

Criminal law regulation of protection against terrorism in the Czech Republic

Abstract

This diploma thesis deals with the criminal law regulation of protection against terrorism in the Czech Republic. Its aim is to characterize this criminal law regulation, including selected related topics.

The thesis is divided into four chapters. The author first introduces the reader to the issue of terrorism through a short historical excursion, then focuses on various definitions of the term terrorism and describes its characteristic features, principles, types, forms and presents it in the context of organized crime and extremism.

The second chapter deals with instruments of protection against terrorism. An essential term in this context is anti-terrorism or counter-terrorism, which is a set of measures and activities aimed at preventing, suppressing and eliminating the consequences of terrorist acts and implemented through so-called “anti-terrorism policy”. First of all, in this chapter, the analysis of individual terrorist threats and their relevance for the Czech Republic positively answers the question of the need for instruments of protection against terrorism, accented also by a sub-chapter dealing with phenomenon of lone wolves and foreign terrorist fighters. Finally, two basic concepts of anti-terrorism policy, strategies of fight against terrorism and general characteristics of anti-terrorism policy are presented. This chapter lists intelligence operations, police or military operations, law and other instruments of anti-terrorism policy, and mentions the authorities involved in counter-terrorism policy: state authorities, police units specialized in terrorist investigations, military units specialized in rapid intervention in terrorist-controlled areas, intelligence units, and others. Based on the general characteristics of counter-terrorism policy, specific means of providing protection against terrorism in the Czech Republic are presented.

The third chapter deals with international and later EU regulation in the field of terrorism. The crucial, fourth chapter examines the Czech criminal law regulation of the crime of terrorist attack and related provisions, both in the wording of the Act No. 140/1961 Coll., Criminal Act, and in the wording of the Act No. 40/2009 Coll., Criminal Code, and its individual amendments, of which the most important in terms of terrorism is the so-called “counter-terrorism amendment” introducing new institutes, new crimes and definitions. It is worth noting the interconnectedness of the actions of the Czech

legislature and the framework conventions or directives of the European Union: the individual amendments to the Criminal Code as well as the creation of the new crime of terrorist attack into the Czech legal order are a direct reflection of European legislation.

This thesis proves that the need to have criminal law instruments protecting against terrorism is not only a matter of those countries that have become the scene of terrorist attacks, but applies to all countries all over the world. Terrorism poses a serious security threat, poses new challenges and, given its characteristic feature, namely its lifetime, it is necessary to remain vigilant and to respond flexibly.

Key words:

terrorism, criminal law instruments of protection against terrorism, counterterrorism policy