Abstract

The presented master thesis deals with the issue of adoption of a child, both from the viewpoint of international treaties, as well as the Czech law. The attention is paid to the comparison between the relevant provisions in the Civil Code and the rules contained in the international treaties. Also the way in which the Czech republic reflected the requirements imposed by international treaties is evaluated.

The thesis contains an introduction; it is further divided into six chapters and ended with conclusion. First chapter is dedicated to the concept of adoption and the perception under the effective legislation. This chapter also enumerates the particular international treaties, which deal with the adoption and lay down the fundamental requirements for national regulations of the State parties.

The second chapter defines the types of adoption including the brief characteristics and description of the main dissimilarities. Due to a certain controversy, the matter of revocation (annulment) of adoption and irrevocable adoption is discussed in more detail. The third chapter introduces the general conditions for the realization of adoption. These are, in particular, the conditions to be met by the adopter or adopters, but some of them are to be met by the adoptee itself or can be based on the specific power of the competent authority to grant an adoption. In the subsequent fourth chapter, all attention is directed to the consents to an adoption. The persons who have to give consent to an adoption are the parents of the adopted child and the adopted child itself. If only one spouse adopts the child individually, the consent of the other spouse is then required. Individual subchapters deal separately with every one of these persons. The fifth chapter is concerned with the other conditions, which has to be fulfilled for granting an adoption. The sixth chapter indicates the most significant changes and consequences of adoption and finally, the seventh chapter introduces the legislation on adoption in Ireland and provides the comparison of both Czech and Irish legislation on this point.

The conclusion of this master thesis contains a general summary of the subject matter of the international treaties and its value for the State parties’ national regulations. The Czech legislation in force is assessed in terms of its conformity with the relevant provisions of the international treaties.