

# **Legal regulation of powers of the Public Defender of Rights in the Czech Republic**

## **Abstract**

The thesis is focused on the subject of legislation of the authority and competences of the Public Defender of Rights in the Czech Republic. The role and position of the Ombudsman, the lack of clarity of his scope and the possibilities for his powers, including the questions about the effectiveness and necessity to establish the institute, have always been the subject of discussions and have been the cause of the lengthy legislative process in its establishment. The scope of development is constantly evolving and expanding over time, hence the limits of his competences are not always clearly framed and are thus surrounded by different views.

The thesis also mentions the historical establishment of the ombudsman as such and the process of his establishment in the Czech legal environment. Part of the work is devoted to his relationship to other public authorities and his activity in relation to the authorities of particular components of state power. Also, there is given an insight into his activities with respect to the Constitutional Court or the general courts, as well as his role in the legislative work or other activity in relation to the government.

A part of the work is dedicated to the particular areas of his competences. In addition to his main statutory tasks, his activities are also outlined in providing basic legal assistance to persons turning to the Defender in matters that do not fall within his scope of competence or his information duty regarding to the public.

To complete the topic, the thesis is also dedicated to the definition of the concept of Public Defender of Rights, the scope and position of his representative and the functions and tasks of the Office of the Public Defender of Rights. Part of the thesis is the analysis of the current issue of the constitutional enactment of the Defender or other issues that are the subject of discussions, especially for the professional public, such as the establishment of detached workplaces or regional and specialized ombudsmen following the example of other countries. The legal regulation of the EU Ombudsman is also incorporated into the thesis.

The aim of the thesis is to explain the execution of his activities and to open a discussion in relation to the scope of his powers and competences.

**Key words: Public Defender of Rights, Ombudsman, powers**