systems of the aforementioned countries.

**Keywords: corruption, criminal law, bribery**