

Abstract

Freedom of speech in the Czech Republic

This thesis deals with the freedom of speech in the Czech Republic especially with its limits and jurisprudence related to this key political right. It is composed of five chapters.

The first chapter is The Introduction. It highlights the importance and necessity of the freedom of speech for an individual and the society. It also describes the main purpose of this work.

The second chapter briefly summarizes the history and evolution of the freedom of speech in Bohemia particularly in the constitutional documents. The second chapter ends with adoption of the Charter of Fundamental Rights and Freedoms (No. 2/1993 Coll.) which set the current constitutional state of the freedom of speech.

The third chapter is named “Specification of the Freedom of Speech”. At first it explores the guaranteeing of the freedom of speech in the Charter of Fundamental Rights and Freedoms and then in international treaties mainly International Covenant on Civil and Political Rights and European Convention on Human Rights. There are also mentioned some constitutional rights associated with the freedom of speech. The subchapter 3.4 explicates the definition of “speech” in the czech law. The last part of chapter 3 pays attention to the specification of subjects of the freedom of speech including special rights of journalists and members of Czech Parliament.

The fourth chapter describes the limits of the freedom of speech. It is divided into three subchapters according to the possible limits given by the Charter of Fundamental Rights and Freedoms. The subchapter 4.1 focuses on the restrictions due to the rights and freedoms of others. Main attention is paid to the protection of personality provided by the Civil Code and related case-law of the Constitutional Court of the Czech Republic. The second subchapter analyzes the limitations which are needed for the national security and public safety. It also mentions the protection of symbols of the state and similar symbols. The last part of Chapter 4 examines the protection of public health and morality. It largely deals with crimes of propagation of using drugs and spreading pornography. At the end of this part there is described the regulation of advertising.

The Conclusion sums up the present condition of freedom of speech in the Czech Republic and suggests some suitable changes in current legislation.