

# **Abstract in English**

## **Organized criminal group**

The thesis focuses on a comparison of the definition of an organized criminal group in the Czech Criminal Code and the definition of an organized criminal group in the UN Convention against Transnational Organized Crime. The research question of this thesis is how the two concepts differ. The thesis further examines the definition of an organized criminal group and related criminal law institutes. The related criminal law institutes are the cooperating defendant, the perpetrator of an offence committed for the benefit of an organized criminal group and the offence of participation in an organized criminal group.

The main differences between the definitions of organized criminal group in the Czech Criminal Code and organized criminal group in the UN Convention against Transnational Organized Crime are seen in the broader concept of organized criminal group in the Czech Criminal Code. An organized criminal group under the Czech Criminal Code does not require a focus on financial or other material gain. Furthermore, it punishes organized criminal groups focused on any intentional crime, not just organized criminal groups focused on crimes with a maximum penalty of four years or more. Another difference can be seen in the structure required by the UN Convention against Transnational Organized Crime and the structure required by the Czech Criminal Code. However, this difference can be resolved by a more internationally consistent interpretation of the features of the internal organizational structure and the division of functions.

For two of the concepts, the thesis has outlined a potential direction for possible changes to these concepts. The definition of an organized criminal group could place less emphasis on the organization of the group and more on the nature of the crime committed by the group. The offence of participation in an organized criminal group would deserve greater emphasis on the criminal activity committed by the organized criminal group in question.

**Key words:** organized criminal group, un convention against transnational organized crime, offence of participation in an organized criminal group