

Summary

The subject of this paper is an amnesty.

There was a broad amnesty proclaimed on the occasion of the 20th anniversary of establishment of the independent state of Czech Republic. Afterwards, amnesty was widely debated across the whole society, among experts, just as among amateurs. The aim of this paper is to give a coherent presentation on the most important and the most discussed matters related to amnesty.

The first part of the paper is concerned with an amnesty in general. This means it is engaged firstly in its concept and character, history as well as current legal provisions of it. Next mentioned arguments stated pro and con amnesties are ensued by a comparison between Czech and foreign regulations of it. In the end of this part of the paper, international obligations are outlined.

The core of this paper can be found in the part number two, which deals with the latest amnesty, declared in January 2013. Firstly, its reasons are presented, followed by summary of its magnitude and consequences for accused people, same as for the party harmed. There are also criminological aspects mentioned along with a hint of supposable resemblance to the amnesty proclaimed in 1990.

A significant space of part two is taken up by article occupied with application aspects, because Václav Klaus' amnesty, in combination with the current regulations caused a range of application problems. The article no. 2.5., which applies to these, is subdivided into a part following up common matters and a part concerned with particular provisions of the latest amnesty.

Next chapter is then involved in classification of an amnesty, as it was found not unquestionable. Subsequently, related questions of judicial inspect are examined. Few words are also given on the subject of the issue of high treason in this context. The end of this paper is focused on suggestions of revision of the current legislation, same as for the constitution, as for the criminal law provisions.