

Summary

EUROPEAN COURT OF HUMAN RIGHTS PRACTICE CONTRIBUTION TO THE INTERPRETATION OF THE PRESUMPTION OF INNOCENCE FROM ITS INTRODUCTION TO THE PRESENT DAY

The right of an accused person to be considered innocent until his guilt is proven by a final court decision is one of the basic constitutional and international legal guarantees of the position of a defendant in criminal proceedings. This defined right of an accused person is also prescribed in the case law of the ECHR, by the strong attitudes of the European Court on certain issues, the criteria, as well as the rights of persons that have to be respected. The freedom of the media to share the facts about active criminal proceedings, as well as the right of citizens to be informed, is important. Although, on one hand, it seeks to provide as much media freedom as possible when reporting to the public on the ongoing criminal proceedings, on the other hand, there is a demand to respect the basic rights of a suspect, and the prescription of sanctions in case of an unlawful conduct of the media. In this way the interest of a transferring party and interest of the parties interested in receiving the information that is being transmitted is ensured and the most important is that a defendant is protected. This is important because the unjustified use of media freedom can lead to violations of guaranteed human rights, whose protection must necessarily and properly be ensured in all aspects of life and the society, especially in the modern system of criminal proceedings.

Keywords: *presumption of innocence, the accused one, human rights, criminal proceedings, European Court of Human Rights, court practice.*