

1 Abstract

Protection of property rights and the environment

In this diploma thesis I deal with the relationship between environmental protection and property law. I divide it into four parts.

In the first one, I describe the right to property, the limits of the right to property, expropriation for environmental protection, the ownership of individual components of the environment, environmental protection and the conflict between the right to property and the protection of the environment. In it, I deal specifically with the ownership of waters, wildlife, mineral wealth and caves.

The second part focuses on the types of restrictions on property rights for environmental protection and their typology. It is a division into internal and external, according to the method of origin and according to the obligations imposed on the addressee. In it, I also define the public and general interest.

In the third part, I discuss the limitations for the protection of agricultural land, forest protection, water protection, and the protection of nature and landscape. I deal with the principles of protection of agricultural land and the obligations of the owner in its management, change in the type of agricultural land, forest management, general use of forests, restrictions and prohibitions in forest protection and regulation of compensation in the Forest Act. In the field of water protection, I discuss the area protection of water, compensation in the Water Act, the rights and obligations of riverbed owners, flood protection and restrictions related to the implementation of remedial measures. In nature and landscape protection, I then include restrictions according to the obligations established by them (*dare, facere, ommittere, pati*) and compensation under the Nature and Landscape Protection Act.

Part four focuses on public-law contracts with owners in environmental protection. I deal with agreements on the provision of financial contributions, contractual protection of trees and monument trees, sites of European importance, contracts on the method of management in bird areas and others. I define the basic characteristics of public-law contracts and the advantages of voluntary restriction by the owner on the basis of agreements under these provisions.

Klíčová slova: Property right, Environmental protection, Restriction of property right