

Abstract

This diploma thesis is focused on "Constitutional limits of criminal proceedings" as the essential cornerstones of criminal process. The main point of this topic is the right to a fair trial. The institutional guarantee of its preservation and enforcement is held by the European Court of Human Rights and its jurisprudence. The thesis is divided into three main chapters, which contains more subdivisions. The first part is dedicated to the basic characteristics of constitutional limits of criminal proceedings, especially from the point of view their sources and institutional background. The second section deals with the partial aspects of the right to a fair trial. This section is the most comprehensive because of subsumption of the particular components falling under the concept of a fair trial. The third chapter concerns the perspectives of constitutional limits of criminal proceedings in particular from the perspective of criminal procedural law recodification in the Czech Republic. In accordance to an eventual form of the new Criminal Procedure Act. The primary aim of this thesis is consisting in submission and exploration of detailed schema of the right to a fair trial with regard to the mutual coherences between its individual elements. There is also a reflection of selected peculiarities and specificities of individual aspects of the right to a fair trial next to the basic characteristics of these elements.

Key Words: fair trial, criminal proceedings, constitutional limits, procedural rights, ECHR