

VII. RESUME

The Diploma Thesis states several aspects of the Criminal Law Protection of Human Fetus.

At first, even though the Czech legislative measures state that fetuses are not legally recognized persons and do not establish their right to life from the moment of fertilization, there is a constitutional granting of a right to protection to an embryo.

Followed by the religious and ethic definition of Human Fetus which have quite important impact on the legislation process, the Thesis states the legal status which recognized that a child must be in the moment of the beginning the birth to be a subject of indictment for either murder or manslaughter.

Thirdly, the Diploma Thesis states the current Czech law that has adopted a liberal, decriminalized approach to abortion which is not necessarily incompatible with the extensive legal protection for the fetus as it is pertaining to abortions requiring certain criteria to be met in order for the abortion to be obtain, using a trimester-based systems to regulate the window of legality.

At forth, the Diploma Thesis mentions the most important tools of the legal protection of Human Fetus. Following the brief description of the constitutional granting a right to protection to an embryo which is compatible with legalized abortions, several convention of United Nation Organization and decisions of European Court of Human Rights, the Thesis focuses on the protection of Human Fetus within the Penal Code which includes the close legal protection by the crimes of illegal abortions and indirect legal protection by the statutes governing the prolicide, reckless mayhem and negligent killing of human fetus.

At last but not least, the Thesis states the legal definition and criminal law protection of embryo in vitro as well.

To sum up, the Thesis offers a description of a current Czech abortion policy and Criminal Law Protection of Human Fetus, adumbrates the issue of embryo in vitro and brings the author opinions about the

criminalization of abortion and possible legal solvents of the human fetus definition.