

Abstract

The dissertation thesis about Czech and Polish legislation on drug offenses deals with driving under the influence of addictive substances, responsibility for acts committed under the influence of addictive substances, drug possession, cannabis cultivation, production and distribution of drugs, handling of articles for drug production and spreading drug addiction. The aim of this work is to bring a critical view of the current Czech legislation on drug offenses and related issues and then to present specific legislative proposals based on comparison with Polish law. The thesis analyzes the Polish and Czech legal regulations of drug offenses and brings a comparison of the facts of the aforementioned crimes and specific case studies. The work is based on legal regulations and case law of both countries, practical knowledge and also available statistical data.

The thesis deals with the legalization of drugs comprehensively, including the arguments for and against legalization, which are used in the Czech Republic and Poland. It addresses the legalization of cannabis on the example of Holland, the USA and Uruguay, as well as the availability of hard drugs in substitution programs in the Czech Republic and Poland. In conclusion the thesis gets to the explanation how the Czech legislator should proceed from drug prohibition to legalization. The work is based on literature on the subject of legalization and on Polish experience with the absolute criminalization of drug possession as well.

In addition to the above, the work focuses on new synthetic drugs and lists of prohibited substances. Czech legislation does not count with these new synthetic substances; substances with effects similar to traditional drugs are added to the lists of prohibited substances with considerable delay, and trafficking in them is punished as a crime of spreading drug addiction. The inspiration for a legislative solution to the issue of designer drugs can be drawn in neighboring Poland, where generic definition of new synthetic substances was introduced and the treatment of them is punishable under the provisions on drug production, drug trafficking, etc. In conclusion of the thesis are formulated legislative solutions of designer drugs problem.

There is also some space dedicated for problem of drug abuse, including court-ordered protective treatment, medicaments trafficking for pervitin production, and delineation of drug limits for the purpose of defining quantity more than small and other drug ranges. Within the

issue of drug offenses are also adressed procedural issues closely related to drug problematics - wiretapping and monitoring, pretended transfer, agent use, crown witness, shipment tracking, home inspections and inspections of other premises, personal searches and expert opinions. The work also marginally deals with the effects of drugs that occur on the Czech and Polish drug markets.