

Abstract (ENG)

Crimes of murder and manslaughter under sections 140 and 141 of the Czech criminal code

The main objective of this work is to provide a comprehensive analysis of the codification of crimes of murder and manslaughter. The last recodification from the year of 2009 brought some significant changes into the area of intentional killings, the most important of which is an increased differentiation in the typology of these crimes. The Czech criminal code now differentiates between murder, premeditated murder and manslaughter. These changes can be seen as part of an effort by the Czech legislature to modernize the criminal law along the lines of legal systems typical in Western Europe. On the other hand, it can also be argued that the new Czech codification preserves its unique approach to certain problems.

This thesis analyzes individual parts of sections of the Czech criminal code concerned with murder and manslaughter in a systematic manner. The first chapter deals with the historical context of intentional killings as well as providing an analysis of the new arrangement. Chapter two follows by introducing features common along all three types of intentional killings, specifically the *actus reus* of the crime. The following chapters then describe the different approaches towards intentional killings based on variations in *mens rea* of the crime, thus establishing the new system differentiating between murder, premeditated murder and manslaughter. The last chapter then deals with euthanasia, which the author believes represents the logical next issue to be dealt with by the legislature.

Special attention was given to a careful analysis of the judicial application of new codification of intentional killings. Wherever possible, issues are described in light of relevant case law as well as varying legal opinions extracted from legal literature. Finally, an underlying objective of this thesis was the formulation of opinions regarding possible future development of the studied area of law.