

Summary

In terms of government structure, the constitutional system of the Czech Republic is based on the principles of the parliamentary form of government. That means executive powers are vested in the Government (Council of Ministers), which is accountable to the Parliament through the vote of confidence. The Head of State as a *pouvoir neutre* plays usually a representative and integrating role in this system. On the contrary the President lacks the political accountability and the Parliament (or another voting body) does not have any direct way of holding him accountable for his action. Except for high treason he also cannot be prosecuted for his actions during his term. The Government therefore usually influences the exercise of his powers by countersigning his acts or decisions.

Nevertheless, the role of the Czech President within the constitutional system is not only ceremonial; through his powers he can also actively participate in the adoption of political decisions. He can even exercise some of his expressly granted powers not subject to approval of the Government or any other constitutional body. But is such extent of powers compatible with the fact of his non-accountability? The public debate about these issues has been arising repeatedly since the adoption of the Czech Constitution without achieving any general consensus about the answers. The core question concerns the President's relations to the Government and the Parliament, namely, if he in case of exercise of a shared power can refuse the proposal or consideration of politically accountable Government.

The subject of these theses is primarily a general treatise on the role of the President in the constitutional system of the Czech Republic. Instead of an exhaustive summary of all current and historical aspects of this institution, it is the ambition of this work to point out to some weak points of today's constitutional regulation, the interpretation of which is ambiguous and allows the creation of disputes. The main attention will be paid just to the above outlined scope of discretion of the President upon exercise of his powers shared with other constitutional bodies, including the Government, which is unlike the President politically accountable to the Parliament. Theses yet concludes that the mere fact of non-accountability of the President and countersignature as a condition for validity of his decisions, don't mean as such themselves that the President must always respect the position of the Government or that has lost any chance of usage of his own political discretion.

The work is divided into chapters that are dealing with appointment and termination of the office of the President, acting for president, the political accountability of the President and

the meaning of countersignature, his legal accountability and impeachment. In the last chapter his powers and the scope of discretion by each of them are discussed.