

Abstract

The diploma thesis deals with the issue of human rights of legal persons according to the ECHR. In addition to natural persons, legal persons are holders of fundamental rights and freedoms. These rights are so important that they are worthy of protection, not only at national level, but also at regional and universal level. For 47 European countries, the protection of fundamental rights and freedoms is ensured by an international organization called the Council of Europe. Within the Council of Europe, there is a European Court of Human Rights established under the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950. Natural persons and, where the nature of the fundamental rights and freedoms set out in the Convention and its protocols allow, also legal persons lodge complaints with this court.

Using a descriptive, comparative, and analytical method, this thesis aims to comprehensively present the legal person in the role of an individual applicant to the ECtHR, paying special attention to the case-law of the ECtHR, specifically judgments on legal persons' applications against the Czech Republic. The work is divided into three parts. The first part deals with the concept of a legal person as such, while further describing its role as an individual applicant to the ECtHR, considering Article 34. This section further deals with the admissibility criteria of individual applications from legal persons under Article 35 and the issue of just satisfaction under Article 41. The second part focuses on the defined case-law of the ECtHR, within which attention is also paid to the established decision-making practice of the ECtHR. The third part of this work, based on the defined case law of the ECtHR, summarizes the violation of what fundamental rights and freedoms of legal persons occurred and to what extent. This part of the diploma thesis further evaluates the impact of individual judgments in which violations of individual articles of the ECHR were found, on the normative legal acts of the Czech legal system.

The main finding of this thesis is that legal entities against the Czech Republic within the Strasbourg supervisory system have successfully objected violations of Article 6 (right to a fair trial) and Article 8 (right to respect for private and family life) and Article 1 of Protocol. No. 1 to the Convention (protection of property), while the Czech Republic has, because of these judgments, taken sufficient measures of a general nature to remedy and for preventing further violations of the relevant articles of the Convention.