

## **Abstract**

Labor deals with the application of the principle of non-coercion to self-accusation in criminal proceedings, not only in the Czech Republic but also in other European countries and the USA. Partial results are obtained in particular by analyzing the case law of the European Court of Human Rights, the Constitutional Court of the Czech Republic and, not least, the work presented the views of the experts in the criminal process. Application of that principle is examined from different angles using various procedural acts when the argument was the same judgments inferred line between permissible and impermissible coercion from authorities involved in criminal proceedings. This limit is characterized by the activity of the accused to self-accusation, to which the accused may not be compelled under the threat of sanctions.

The thesis deals with the historical development of the principle, its enactment in the valid law, but mainly with its application in the criminal proceedings. The application of this rule is examined not only for various types of testimony in criminal proceedings, but also for further evidence and procedural acts in criminal proceedings (recognition, issue / removal of the subject, identification, use of agent), as well as criminal prosecution of legal entities.

The "nemo tenetur se ipsum accusare" principle is undoubtedly one of the basic rules of the criminal process in the Czech Republic and other democratic states. Humankind has known it for hundreds of years. During the development of criminal law, this principle has undergone a lot of changes. It has been variously modified, expanded, narrowed or completely subdued. In its current form, this principle protects in a significant way the persons against whom criminal proceedings lead to the malfeasance of the law enforcement authorities, keep watch over the observance of certain rules of a fair process and are a powerful weapon on the defense side. However, the limits of this principle are not out of the question and this rule does not give the accused absolute immunity from all evidence and interventions by law

enforcement authorities, but prohibits only the coercion of the accused and other persons to participate actively in evidence gathering.