

Abstract

Conciliation proceedings known as special type of civil procedure does not get too much attention. This problem can be seen from many perspectives. This diploma thesis strives to clarify nature of conciliation proceedings, showing its course and benefits. It tries to offer more comprehensive interpretation of it to non-professionals. All this to support the usage of conciliation proceedings.

This actual problem underlines the effort of the legislator to support mediation to the prejudice of conciliation proceedings. Thus this thesis focuses on links between conciliation proceedings and mediation with comparison to benefits and disadvantages of both institutes. From this can be shown an increasing downfall of conciliation proceedings with absence to find support for more usage of this type of conciliatory resolution of dispute.

This thesis not only focuses on clarification of nature of conciliation proceedings, it also tries to explain in which conciliation proceedings stands out and how it can help to solve disputes in conciliatory way, which can be seen like a good solution in many situations. At the same time this theses strives to give more coherent perspective on this institute of civil procedural law with drawing attention to course of conciliation proceedings based on practical part.

Therefore in this diploma thesis conciliation proceedings is submitted to analysis of legislation, principles and historical progress. Also conciliation proceedings is compared to judicial reconciliation and mediation. The emphasis is put on mediation with its newly increased ties to conciliation proceedings.

Support of conciliation proceedings seems to be an actual and serious problem, that this thesis strives to solve even with explaining the benefits of concluding reconciliation. For the fragmentation of specialised literature and plain legislation this thesis tries to find more comprehensive point of view for interpretation of conciliation proceedings and provide questions to think about regarding future course of approach to conciliation proceedings even for law court, which plays important part in concluding reconciliation.