

Abstract

The aim of the presented diploma thesis called „*Temporary protection of aliens in international and european law*“ is to introduce the concept of *temporary refuge* and *temporary protection* and tackle the various legal questions related to these concepts, both on the level and from the perspective of international law and the law of the European union. The first part of the thesis presents some (mainly doctrinal and UNHCR) definitions of temporary protection and temporary refuge as well as the definition of the concept of temporary protection enshrined in the EU's Temporary Protection Directive as the latter one represents the only case of regional and binding harmonisation of the temporary protection. The following part of the thesis deals with the minimum content requirements of temporary protection in international law, i. e. such requirements that should in every case be an inherent part of every legal instrument resembling temporary protection. This part focuses mainly on the issue of personal and temporal scope of temporary protection, the concept of mass influx is analysed in this part of the thesis as well as temporary protection as a legal instrument is usually intended to serve as a response to the situation of mass influx. Presented thesis also deals with the questions related to the extent of rights that should be afforded to beneficiaries of temporary protection, including the question of their access to asylum procedures for granting refugee status under the Convention Relating to the Status of Refugees. The third part of the thesis analyses temporary protection in the law of the European union, in this regard, special attention is afforded to the normative content of Temporary Protection Directive and the proposed Crisis Regulation. Both instruments are closely examined in terms and from the perspective of their temporal and personal scope of protection, in terms of their most important legal concepts (situation of *mass influx* and the so called *situation of crisis*) and from the perspective of rights of beneficiaries of temporary and immediate protection, including their access to asylum procedures.