

Abstract

This thesis deals with immunities of state officials, from the high-ranking to less significant ones, from the criminal jurisdiction of a foreign state, and thus the question, if another state may exercise its jurisdiction over crimes perpetrated by state officials when the foreign state has power to punish such a crime. International law traditionally provides the highest protection to the head of state, but later evolved also the personal immunity of other senior officials, who act on the international level, that is head of government and minister for foreign affairs. In contrast to personal immunity, functional immunity protects all state officials, who perform an official act.

The first chapter addresses the terms. It describes the terms immunity, its types and basic characteristics; the notion of state officials and foreign criminal jurisdiction. The second chapter engages in personal immunity (immunity *ratione personae*), its subjective, objective and temporal scope. The third chapter sheds light on the second type of immunity – the functional immunity (*ratione materiae*), apart from its scopes there are exceptions to functional immunity discussed. The fourth chapter provides with an overview of some significant cases connected to immunities of state officials. In the first subchapter you can find *Yerodia and Djibouti v. France* cases, which were decided by the International Court of Justice, whereas in the second subchapter one can find cases from national courts (cases *Pinochet*, *Gaddafi*, *Charles Taylor*, *Noriega*, *Marcos and Marcos*, *Bo Xilai and Alamyeseigha*).

The work of the International Law Commission, who writes draft of articles regulating the topic of jurisdictional immunities in relation to state officials, is also discussed in this thesis. The practice based on applying the customary law is partially inhomogeneous, caused by different law instruments in concrete states. Further development in this area depends on the will of the states, the author hopes for narrowing the immunity to the international crimes perpetrator's disadvantage, in order to eliminate the possibility of impunity of these persons, regardless of their high position.