

## **Abstract**

This diploma thesis deals with access to environmental information and access to justice in environmental matters introduced by Aarhus Convention in the specific conditions of Czech Republic and Ireland.

These rights are considered to be very important tools for environmental protection. At a time when people threaten their own existence by negative interference with the environment it is necessary that effective means for its protection exist. These means are access to environmental information and access to justice in environmental matters, which together can be called as environmental procedural rights.

The first chapter of this thesis presents the sources of environmental procedural law and observes the development of law at international, European and national level. The most important international document in this field is the Aarhus Convention that was adopted in 1998 by most of the European countries and that provides for access to environmental information, access to justice and public participation in environmental decision-making. This convention has largely affected the law of the European Union, where several directives has been adopted, including most importantly the Directive 2003/4/EC on access to environmental information and the Directive 2003/35/EC on public participation in decision-making. The most important sources of law at the national level, beside the constitutional sources, are Act on Access to Environmental Information, Administrative Code and Administrative Procedure Code in the Czech Republic, and AIE Regulations concerning the right to environmental information and Order 84 concerning the rules for judicial review in Ireland.

The second chapter of this thesis deals with right to environmental information. It focuses on interpretation of the basic terms and principles on which access to environmental information is based on, taking into account the differences and problems of current legislation and practice in the Czech Republic and Ireland. This chapter draws attention to problems with defining the public authorities as subjects that are obliged to provide information, problems with the definition of exceptions from the obligation to provide information and problems related to the obligation to pay fees for providing information.

The third chapter aims on access to justice in environmental matters. It outlines the terms and principles of access to justice but the main focus is on the procedural aspects of judicial protection. This chapter in particular draws attention to three problem areas of legislation in the Czech Republic and Ireland, which are the *locus standi*, the scope of review of administrative decisions and the rules on liability for costs.

This diploma thesis gives an overview of the two most important procedural environmental rights in legislation and practice of the Czech Republic and Ireland. Besides it draws attention on shortcomings it is also trying to offer solution for their elimination and thus strengthening effective protection of the environment.