

## **Abstract**

### **Public prosecutor as dominus litis**

This thesis deals with the position of the public prosecutor in preliminary proceedings. Specifically, the thesis deals with a summary of the Criminal Procedure Code in force and effective in 2024, as well as an analysis of the draft Criminal Procedure Code presented by the Recodification Commission in 2022. Attention is also paid to the proposed amendment to the Law on Public Prosecutors introducing the term of office of chief prosecutors and the requirements for the person of the chief prosecutor.

The thesis is divided into four parts, with the first part focusing on the definition of the prosecutor's office as a whole. The first part deals, inter alia, with the constitutional definition, relevant regulations, basic principles, the organisation of the prosecutor's office, information systems used by prosecutors, as well as international bodies cooperating with prosecutors in preliminary proceedings. Finally, the first part outlines the regulation of the prosecutor's position in preliminary proceedings in Slovakia, Germany and France.

The second part of the thesis is devoted to the preliminary proceedings itself, where the concept and purpose of the preliminary proceedings is first outlined. This is followed by a division of the preliminary proceedings according to the individual phases and forms.

The third part summarises the position of the public prosecutor under the Criminal Procedure Code in force and effective in 2024, inter alia, it reflects on the question whether under the current regulation it can be claimed that the public prosecutor is *dominus litis*. Attention is also paid to the issue of approbation, or the relationship between the prosecutor and the police authority.

The fourth part deals with reforms affecting the position of the prosecutor in preliminary proceedings. The first subchapter is devoted to an analysis of the position of the prosecutor in preliminary proceedings under the new draft Criminal Procedure Code. Next, the reform of the Law on Public Prosecutor's Office concerning the introduction of the term of office of leading prosecutors and the basic requirements for the person of the leading prosecutor is mentioned. The last subchapter is devoted to the issue of personnel strengthening of the public prosecution system.

**Keywords: public prosecutor, preliminary proceedings, recodification**