

SUMMARY

Waste management principles

The main purpose of this thesis is to analyze practical application of legal principles in waste management. This topic was chosen based on the publication of new Waste Framework Directive which newly deals with the issue of principles in the waste management. Fundamental principles that are being introduced in the Directive are waste management hierarchy, proximity principle, self-sustainability principle, extended polluter responsibility.

The thesis is composed of five main chapters, each subdivided into several sections. First chapter introduces reader into the aspects of legal principles and describes basic characteristics of the principles, its function and points out legal theories which have occurred in the past. Introduction chapter also deals with the question of difference between legal regulation and legal principle. Following part of the introduction outlines legal regulation of waste management, as it is initial point for understanding of further sections.

The third chapter is devoted to the fundamental principle of waste management, waste management hierarchy. Primarily, the term waste is being described, because it is very problematic to define it correctly and its proper definition highly influences further waste disposal. Other sections of this chapter discuss waste management priorities within the waste management hierarchy. Waste prevention is on the top, followed by re-use, recycling and recovery and waste elimination. Despite of this main European waste strategy, it's still not being followed entirely. In most cases, waste elimination dominates to other forms of waste disposal. Therefore thesis also attempts to outline the reasons for frequent violation of this principle, possibilities how to improve its application along with positives and negatives of its application.

Next chapter provides image of polluter pays principle and especially of the new term, used in the Framework directive, extended producer responsibility. Concerned institute, brings up and extends producers responsibility and other obligations, especially obligation of product take-back for specified products.

Summary/Key words

Finally, another waste management principle, the proximity principle and self-sustainability principle are being described. They express the importance of waste disposal and waste elimination nearest to its origin. It is not always possible to adhere this standard and therefore it brings an issue of waste transportation. Cross-border waste transportation, its negatives and illegal transportation is being discussed in this chapter as well.

In general, the thesis gives overall outlook on waste management principles, on advantages and disadvantages of their application in practice, makes overall explanation of waste management in the terms of legal principles applied in the waste management.