

Abstract

The submitted master thesis deals with the issue of regulation of participation in a criminal offence, i.e. criminal liability of persons who participated in a criminal offence, as a wide range of perspectives on the question of how to build a system of criminal liability of persons participating in a criminal offence can be observed across legal systems. Thus, the primary aim of this thesis was to analyse the current legal regulation of participation in the Czech Republic, which allowed to identify the strengths as well as the problematic points of the Czech regulation. Since an integral part of the analysis is a *de lege ferenda* perspective, the logical outcome is to compare the results of the analysis with the regulation of participation in France and to look for intersections and differences between the two regulations.

The thesis is internally divided into 4 chapters. The first chapter provides a general introduction to the issue of criminal complicity, i.e. it includes the definition and differentiation of participation and other forms of criminal complicity, which has led to the creation of a working framework within which the issues of the following chapters will be analysed. The second chapter is devoted to two theoretical approaches to the regulation of participation, namely monistic and dualistic. The thesis compares both approaches, i.e. analyses their strengths and weaknesses and considers the ideal approach for the Czech legal order. The third chapter contains an analysis of the legal regulation of participation in the Czech Republic. At first, the focus is on the principles on which the current regulation relies, including their critical evaluation, and then on the individual forms of participation, for which the author not only deals with the *de lege lata* regulation, but also analyses their suitability and effectiveness, which allows to conclude with an evaluation and propose possible new solutions. The fourth chapter turns its attention to the regulation of participation in France, in the introduction of which the author deals with the basics of criminal liability and perpetration, i.e. integral parts of French criminal law necessary for a proper understanding of the subsequent part, which is devoted to the analysis of the French regulation of participation and comparison with the Czech one.