

Abstract

The presented thesis focuses on the topic of adhesive proceedings, ie on a specific part of criminal proceedings, in which the court decides on damages, non-material damage or the issuance of unjust enrichment. It is these negative consequences that may, and in many cases do, result from the commission of crime. This topic is therefore strongly related to the person of the injured party, as the injured party is entitled to damages, non-pecuniary damage and the issue of unjust enrichment, and it is the injured parties who assert these claims in the adhesive proceedings.

Therefore, in its introductory part, the thesis deals with the injured party and their individual rights, especially the right of the injured party to claim damages in general. It further clarifies the difference between the injured party and the victim and also deals with the position of the injured party and the victim in international and European law. The next part of the thesis is completely focused on the issue of adhesive proceedings, notably on its importance and specifics, which clarifies some differences from the form of criminal proceedings, and also on subjects of adhesive proceedings, where it deals with both natural persons and legal entities. Furthermore, the thesis deals with particular substantive claims that can be asserted in the adhesive proceedings, and especially with the own form of the adhesive proceedings, where it deals with the issue of application of the injured party's claims, conditions under which the court can decide on the injured party's claim and also the issue of individual sentences by which the court does so. Attention is also paid to legal remedies, namely ordinary and extraordinary remedies, as well as to individual forms of diversions, in which decisions on compensation for damage, non-material damage and the issuance of unjust enrichment are made. The conclusion of the thesis presents an evaluation of the current form of legal regulation of adhesive procedures in the Czech Republic and it presents certain proposals and suggestions on the basis of which it would be possible to amend the currently effective legislation to streamline adhesive procedures and to improve its function in certain areas.