

Protection of religious freedom in criminal regulations of the Czech Republic and of selected countries of the European Union

Abstract

The author of this thesis discusses the issue of the protection of religious freedom in the criminal regulations of the Czech Republic and selected countries of the European Union, in particular the regulation pursuant to Act No. 40/2009 Coll., the Criminal Code, as amended, the Criminal Codes of selected countries examined in this work and other regulations that regulate relevant issues for this work, taking into account the case law of the European Court of Human Rights and the Court of Justice of the European Union. The thesis is divided into several parts. The first three parts discuss the concept of religious freedom in general, where the first part examines the very meaning of the term and the regulations of the highest legal force, i.e. at the constitutional level and at the level of international human rights treaties. The second part defines the concept at the individual level and offers a list of individual forms of expression of individual religious freedom within the Czech legislation. Part three, on the other hand, discusses the collective religious freedom, i.e. the functioning of religious societies within the Czech legislation. These three parts are to some extent the introduction to the main fourth part of this thesis, which analyzes the manifestations of the protection of religious freedom in the criminal regulations of the Czech Republic. This chapter analyzes individual institutes relevant to the topic of thesis in all regulations of the Czech Republic that can be described as criminal regulations and focuses on the protection of religious freedom extensively. In the first subchapter are being examined individual crimes. Other subchapters focus on the relevant regulation in procedural law and other regulations related to the topic of the thesis, the last subchapter then examines selected cases. The follow-up fifth part compares the Czech regulation with the regulations in selected countries of the European Union, where the topic of the protection of religious freedom in criminal regulations is narrowly focused on the regulation in the criminal codes of the given countries. The aim of the thesis is to describe the current state of protection of religious freedom in the criminal regulations of the Czech Republic and to compare it with the situation in selected countries of the European Union.

Key words: Religious freedom, criminal law, European Union, Hate crime, Freedom of expression