

MODIFICATIONS OF CONSTITUTIONAL LAW IN RELATION TO THE ACCESSION OF THE CZECH REPUBLIC TO THE EUROPEAN UNION

ABSTRACT

The accession of the Czech Republic to the European Union was certainly one of the most important moments in the development of Czech legal order. The impact of this step may be seen in every branch of law - including constitutional law. The large number of publications on this issue indicates that the changes of constitutional law are an important issue in the Czech academic society. Yet, the literature is mostly fragmentary and mainly oriented at only some of the problems. This thesis tries to gather all the important changes in the branch of constitutional law, which occurred in relation to the Czech Republic's accession to EU. As the constitutional law is a very broad topic, the focus is laid on its institutional part and on the role of member states (and its institutions) within the EU.

This thesis consists of an introduction, four chapters (which are further divided with respect to the single topics), and a final conclusion.

In introduction, the focus of the thesis and basic questions are defined.

Chapter One briefly follows the process of the Czech Republic's accession to the EU.

Chapter Two deals with the position of Member States within the EU. It touches on issues such as the character of the Union and the relation between European Law and Member States' Law.

Chapter Three features legislation changes related to the accession to the EU. The amendment of the Constitution plays a crucial role, but many more changes are presented. The key factor of these changes is the transfer of competences on the European institutions and the control mechanisms of their exercising.

In Chapter Four, non-legislation changes are discussed. Firstly, it includes the analysis of the Case-law, regarding mainly the role of the EU Law in the Czech legal order. Secondly, an account of the influence of the EU membership on the separation of powers and the state sovereignty is given.

Final conclusion gives a summary of the whole topic, including some future visions, including a future vision of possible unique European constitution not necessarily conditioned by transition to European Federation.