

Abstract

The main topic of the master's thesis is protection of bodily integrity, which started to play an important role since the beginning of this millennium in the continental Europe in support of patient's individual rights. The thesis particularly undergoes research by which means is patient's bodily integrity guaranteed on the constitutional level. For that purpose, the thesis analyses informed consent in its various forms, namely in comparisons to foreign literature and judgements in USA and United Kingdom. Simultaneously the court decision became the centre of attention, because of its guarantee to protect bodily integrity to minors and incompatible people. These conclusions the thesis then follows up and applies on cases, in which is bodily integrity of patient is most vulnerable. The conclusion of this thesis is that the protection of bodily integrity is guaranteed on the constitutional level by art. 7 par. 1 Charter of fundamental rights and freedoms and art. 8 European Convention on human rights.

Simultaneously the thesis comes to the conclusion that in some cases the protection of bodily integrity is not fully guaranteed. That's the case of sterilization of transsexual patients who are forced to undergo this surgery by statutory regulation. The thesis in the case of compulsory vaccination found out that the current statutory regulation is in contradiction to principles of the patient's right to inviolability of personality and appeals so that the vaccination in accordance to constitutional provisions would be regulated by the statute. The principle of patient's bodily integrity and from it resulting right to refuse the medicine intervention may be used according to conclusions of this thesis to support the right of patient to dignified death by refusing initiation of life-sustaining treatment or connection to a device that supports the vital functions of the body. Lastly in the case of refusal of blood transfusion by witnesses of Jehovah's the thesis notes that in most cases the legal framework gives priority to protection of patient's bodily integrity ahead of their protection of health and life.

Key words:

patient's bodily integrity, individual's inviolability of personality, informed consent