

## ABSTRACT

### **Europeanization of substantive criminal law**

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This master thesis is focused on the development of police and judicial cooperation in criminal matters in the European Union and the Europeanization of particular crimes. The thesis is composed of four chapters.

The introductory chapter defines basic terminology, the European Union with its powers, the European law and the main legal instruments with the effect on criminal law, and finally the part investigating the idea of Europeanization of criminal law.

Chapter two focuses on the definitions of police and judicial cooperation in criminal matters. The cooperation in criminal matters is very problematic in relation to the state sovereignty, second part of the chapter outlines the main features of this relation.

Chapter three describes the evolutionary process through which the European Union has acquired the competence over criminal law affairs. The cooperation in criminal matters is relatively new field of the European integration. The original purpose of the European integration was the economic cooperation with the target of creation the common market, the founding Treaties of European Community did not refer to the criminal law. The idea of an „European judicial space“ was first introduced in the 1970s. Until 1993 criminal law was an aspect of governmental activity that stood outside the Treaties altogether. In 1993 entered into force the EU Treaty (TEU) which established the European Union with three pillar structure. The Third Pillar was represented by „Justice and Home Affairs.“ The TEU was substantially amended by the Treaty of Amsterdam in 1999 and the original part of Third pillar was renamed „Police and Judicial Cooperation in Criminal Matters.“ The new objective was to „maintain and develop the Union as an area of freedom, security and justice.“ The last update of founding Treaties establishing the European Community and the TEU was introduced by Lisbon Treaty in 2009. The first is going to be known as the Treaty on the Functioning of the European Union. The main change is presented by the abolition of three pillar structure of the EU and by the introduction of the supranational method

which was characteristic only for the first pillar of the EU. The analysis of Lisbon Treaty looks at the principles of cooperation in criminal matters after 2009 with its aspects of harmonization of substantive criminal law.

Chapter four is dealing with the legal harmonization of organized crime, terrorism and the protection of financial interests of the EU in international, European and Czech law. The main legal instruments are briefly introduced.

In the conclusion is mentioned the consideration whether is realistic the creation of „European criminal law“ in the future.