

English abstract

The subject of my thesis is liability for loss caused to the environment. This is a fairly complex issue in the environmental law, which has developed significantly in recent years and decades, coming under the spotlight of the national, international, and European legislation. The principal aim of this thesis is to present and describe various legal instruments in the field of environmental law, particularly the legal regime of liability for loss caused to the environment in international, European, and national law.

This thesis consists of nine chapters in which I analyze various modes of legal liability as a means of protecting the environment. The opening chapter of my work defines the term of legal liability in the field of environmental protection. Then I deal with tort liability in the environmental law, both criminal responsibility and liability for administrative misconducts. Next chapter of my work is devoted to liability for damage to the environment in international law. I focus primarily on the Lugano Convention on Civil Liability for damage resulting from activities dangerous to the environment, which has become an important source of inspiration for further development of a common regime of liability for damage to the environment in European countries. The fourth chapter provides an insight into the essentials of regime of liability for environmental damage in the European Union. The significant space is devoted to a new Directive 2004/35/EC of the European Parliament and of the Council on environmental liability with regard to prevention and remedying of environmental damage. The Directive 2004/35/EC establishes a regime of compensations for damage to the environment in the European Union based on the “polluter pays principle” in order to prevent and remedy environmental damage. The following three chapters are focused on the liability for loss caused to the environment in the Czech Republic. The national legislation of the Czech Republic distinguishes between two types of liability for environmental losses, the civil liability for environmental damage and the liability for environmental harm. The fifth and sixth chapters analyze these two types of liability. In the seventh chapter I deal more comprehensively with the new ecological harm legislation included in the Act No. 167/2008 Coll., on prevention and remedying environmental damage, which implements the Directive 2004/35/CE of the European Parliament and of the Council into the Czech

national legislation. Next part of my work is a brief explanation of so-called “historical environmental damage” as another current issue in the environmental law.

The concluding part analyzes in more detail the findings about particular areas of liability for environmental damage. It evaluates various institutes of legal liability in the environmental law and proposes solutions of some problems with the practical usage of different legal instruments to remedy environmental damage.