

This diploma thesis focuses on the topic of the principles applied during proceedings regarding offences, mainly the principle of non bis in idem, which this thesis focuses on. The non bis in idem principle means that a matter cannot be judged twice, because it is generally accepted that two punishments for the same crime are unfair. This principle is applied in proceedings on criminal charges and because the concept of criminal charges is autonomous according to the European Court for Human rights, i.e. it has specific objective content, I chiefly discussed interpretation of this concept. According to the European Court for Human Rights, in order for the issue to be criminal charges within the meaning of Article 4(1) of the Protocol to the European Convention on Human Rights, the charges must fulfil the so-called Engel criteria, which I have endeavoured to explain to the reader. These criteria were created by the European Court for Human Rights in the case of Engel and Others v. the Netherlands (1976), whereas these criteria were developed before the same court in the case of Bendenoun v. France (1994). These criteria are decisive in regard to whether the issue is criminal charges and whether the guarantees offered by the European Convention on Human Rights must be applied during the proceedings, particularly the right to a fair process, which is guaranteed in Article 6 of the European Convention on Human Rights.

In my diploma thesis I worked with the method of analysis, during which time I analysed the practice of the courts of the Czech Republic and particularly the practice of the European Court for Human Rights. I presented the basis of the non bis in idem principle and its development. In my diploma thesis I also summarised the crucial practice of the courts in the field of non bis in idem and showed that not even the European Court for Human Rights itself was clear in the issue of the concept of this principle, because it sometimes interpreted that the concept of the same act should be interpreted *de facto*, and in other cases it inclined towards perceiving the concept of the same act as an *act de iure*.