

Development and other perspectives of drug offences

Summary

The subject of this thesis is the criminal law governing the manipulation of psychoactive substances or so-called drug offenses. For the purposes of the thesis the term psychoactive substances is equal to the term narcotic drugs and psychotropic substances as used in Act 40/2009 Coll., Criminal Code. Special attention is then paid to the real impact of this regulation in the area of drug related issues. The first chapter maps the development of laws governing psychoactive substances from antiquity to present day while observing the repetitive trends in the historical legal approach. The attention is also paid to the modern development in this area in the international field, with particular focus the most important conventions signed during the twentieth century and the gradually increasing role of the European Union. The changes in the legal treatment of drug offenses on Czech territory are then described in more detail, the current Czech legislation being one of the main focuses of the thesis. The individual drug offenses contained in Sections 283 to 287 of Act No. 40/2009 Coll., Criminal Code, are discussed in further detail also taking into account the relevant case law and any problems encountered in their practical application. Due to the interdependence of criminal and non-criminal norms it's necessary to include several other related laws. Next, the drug situation in the Czech Republic is examined. The author uses statistical data to assess the hazards individual substances carry for their users and for the society, also depicting the characteristics of the "average" user. Similar analysis is applied to the development and structure of drug offenses themselves. The following part of the thesis presents total of ten foreign legal regulations of the drug offenses and enables the reader to compare them with relevant data of the country. In conclusion, reflecting on his research the author turns to five experts whose occupation is closely related to the legal regulation of drug offenses. In the final course of the thesis we derive inspiration for the Czech legislation by comparing it to the Portuguese legal solution.

Key words

Drug offences, addictive substances, development of legislation