

Abstract

PROTECTION AGAINST CORRUPTION AND BRIBERY AND THEIR PREVENTION

The purpose of this thesis is to analyse the phenomenon of corruption and to describe the relevant legislation, which either states the illegality of the matter or is important as a part of the actions taken against corruption.

The main reason why the author has chosen this topic is possibly the frustration about the strong corruption climate in the Czech Republic and also the fear that the country is – concerning this issue - not moving forward at all. The motive was to find out the reasons of this situation and to analyse whether the legislation covering this area is sufficient.

This work consists of an introduction, three chapters, each of them dealing with different aspects of the topic, and the conclusion.

In the introduction, the author describes the reasons for choosing the topic and summarises the content of the thesis.

The purpose of the first chapter, which consists of four parts, is a description of the term „corruption“. It gives a number of definitions and tries to further explain the meaning by presenting different types of corruption. The third part states the origins of the phenomenon and the fourth part describes the ways to measure it.

The chapter two is focused on the occurrence of corruption within the Czech legislation. It addresses the merits of bribery as a criminal offence. The chapter is divided into three main parts. The first describes the criminal offence of bribery in general, the second one explains the three different merits of the criminal offence of corruption within the Czech Criminal Code and describes the possible sanctions and the last one. The third part mentions other places within the legislation focused on corruption.

The chapter three, which is meant to be the merit of the thesis, is called „Actions against corruption“. Its subdivided into three main parts called „De lege lata“, „De lege ferenda“ and „Relevant questions.“ „De lege lata“ analyses the existing legislation relevant to the topic. It outlines the legislation within three areas – the tenders, funding of political parties and clash of interests. It introduces the problems and suggests possible improvements.

The sub-chapter „De lege ferenda“ describes a number of institutes which are not yet a part of the Czech legislation but their incorporation could be beneficial – lobbying, whistleblowing, principal witness and the sting operation agent.

Lastly, the third chapter stresses the necessity of efficient enforcement of the above stated laws as a condition for reaching the expected results.

In the conclusion, the author recapitulates the conclusions she reached in the previous chapters. The relationship between the corruption climate and the legislation has been proven and it seems inevitable for some major changes to be made within the relevant legislation to start to reduce the amount of corruption in the Czech Republic.