

Abstract

The topic of this diploma thesis is European Commission for Democracy through Law, i.e. Venice Commission, and its work. The Venice Commission is an advisory body on constitutional matters of the Council of Europe. The Commission provides legal advice to its member states in the fields of democracy, human rights and the rule of law.

The goal of this thesis is to determine whether Venice Commission's human rights agenda makes a substantial contribution to the human rights protection and if it does, then in what ways, i.e. what means it uses and to what extent are they effective.

This diploma thesis is divided into seven parts, which are then further subdivided into chapters.

In Part 1, the Venice Commission is introduced – with an emphasis on its structure and members. The following part continues to describe the different types of Venice Commission's activities and authored documents. In these documents, the Venice Commission provides states with legal advice on how to unify their legislation with the European standards of human rights protection. Part 3 records the 30-year development of this international body. In the next parts, the work focuses on the Venice Commission's activity in Europe and other regions. The text analyzes which systems of human rights protection are deployed in different countries and how these countries cooperate with the Commission. A chapter also reviews the Commission's cooperation with other international organizations specializing in human rights protection. Furthermore, the thesis investigates the different kinds of fundamental human rights that the Venice Commission addresses commonly. In this case, the focus lies in identifying the malpractices in different countries and regions.

Chapter 6 deals with the Commission's efficiency, i.e. whether the countries fulfill the recommendations. The thesis also touches the problem of insufficient information regarding the consequences of Commission's opinions. Lastly, the relationship between the Venice Commission and the European Court of Human Rights is investigated. In this case, the emphasis lies in describing their interaction – the Commission's role in the Court's judgments and the requested *amicus curiae* opinions. The thesis also reviews a case in which following the Commission's recommendations might protect one against disputes with ECHR.