



MASARYK UNIVERSITY FACULTY OF LAW



MASARYK UNIVERSITY
FACULTY OF LAW





CONTENTS

Faculty of Law	6
History of the Faculty	8
Formers of Legal Theory	
František Weyr	
Karel Engliš	
Study	10
Master's Degree Programme	
Advanced Master's State Examination	
Doctoral's Degree Programme	
Bachelor's Degree Programme	
Legal Specializations	
Public Policy	
Follow-up Master's Degree Programme	
Science and Research	14
Internationalization	
Scientific Conferences	
Library - Information Activities	
Professional Periodicals	
Project Activities	
International Co-operation	16
Internationalization of the Faculty	
Erasmus+ Programme Mobility Activities	
Masaryk University	18
Faculties	
Other Departments and Specialized Units	
Brno	20
Co-operating Institutions	
Constitutional Court	
Supreme Court	
Supreme Administrative Court	
Office of the Public Defender of Rights	
Supreme Public Prosecutor's Office	

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Faculty of Law



In the Czech Republic, classic jurisprudence is nurtured at Charles University in Prague, Masaryk University in Brno, Palacký University in Olomouc and the University of West Bohemia in Plzeň, in total only at four faculties. Law and legal science, therefore, rank among the few education programmes accredited exclusively to public universities. This exclusivity can be a factual interpretation of the government authorities being fully aware of the need for absolutely first-rate preparation of future lawyers from several perspectives. Namely, it is simply not sufficient to be appeased by memorizing the legal enactments and the user's approach to law. High-quality legal education prerequisites deeper insight into the legal culture, the evolution of individual sectors of the law, the legislative techniques, and correct interpretation and subsequent application in practice, as well as comprehensive understanding of the place of a law in the society and in the life of a person. Concurrently, a lawyer must perceive a human being as such. Under such criteria, legal education puts high emphasis on the close association between the didactics and legal science, and the practice of law that naturally assigns increasing demands on the professional and moral qualities of the academic as well as non-academic employees. Each faculty has its very own understanding of the manner of addressing such criteria and views. This creates its unmistakable picture which also



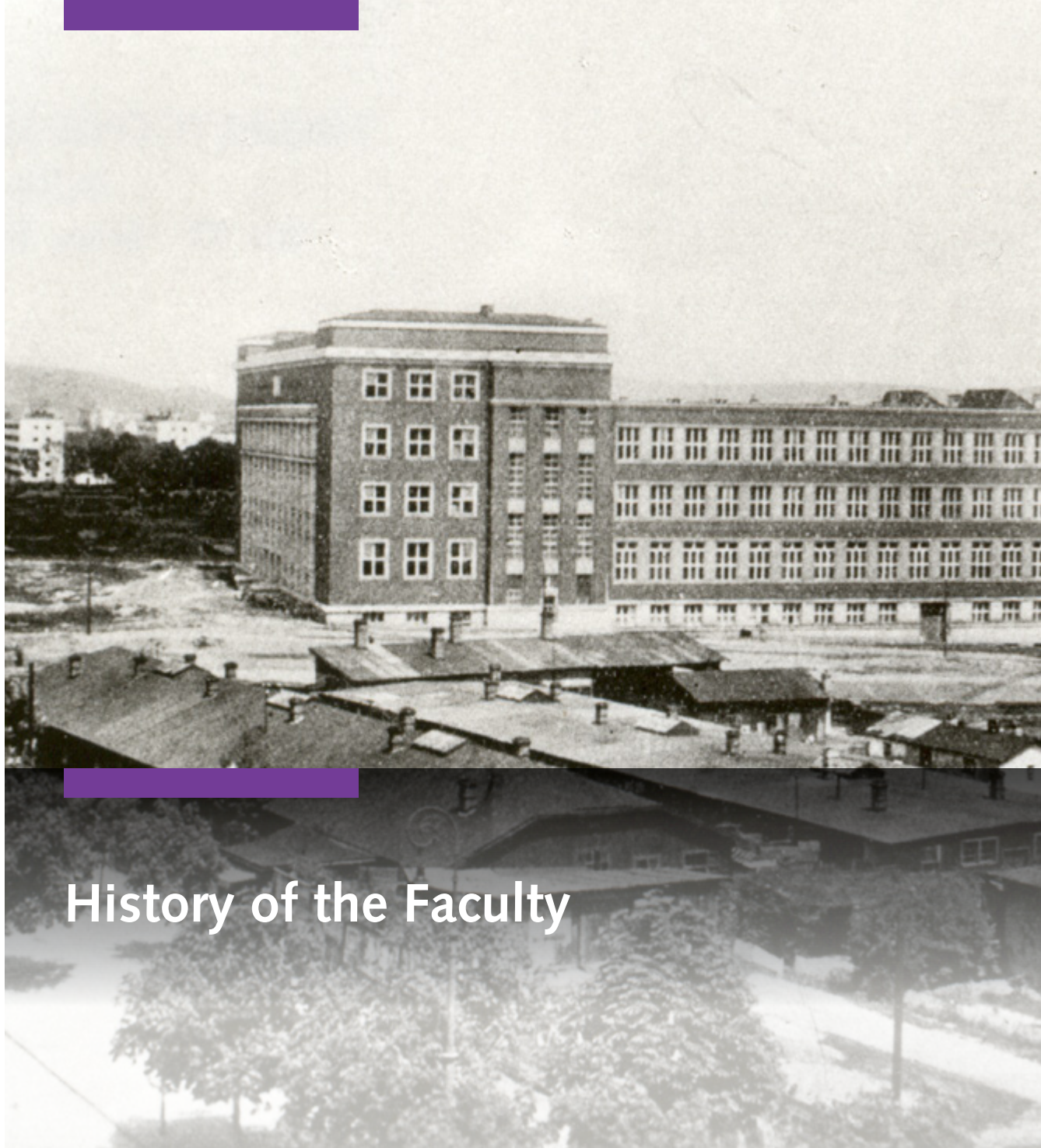
reflects the expectations of the society on the level of work and moral credit of their graduates.

The Brno Faculty of Law, as the second oldest, carries the high reputation of a school of the First Czechoslovak Republic era and builds on the heralded performance of its successors in the post-war period and later following its rehabilitation in 1969. The Faculty, however, does not keep itself to itself. It utilizes, in the maximum possible extent, all facilities of the modern age and applies optimal innovative elements in its scientific work and didactics so that the graduates are prepared at the highest level for entry into practice and are able to adapt, in the shortest possible term, to the prevailing environment and the needs of their employer. This is further ensured by wide-ranging co-operation with professional workplaces, employers, former students as well as international exchange of experiences with partner faculties in several countries within Europe and abroad. The high status of the Faculty of Law of Masaryk University is also supported by its location in Brno, the capital of the judiciary. The Faculty uses its *genius loci* to the fullest extent and co-operates with the very supreme judicial institutions. The Faculty is also fully aware of its convenient geographical location, which is duly reflected when organizing international scientific and student events where it fulfils the role of a vital bridge

between east and west and north and south of the continent and beyond. The Faculty, as part of Masaryk University, identifies itself with the University's educational concept and seeks opportunities for its students to widen the horizons of their knowledge with findings from other disciplines studied at the University and, simultaneously, allows the students of non-legal fields to obtain knowledge of the law and legal science within the framework of its own subjects or the subjects of student's interests.

The Faculty expends resources, within its means, towards modernising its facilities and, at the same time, sensibly respects and maintains the uniqueness of its historical building, which was supposed to be the initial step in the never-materialized first university campus in pre-war Czechoslovakia. The Faculty is gradually restoring the treasured architectural elements to their original glory, which sustained damage pursuant to insensitive interventions during the occupation of Czechoslovakia and, above all, during the times when it served the needs of the army. In all likelihood, the most extensive and technically and financially most demanding project is the creation of probably the largest and state-of-the-art centre for legal information (not only in the Czech Republic) in place of the existing central library, archives and, mainly, a non-conforming gymnasium (former fencing-room), which can hardly fulfil their functions in the 21st century.

FACULTY OF LAW



History of the Faculty

The Faculty of Law of Masaryk University was founded on 28 January 1919. The then Czechoslovak National Assembly adopted the Act No. 50/1919 of Coll., by means of which the second Czech university was established carrying the name of T.G. Masaryk. One of the four founding faculties was the very Faculty of Law, which, together with the Faculty of Medicine, commenced teaching already in the academic year 1919/1920. At that time, however, the Faculty of Law was located on 1 Antonínská street in the building that is today the seat of the rector's office of the Brno University of Technology. František Weyr became the first dean of the newly founded Faculty who, as the leading representative of the renowned Brno normative school, belongs among the historically most significant persons of the Czech legal science. In those times, the Faculty of Law of the Masaryk University ranked among the leading scientific institutions in the field of legal theory, jurisprudence and legal philosophy, even on a worldwide scale. One of the most significant theorists of law of the 20th century, Hans Kelsen, drew a lot from the rich thought platform of the Brno normative school. In 1932, the Faculty acquired the impressive and characteristic red-brick facility located on 70 Veverí street. In autumn 1939, however, teaching was terminated and the building was handed over for use by the Gestapo. In 1948, the activities of the Faculty of Law of the Masaryk University were successfully renewed but the Faculty was abolished again as of 01 September 1950. Teaching was resumed, at last, in 1969 even though in the alternative premises of Zelný trh in the centre of Brno. The Faculty returned to its original premises only in 1990.

Formers of Legal Theory

The Brno Faculty of Law is frequently associated with normative legal theory (true teaching of law) and with its leading representative František Weyr. Apart from Weyr and his followers, other professors also worked here with differing views of the law science. It is thus more suitable to classify the Brno law school of the first Czechoslovak Republic as a Neo-Kantian law school. Among other outstanding personages count Jaroslav Kallab, František Rouček and internationalists such as Michail A. Zimmermann and Bohumil Kučera. Their Neo-Kantianism

associated them also to economists headed by Karel Engliš, who was present at the birth of the Brno economic school. Engliš's concept was accepted, e.g., by Jan Loevenstein. Outside the main Neo-Kantian stream, teaching was imparted by other important names at the Faculty, such as the law historian and constitutionalist Bohumil Baxa, Josef Vacek known for oscillating between comparative law science and legal history, and the professor of administrative law and commercialist Rudolf Dominik. Further on, it would be inappropriate not to mention the law historian František Čáda or the advocate of processualism František Vázný.

František Weyr

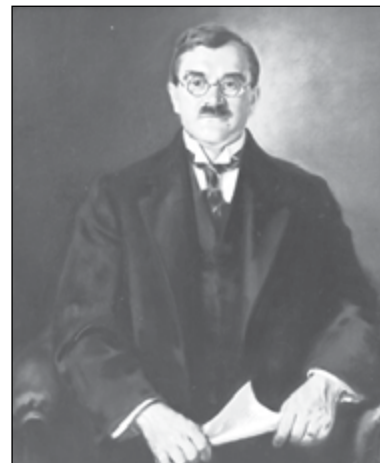
(25. 04. 1879 — 29. 06. 1951)

František Weyr was born in Vienna; soon afterwards, however, in the post-war period he joined activities for the benefit of the newly established Czechoslovakia. In the period between 1918 and 1920, Weyr was sitting in the Revolutionary national assembly, was the dean of the Faculty of Law of Masaryk University and was the head of the State Statistical Office and the State Statistical Council. As a member of the constitutional board, he was also in a position to influence the wording of the new constitution. Among his academic activities worth mentioning are, above all, his editorial contribution to the Dictionary of the Czechoslovakian Public Law, which was published between 1929–1938 and 1945–1948 and the international *Revue Internationale de la Théorie du Droit*. Above all, Weyr represents a legal theorist who is regarded as one of the leading representatives of normative legal theory and the founder of the so-called Brno normative school. He himself considered normative legal theory as the only true science of law because, in his opinion, it is the only science that describes law in its true character. From 1948, he was not allowed to speak in public or publish. He died in Brno in 1951.

Karel Engliš

(17. 08. 1880 — 15. 06. 1961)

Whereas the fate of Karel Engliš, born in Hrabyně in 1880, is characterized by a quotation from his obituary: "He who serves the homeland, shall not await rewards", the very opposite is true about his work and bequest. In the times



Karel Engliš, 1923

of the first Czechoslovakian Republic, Karel Engliš was ranked among the prominent characters of the Czechoslovakian political life. On 15 November 1918, together with writer Alois Jirásek, he presented a proposal for establishing the second Czech university in Brno. This proposal was, on 28 January 1919, accepted by the National Assembly. Subsequently, Engliš was appointed, hardly surprisingly, as the first rector of the newly founded Masaryk University. Further, Karel Engliš had a crucial share in the monetary reform of the newly aborning Czechoslovakia where he, in the long term, held the office of the minister of finance and the governor of the Czechoslovakian National Bank. After 1948, he was forced to leave the post of the rector of the Charles University and retracted from public life. Still during his life, Engliš earned international recognition. After all, it was primarily to his credit that the Czechoslovakian currency became one of the most stable currencies in the world at that time. Public attention was drawn mainly to his elaborated "teleological theory". Engliš died in 1961 at the same place where he was born – in the Silesian Hrabyně.



Study



Master's Degree Programme

The pivotal accredited programme at the Faculty of Law of Masaryk University is the Master's degree study programme of Law and Legal Science within the single field of study - Law. The standard length of this study is 5 years and teaching is provided exclusively in the full-time form. The Master's degree programme offers compact legal education which is, by specific laws, required mainly for holding the office of a judge, public prosecutor, solicitor, notary or an executor.

The structure of the programme is designed so that graduates obtain fundamental knowledge of legal science, all sectors of the law from the point of view of the intrastate, European and international laws, including inter-disciplinary relations, as well as knowledge of non-legal fields suitable or useful for a university graduate, so that they are best-prepared for their professional practice. A graduate of the study programme Law and Legal Science is capable of formulating his/her own opinions and views of the legal regulations of individual institutes. He/she is also equipped with skills allowing application of the acquired theoretical knowledge in particular cases and rendering objective argumentation for the benefit of the given legal solution of the facts.

Teaching in the Master's degree programme is constructed at the crossway of theory, skills

and practical experience. This interconnection allows the students not only to acquire theoretical legal knowledge but also to master legal skills from top professors and gather practical knowledge. All this is under the umbrella of the long-term effort of the Faculty to practise individual approach to each student, which is reflected in the limited number of students in seminar groups.

Practical aspects are brought to the teaching not only by the primary academic employees of the Faculty but also through the expert auspices of a network of professionals from real-life practice. They take part, above all, in a wide spectrum of compulsory elective subjects. Students can verify their acquired knowledge by taking part in various contests of simulated actions in court. Faculty teams represent the Czech Republic for example at international contests, such as the Philips C. Jessup International Law Moot Court Competition or the Willem C. Vis International Commercial Arbitration Moot. Another method how students can confront their knowledge and skills already in the course of their study is the student's scientific professional pursuit, either at Faculty level or at the Czech-Slovak level. It should also be mentioned that students have the opportunity to work at one of the clinics, which is organized by the Faculty in cooperation with external partners. Yet another form of interlac-



ing students to legal practice is the possibility to elaborate, as final diploma work, on a specifically targeted task together with external partners.

The Faculty of Law is constantly aware of the feedback sent to the faculties of law from legal practice and, in the long run, follows the tendency of increasing practical competences of its students. That is the reason why the Faculty launched, apart from the above-mentioned skill-oriented forms of teaching, compulsory professional practice in four academic terms of the study. Taking part in the professional practical sessions allows the students, already during university study, to experience legal work in various legal spheres. On the other hand, providers of the practical sessions may test particular students in real-life working environment. Taking part in the practical sessions may also contribute to shortening the adaptation period after the graduate is employed following completion of studies.

A certain space is also given to subjects taught in a foreign language, which provide the students with the opportunity to enrich their language skills with professional terminology and acquire knowledge of the legislation in the given country. Students' horizons are also broadened by possibilities to study abroad temporarily.



Advanced Master's State Examination

Though Advanced Master's State Examination does not have the status of further study, it allows the students to intensify their knowledge and develop their skills of independent thinking in the selected specialization. In continuation of the accreditation of the Master's degree study programme Law and Legal Science, specialization Law, the Faculty is entitled to conduct advanced Master's State Examination and award the academic title of JUDr in the following specializations:

- Theory of Law,
- Constitutional Law and Theory of State,
- History of the State and Law,
- Roman Law,
- Civil Law,
- Commercial Law,
- Labour Law,
- International Private Law,
- Criminal Law,
- Administrative Law,

- Financial Law,
- Environmental Law,
- Law of the European Union,
- International Public Law,
- Law of Information and Communication Technologies.

Doctoral's Degree Programme

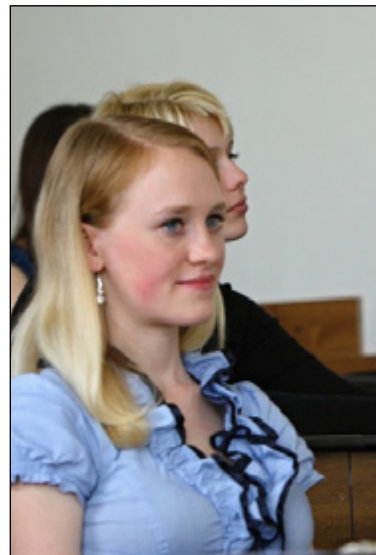
The objective and purpose of the doctoral study programme is to create profound professional basis in individual study subjects, develop the skills of its application in the practical working environment and also to obtain general orientation of the European and global tendencies of particular legal segments. The principal component of a graduate's profile is the capability of independent creative scientific work not only in the field of research but also in legislation, jurisdiction and in other fields where wide and profound theoretical basis is required. The doctoral study programme at the Faculty of Law of Masaryk University is offered in the following study subjects:

- History of the Law and Roman Law,

- Theory of Law,
- Constitutional Law and Politics,
- Civil Law,
- Commercial Law,
- Labour Law,
- International Private Law,
- International and European Law,
- Financial Law and Financial Sciences,
- Administration Law and Environmental Law,
- Criminal Law,
- Law of Information and Communication Technologies.

The Faculty of Law of MU is able to conduct study subjects also in a foreign language:

- International Private Law in the English language,
- International and European Law in the English language,
- Financial Law and Financial Sciences in the Polish language.



Bachelor's Degree Programme

At the Faculty of Law of MU, accredited Bachelor's degree study programmes are offered in Legal Specializations and Public Policy. The standard study period is three years for both programmes and teaching is conducted in combined form.

Legal Specializations

The Bachelor's study programme, Legal Specializations, is focused on the fundamental institutes of legal segments and relating disciplines in relation to the legal specialization field. Students focus on specific topics and subjects, which profile them, consequently, towards their selected branches. That is why the graduates are capable of good orientation in specific legal fields and solve particular issues confronting them in their practice.

The following study subjects are accredited within the Bachelor's degree study field of Legal Specializations:

- International Commercial Law Studies,
- Commercial Law Studies,
- Senior Officer of Justice.

Public Policy

The Bachelor's degree study programme, Public Policy, focuses on the basic institutes of public law and public policy and other relating subjects. In the subject of Public Policy, a student selects, at the end of the second academic term, the preferred specialization field which then directs the contents of the study and profiles the student towards a certain legal sphere.

The following study subjects are accredited within the Bachelor's degree study programme of Public Policy:

- Theory and Practice of Criminal and Administrative Procedure,
- Public Administration, with specialization:
 - General Public Administration,
 - Land Registry Administration,
 - Financial Administration,
 - Social Security Administration.

Follow-up Master's Degree Programme

As a form of accomplishing the portfolio of study options, the Faculty of Law opened the successive Master's study programme in Public Policy. The principal objective of the programme is to provide specialized professional education, especially for the staff (and possibly also for elected officers) of all fields and levels of public administration. The contents of the programme follows the knowledge and skills acquired, above all, from studying in the Bachelor's degree programmes in Public Policy and Legal Specialization as well as from the subject of Finance and Law that is conducted as an inter-faculty study in co-operation with the Faculty of Economics and Administration. The programme offers profound knowledge from subjects representing the legal fundament of the execution of public administration.



Science and Research

Science and research is a domain on which the Faculty has been focusing its efforts already since its establishment in 1919. This tradition was laid by leading personalities of the first Czechoslovak Republic, such as František Weyr, Bohumil Baxa, Jaroslav Kallab, Jan Vázný and Michal A. Zimmermann. Nowadays, science and research is as important for the Faculty as it has been in the past. The Faculty creates and materializes, in order to support growth of competencies of the academic staff, internal programmes enabling excursions to international scientific forums and actively participates in international conferences and publications of professional monographs. An inseparable part of the development of science and research on the premises of the Faculty of Law is the complex provision of the background for incorporating academic staff into international scientific projects. In this respect, the Faculty draws from the following spheres:

Internationalization

In order to achieve good results in supranational comparison, the Faculty develops professional partner relationships with, e.g., institutions of law protection, partner universities, and institutions at the EU level and beyond the EU.

Scientific Conferences

Professional conferences are conducted at Faculty level as well as in the individual departments of the Faculty. Among the faculty-wide conferences count the following:

- Days of Law – the largest conference with significant international participants,
- Cyberspace – focused on the field of law and technology,
- COFOLA – organized by doctorate graduates and focused on students of the doctoral and Master's degree study programme and young scientists.

Library - Information Activities

The central library disposes of a unique collection of old books. The oldest piece was printed already in 1546. The Scientific Web of the Faculty, accessible at science.law.muni.cz and a portal of the Central library accessible at library.law.muni.cz serve as information portals.



The Scientific Web creates support for qualification growth of the academic staff. Further, it also serves as a methodological guideline through evaluation of science and research at the national as well as international levels, whereas it specifies the professional profile of individual workplaces at the Faculty. The Faculty has also created and enforces the concept of the so-called Open Access system, through which it allows free access to many professional monographs and conference symposiums published onsite.

The Faculty continuously attempts at allowing the existing as well as former scientific performances to be accessible to the public and thus endeavours to form an information platform for legal science not only in the centre of the Czech jurisdiction but also for the entire region. It also provides access, within its premises and from the faculty network, to a number of world-wide legal electronic databases, such as: Beck-online.cz, Beck-online.de, Cambridge Journals Online, Ebrary Academic Complete, EBSCO, HeinOnline, Kluwer Law Online, Oxford Journals, Web of Science and Westlaw.



Professional Periodicals

An irreplaceable part of the scientific and research activity is the publication of varied professional periodicals: Journal for Legal Studies and Practice, Revue of Law and Technology, Masaryk University Journal of Law and Technology.

Project Activities

The Faculty academic staff members are authors of national and supranational research projects. The providers of such projects are, among others:

- Czech Science Foundation,
- Ministry of Education, Youth and Sports of the Czech Republic,
- European Union in programmes such as:
 - Erasmus+,
 - Horizon 2020.

The Faculty of Law strives to support competencies in the project sphere from calls for the so-called internal grants and creates room for young scientists through establishing suitable background for projects of specific research, Development Fund of MU.



International Co-operation

Internationalization of the Faculty

The notion that one can become a good lawyer solely with knowledge of the intrastate legislation without insight into the systems of legal institutions abroad is completely obsolete under the conditions of today's globalized and fast-developing world. Understanding why certain legal regulation functions in a particular way often comes only after it is possible to compare the application of this regulation with the appropriate regulations in other legislative systems. The possibility to acquire this additional international dimension of the law is granted to both academic employees and students of the Faculty during the course of international excursions in partner institutions within the Framework of various Exchange programmes.

The most significant is the Erasmus+ programme in which the Faculty coordinates with almost eighty law faculties in other countries. Contacts to faculties outside the EU are developed within the European Erasmus Mundus programme, which enables co-operation with the so-called third world countries, among others with countries of the Near East, Central Asia, western Balkans, Eastern Asia, with the Russian Federation and the South African Republic. Another option is provided by the international schemes Ceepus, Aktion or inter-university, inter-faculty and inter-governmental agreements. Apart from improving their language skills, students who take part in such programmes enhance their knowledge in foreign law, and benefit from contacts with the international students' community and thus obtain additional social proportion resulting from experiencing the societies in other countries.

For academic employees, exchange stays represent invaluable experience connected with teaching at foreign universities or with internship in other partner institutions. Contacts with foreign legal cultures, consultations with foreign professionals, and presentations at international forums enhance their pedagogical competencies and constitute a momentous aspect of their scientific growth.

The Faculty of Law of Masaryk University is, among others, a member of regional organizations such as the European Law Faculties Association (ELFA) founded in 1995, the Rotterdam Law Network representing a gathering 31



law faculties from 24 European countries or the global organization called the International Association of Law Schools (IALS). The academic employees of the Faculty of Law of Masaryk University hold important posts in a number of prestigious international organizations.

Among the partner relationships with a number of international institutions, the one that surpasses all others is the unique and long-term cooperation with the John Marshall Law School in Chicago (JMLS), USA. One of the most visible fruits of this cooperation is the Days of US Law organized annually on the premises of the Faculty. During these days, professors from JMLS introduce students to selected segments of the U.S. law, followed by intensive one-week courses allowing students to venture deeper into the chosen issue. Similarly, academic employees of the Faculty of Law of Masaryk University regularly visit JMLS and give lectures and seminars for American students. Both schools also provide for their selected students to spend one academic term at the partner University.

Erasmus+ Programme Mobility Activities

The Erasmus+ programme has a long tradition at the Faculty of Law of Masaryk University. To date, the Faculty has concluded approximately eighty Erasmus+ contracts with faculties in al-



most all countries active in the project. Annually, more than 130 students are sent abroad and about 40 students come to Brno to study law. The incoming students receive individual care and can choose from over 70 courses out of which most of them are taught in English, and about 10 courses are lectured in other languages – German and French. These foreign students can also attend more intensive courses lead by renowned foreign lecturers. The Faculty itself, as well as the environment of the city of Brno, which is often rightfully labelled as a true university town, offers to these students a pleasant and friendly stay with a vibrant social life.



Masaryk University



Masaryk University is the second largest university in the Czech Republic and the largest in Moravia. The University is attended by approximately 43 000 students, i.e. about half of all students of the 13 tertiary education institutions in Brno. The University was founded in 1919 and since then belongs to the most significant educational institutions in central Europe. It is one of the biggest employers in the South-Moravian region and every year provides employment perspective to more than 8 600 graduates who usually find good opportunities on the labour market. Masaryk University comprises a total of 9 faculties and 3 university institutes. These organizational units aim at providing, above all, a wide portfolio of education and research and professional activities falling under their respective fields of interest. Additionally, the University disposes of top scientific departments whose narrow focus allows them to maintain world-class high level in every aspect of their work. In this respect, it is worth mentioning, at the least, the Central European Institute of Technology (CEITEC) offering optimal conditions for basic and applied research in the field of natural sciences and advanced materials and technologies. The University is also assisted by various specialized units.

Faculties

The current system of education and other academic activities, including scientific research, is commended to 9 faculties. Each of the faculties runs several education programmes offering students a wide choice of study subjects. The concerned faculties:

- Faculty of Law,
- Faculty of Medicine,
- Faculty of Science,
- Faculty of Arts,
- Faculty of Education,
- Faculty of Economics and Administration,
- Faculty of Informatics,
- Faculty of Social Studies,
- Faculty of Sports Studies.



Other Departments and Specialized Units

Masaryk University also disposes of a number of specialized scientific departments and units providing auxiliary and support services. Among these workplaces and centres include:

- Institute of Computer Science,
- Central-European Institute of Technology,
- Masaryk University Archives,
- Language Centre,
- Office for International Studies,
- Support Centre for Students with Special Needs,
- Technology Transfer Office,
- Institute of Biostatistics and Analyses,
- Mendel Museum,
- Centre for Education, Research and Innovation in ICT,
- Civic Education Centre,
- Accommodation and Catering Services,
- University Press,
- University Centre Telč,
- Management of the University Campus at Bohunice.



Brno



Brno is the largest statutory and the second largest city in the Czech Republic, after the capital Prague. Whereas the metropolitan area of Brno houses more than 800 000 inhabitants, the city itself has a population of approximately 400 000. Brno is a typical centre of university education as it is home to a total of 13 tertiary education institutions divided into 33 faculties. Almost 90 000 inhabitants of Brno are students. Brno is also the seat of Czech justice – all supreme courts are based in Brno. Whereas the Constitutional Court and the Supreme Administrative Court are located in the very centre of Brno, a few minutes walk from the Svoboda town square, the Supreme Court can be found more northwards near the famous Lužánky Park. Brno is also the seat of the Office of the Public Defender of Rights. The Brno Exhibition Centre is the most well-known trade fair area in the Czech Republic with world-wide reputation. This exhibition facility counts among the largest of its kind in Europe and is classified as the 23rd largest in the world. Besides other important historical sights, the fortress Špilberk, the St. Peter and Pavel's Cathedral, the Veverí castle and the functionalist villa Tugendhat rank among the most significant monuments of the city.

Co-operating Institutions

Constitutional Court

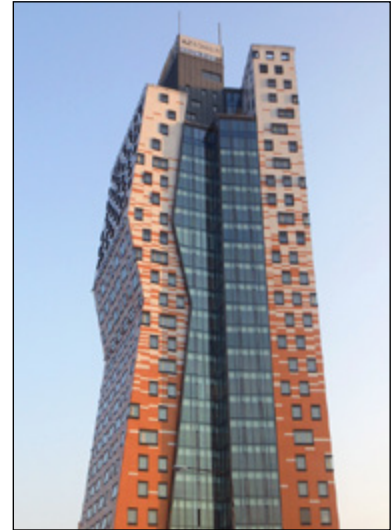
The Constitutional Court consists of 15 judges, out of which 1 is in the chair and 2 are his deputy chairmen. The Court is not part of the general judicial system of the Czech Republic. Its main objective is to supervise the constitutionality of the legislation of the Czech Republic as well as executive and judicial authorities.

Supreme Court

In the Czech Republic, the Supreme Court is the top element of the system of general courts. The Supreme Court decides, especially, about extraordinary remedial means against the decisions of lower courts. The principal significance is also in the field of uniting decisive activities of lower courts.

Supreme Administrative Court

The Supreme Administrative Court plays a crucial role in the field of administrative jurisdiction. It resolves issues relating to decision-making about the legitimacy of the general election, dissolving political parties and takes part in deciding on competence disputes between the bodies of public administration.



Office of the Public Defender of Rights

The Office of the Public Defender of Rights, which is better known to public as an office of the ombudsman, is in charge of solving complaints of individual offices about proceedings in public administration. The public ombudsman and his/her deputy are voted for a period of 6 years. Since 2000 when this institution was founded, the post of the ombudsman has been held by Otakar Motejl, Pavel Varvařovský and since 2014, Anna Šabatová.

Supreme Public Prosecutor's Office

The Supreme Public Prosecutor's Office is the top body of the system of public prosecution. Besides supervision over the activities of the supreme public prosecutor's offices, the Supreme Public Prosecutor's Office is active in undertaking complaints pertaining to breach of law in criminal cases and issues its interpretation of the standpoints in the criminal sphere and beyond. The Supreme Public Prosecutor's Office is represented in Eurojust and is a member of the Network of general prosecutors of EU countries.

MASARYK UNIVERSITY
FACULTY OF LAW

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