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Defendants (criminal proceedings)

Czechia

These factsheets explain what happens when a person is suspected or accused of a crime.

Under the Czech Constitution, punishment may be imposed on you only in accordance with the law and in the manner laid down by the relevant laws. Those laws are [the Criminal Code](#), [the Act on Juvenile Justice](#), and [the Criminal Procedure Code](#), which lay down the rules for criminal proceedings (including specific conditions for exercising and enforcing your rights).

If you are the victim of a crime, you can find full information about your rights [here](#).

Summary of the criminal process

The following is a summary of the normal stages in the criminal process.

1) Preparatory proceedings

These are the first stage of the criminal process and they consist of two parts:

The procedures of the authorities responsible for the criminal process prior to the start of a criminal prosecution, known as the examination stage; and
The investigation stage: the part of a criminal prosecution from when it starts until a charge is brought or the investigation is concluded in some other way.

2. Preliminary discussion of the charge

During the preliminary discussion of the charge the court will examine whether the case was properly clarified during the preparatory proceedings and whether the charge provides an adequate basis for further proceedings. It also determines whether it is competent to decide in the case.

3. The trial itself

This is the most important part of the criminal process. Evidence is examined and a decision in the case is made. During this stage of the criminal process the defendant(s) and any witnesses and the injured party or parties are questioned in court. The trial is public and oral, and it is conducted in Czech. If you do not speak Czech, you are entitled to an interpreter.

4. Appeal proceedings

The defendant, his family, a lawyer, a public prosecutor or the injured party have the right to appeal within eight days. If an appeal is lodged, the court of appeal reviews the decision handed down by the court of first instance

Role of the European Commission

Please note that the European Commission has no role in criminal proceedings conducted in Member States and cannot assist you if you have a complaint. Information is provided in these factsheets about how to complain and to whom.

Click on the links below to find the information that you need

[1 – My rights during the investigation stage](#)

[2 – My rights during the judicial proceedings](#)

[3 – My rights after the judicial proceedings](#)

Related links

[Czech Ministry of Justice](#)

[Czech Ministry of Interior](#)

[Czech Bar Association](#)

[Information on Human Rights](#)

[Legal information for all](#)

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