

Abstract

Presented dissertation is devoted to the criminal means of dealing with organized crime. Recently the organized crime has undoubtedly belonged to the category of most serious problems that the individual countries, including the Czech Republic, have had to cope with especially in the field of legislature. In our country this phenomenon became more visible after the fall of the totalitarian regime when the borders were opened. This resulted in the boost in the activity of foreign criminal societies and domestic criminal societies consequently. However, at the beginning the Czech legislature did not take any serious action thus providing free space for the organized crime to establish itself in the Czech Republic. It was the intensive calls for an action that would react to the current situation which spurred the legislature to make several more or less crucial changes prevailing up to now. When dealing with the organized crime, the tools of criminal substantive as well as procedural law appear to be the most effective ones. The organized crime as the most serious type of group crime can be effectively dealt with only through specific criminal-law institutes and mechanisms which can adequately fight against this phenomenon as far as revealing the perpetrators, penalizing and finally destroying the criminal structures is concerned. Especially when dealing with the problems of the efficiency of the contemporary criminal-law devices discussions are being held over the introduction of such institutes, which are still absent from our legal regulation, however, they are well known from some foreign legal regulations. As far as the situation *de lege lata* is concerned the following list of devices can be regarded as the most effective ones – it is the involvement of an agent, wiretapping and telecommunication recording, pretended transmission, monitoring and interception of individuals and objects, protection of individuals giving testimony in the court of law or the criminal liability of legal persons which has been introduced recently. According to intended law long discussions have been held over the introduction of the institute of the so-called crown witness, which already is, to certain extent, a part of the Czech criminal procedure in the form of co-defendant. Discussions have also been held over the extension of the powers of the agent, i.e. the introduction of an agent provocateur. However, even the other institutes which have traditionally been a part of the system are constantly subject to legislative changes. This is done in order to improve their efficiency.

However, based on what was said above, it is not possible to neglect the fact that the actual definition of organized crime is one of the prerequisites of successful fight against this phenomenon. The opening chapters are devoted to the definitions of organized crime, it's

charakteristic elements and manifestation including social causes and consequences of this phenomenon. After that there is a comprehensive summary of possible criminal law's instruments of fighting against organized crime. The subsequent chapters are devoted to selected instruments which seem to be the most effective. Stated issues is anatomized de lege lata and de lege ferenda including personal opinion. It is evident that the phenomenon of organized crime can not be described by comprehensive way within this dissertation but there can be only partial essay and due to this fact ther is nothing about for exmaple money laundering etc.

Key Words

organized crime

agent

king's evidence

legal persons