

## Summary

### **The Evolution of the Principle of Primacy in European Communities Law**

The subject of primacy is for European communities essential. It enables execution of competences of european institutions as they have to be executed according to the Treaties. In fact, primacy of european communities law means its priority in application while both -national and european- acts of law can be applied. Community executes its competences on the basis of powers transferred to it by member states and within the limits of exclusive powers. The limits are among others controlled by principle of subsidiarity included in the Treaties.

By transferring its powers member states have limited some of their powers in favour to execute them together. On behalf of member states, the powers are executed by european communities institutions. It is more than evident that this field can be sensitive in certain ways and there is an actual discussion arising mostly from two different parties. On one hand there is European Court of Justice as a guardian of european integration and on the other we see interests of member states represented mostly by national constitutional courts.

This thesis tries to deal with the above mentioned subject from different points of view. Firstly there is theoretical issue mentioned, especially regarding the two main theories of relation between national and international law. Then a brief excursion to the evolution of czech constitutional approach to international law is made, including recent changes regarding admission to the European union. Subsequently it is tried to provide an introduction to European communities law including the project of European Constitution and the Treaty of Lisbon – all concentrated on the principle of primacy. Essential for principle of supremacy is jurisprudence of European Court of Justice which has evolved whole theory in his decisions beginning with decision COSTA v E.N.E.L from 1964. As already mentioned above, the other side of the opinion is represented by member states and their highest judicial institutions. That is why one part of this work is oriented on certain european countries (e.g. Germany, France and Czech republic), on their constitutional system and their attitude to the primacy of European Communities law.