

Abstract

How to define the boundaries of sexual coercion according to Section 186 of the Criminal Code.

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This thesis focuses on a detailed analysis of the criminal offense of sexual coercion, regulated by Section 186 of the Criminal Code. Its aim is to examine the individual elements of this crime, including the object, objective and subjective aspects, and to compare it with other sexual offenses such as rape (Section 185) and sexual abuse (Section 187). The comparison of these offenses aims to define the boundaries between them and thereby contribute to the correct legal assessment in practice.

The first chapter provides historical context, outlining the evolution of sexual crimes from the Middle Ages to the present day. The chapter concludes by outlining the current legal framework of sexual coercion in the Criminal Code. It concludes with an overview of the current legal framework surrounding sexual coercion within the Criminal Code, highlighting the common characteristics shared by sexual offenses.

The second chapter provides a detailed examination of the legal elements of the crime of sexual coercion. It analyzes the object, the objective aspect, the subject (perpetrator), and the subjective aspect of the crime. Furthermore, the chapter offers an in-depth analysis of both the basic and aggravated elements of the offense, covering violence, threats of violence, exploitation of helplessness, and dependency. Attention is also given to the stages of the crime's development, including preparation, attempt, and completion, as well as the possibility of concurrence with other crimes. This chapter also includes *de lege ferenda* proposals, taking into account the upcoming amendment to the Criminal Code, set to take effect on January 1, 2025.

The third chapter is dedicated to comparing the crime of sexual coercion with the offenses of rape, sexual abuse, and dangerous threats in the Czech legal system. The aim of this chapter is not only to analyze the current legal framework but also to propose changes that would improve the effectiveness of criminal law and strengthen the protection of human dignity in the sexual domain.

The conclusions of this thesis contribute to a better understanding of the legal framework of sexual offenses and offer suggestions for potential legislative changes that could enhance the protection of victims of sexual violence.

Keywords

criminal law, sexual offenses, sexual coercion, rape, sexual abuse