

APPEALS IN CRIMINAL PROCEEDINGS

Abstract

This thesis analyses the legal regulation of appeals in criminal proceedings. The introduction describes the author's motivation for choosing this particular topic, as well as the basic goals of the work the thesis. The main intention of the author was to thoroughly analyze the valid legal regulation of the institute of appeal, with the aim of making a comprehensive analysis. For this purpose, the author gradually discusses the inclusion of the institute of appeal in the system of remedies, the basic principles of the remedial proceedings as well as the development of appeals in the Czech Republic. A partial aim of the thesis was to present problematic issues related to the appeal, to argue over them and to propose their *de lege ferenda* solution. In this context, the views of leading experts, including key court decisions, are also presented. Finally, the aim was to compare the legal regulation of appeal with foreign legal regulations. The author decided to compare the institute of appeal with the regulation in the German and Slovak legal systems.

The first chapter of the thesis is devoted to the general characteristics of remedies in criminal proceedings. The author gradually comments on the essence and purpose of the remedial proceedings and continues with inclusion of the appeal in the system of remedies. The next two chapters follow the introductory part of the thesis, as the aim was to introduce the appeal to the reader in a way that would initially orient him in this issue, therefore the basic principles of remedial proceedings are continuously analysed with the development of the appeal in the Czech Republic since the 2nd half of the 20th century. The fourth chapter represents an essential part of the thesis, as it deals with the analysis of the valid legal regulation of appeals in the Czech legal system. The author thus gradually comments on the persons entitled to file the appeal, its subject matter and reasons, continues with an analysis of the content of the appeal and its submission, as well as the institutes of waiving the appeal and its withdrawal. However, the majority of this chapter is devoted to the appellate proceedings themselves and the analysis of the decision of the appellate court. In this part, the author also deals with questionable issues related to the appeal. The author has approached the last chapter in a comparative way, gradually comparing the legal regulation of appeals with the German legal system, which is presumed to be stable, as well as with the Slovak legislation, which was expected to develop similarly to that in the Czech Republic. In the conclusion, the author

evaluates whether the objectives of the thesis have been fulfilled and further proposes solution to the problematic partial issues.

Keywords: appeal, criminal proceedings, remedy