

Public participation in environmental decision-making processes

Abstract

The main goal of this dissertation is to analyse the current legal regulation of public participation in environmental decision-making processes and on the basis of such findings to contribute to the further development of this institute. Public participation in decision-making processes is an important tool for environmental protection, whether we look at it from the point of view of everyone's right to a favourable environment or as a separate value that needs to be protected for itself. It is a relatively new institute in the Czech legal system. Its gradual incorporation into Czech legislation has only occurred in the last 30 years, especially in connection with the Czech Republic's accession to the Aarhus Convention and the European Union. Despite its recognition at the international level, obligations arising for the Czech Republic from the Aarhus Convention and EU law and a number of benefits that come with it, the possibilities of the members of the public in the Czech Republic to participate in environmental decision-making has been significantly reduced in recent years. Therefore, in addition to the analysis of current legislation, the dissertation, to a limited extent, focus on the development of the institute of public participation in the Czech legal system and the wider context, in order to identify the reasons for this turn and propose a way to return the Czech legislation back to the path to effective regulation of public participation. The dissertation also provide an analysis of the legislation of the United Kingdom and Ireland, which are also parties to the Aarhus Convention and EU member states, in the case of the United Kingdom a former member state, and which are thus presumed to meet similar standards. However, the work is not be limited to a mere comparison and evaluation of the way in which individual states meet the requirements arising from the Aarhus Convention and EU law. Possible sources of inspiration for the Czech legislation are sought in the legislations of the particular states. At the end of the thesis, a proposal *de lege ferenda* is presented based on the identified shortcomings of the current Czech legislation and the method of its adoption, as well as the knowledge made about the legislation of selected countries.

Keywords:

public, decision - making process, environment