Abstract

This doctoral thesis is concerned with an in-depth analysis of organized crime under criminological and criminal-law aspects, taking an approach that recognizes organized crime as a multi-faceted, dynamically changing category. The importance of this issue derives, firstly, from the grave threat to society which it represents and, secondly, from the on-going international and domestic discussions of the need for better tools to eradicate it. The first part of this work conveys the nature of organized crime, and based upon an understanding of the modern forms of organized crime raises and reappraises the important substantive-law questions of its criminalization and punishment. Organized crime is inseparably associated with the most controversial institutions of procedural criminal law, namely, the institutions of the cooperating accused person, informers, agents provocateurs, and the protected witness, which in the fight against organized crime represent a serious challenge for the fundamental principles of procedural criminal law. A theoretical analysis of these issues follows, which, together with a look on the consequences of the imperfect current Czech legislation being applied in practice, highlights the need for reappraisal and reform of the current laws. The thesis takes a critical, comprehensive look at the fight against organized crime, and makes proposals for future law designed to improve the efficiency of that fight, with the ambition to see such proposals incorporated in the policy for fighting organized crime.