

## **Thesis title**

Liability for environmental damages

## **Abstract**

This thesis deals with the position of the institute of liability for environmental damages in the Czech legal order. This is a relatively complex issue in the field of environmental law, which has been constantly evolving. The environment extends beyond national borders, therefore legislation of the environmental protection, including liability for environmental damages, is strongly influenced by international law and, in particular, European law. Liability for environmental damages is one type of the liability for environmental losses and together with liability for public torts (crimes and contraventions) it forms the concept of legal environmental liability.

The aim of this work is to analyse the institute of liability for environmental damages in detail and to analyse its individual aspects in a comprehensive way. Because of the fragmentation of legislation and different views of individual acts on the concept of environmental damages, this thesis focuses on the analysis of these views and explanation of the acts' purposes.

The most important and in practice the only legislation applied in this area is the system of imposing preventive and remedial measures in the acts regulating individual environmental components and sources of environmental threat. This thesis analyses the individual measures in the environmental component acts and also analyses the reasons why it is not possible to impose such measures in accordance with the Environmental Act.

Because of the connection between environmental damages and civil damages as well as imprecise terminology in legislation, these two institutes are often confused. Therefore, the thesis contains a comparison of these two types of liability together with an analysis when it is possible to apply both of these liability systems.

The last chapter of the thesis is devoted to the application of liability for environmental damages. It is assessed how this institute is used and in which cases the procedure under the Environmental Damage Act would be used instead of the procedure under the acts regulating individual environmental components.

## **Key words**

environmental damages, environmental liability, preventive and remedial measures