

Methodology of interpretation of multilingual legislation

Abstract The main purpose of this thesis is to analyze selected cases of interpretation of the multilingual legislation. Author identifies the basic principles of interpretation that appear in these cases. They are subsequently used to describe the general procedures of the multilingual interpretation and to solve problems related to it so that the most appropriate meaning of the text could be found.

The thesis is divided into four basic parts. The first part is devoted to the historical excursion and description of multilingualism at the territories of the Lands of the Bohemian Crown in the past. The legislation on language law between 1620 and the beginning of the First World War in the lands of the Bohemian Crown is described with the use of historical literature. The second chapter of this part is devoted to the study of the cases of interpretation of the historical legal texts by the contemporary courts. The basic case law of the relevant courts of the Czech Republic is summarized and the general prerequisites for the successful interpretation are emphasized.

The second part deals with international treaties of public law. Although these texts are not to be supposed legal acts in a formal sense, international treaties between States or with other subjects of the international law are often normative in nature and they are therefore relevant to this work. The largest part of this part is devoted to the principles of interpretation under the Vienna Convention on the Law of Treaties, which is the key document in this area.

The third part dealing with the interpretation of EU law is divided into

several chapters. It comprises the historical background of the EU multilingualism with emphasis on primary law, the description of the basic legislative processes in relation to its linguistic specifics, basic principles of the interpretation of EU law and analysis of the relevant CJEU jurisprudence. The impact of multilingualism on the application of the legality principle or publicity principle is also analyzed.

The fourth part summarizes and generalizes the principles described in the previous parts and offers a basic methodology for interpretation in the analyzed cases. That means in the context of multilingual historical regulations, international treaties or EU law. Part of the part is also devoted to a short assessment of the impact of the multilingual character of the text on the reliability of the interpretation methods.

Keywords: multilingual authentic interpretation