

## **ABSTRACT**

This diploma thesis with the topic of „The Concept of Serious Harm in Refugee Law“ had three basic objectives. The first one was to analyse single notions which belong to the concept of serious harm. The second objective was to compare the concept of serious harm under the Qualification Directive and under the Czech Asylum Act. By means of the interpretation of single notions of serious harm and the comparison of the Qualification Directive with the Czech Asylum Act, I managed to answer the question „who is protected by Article 15 of the Qualification Directive and the second section of paragraph 14a in the Czech Asylum Act,“ which was the third basic objective of this diploma thesis, and at the same time its research question.

My diploma thesis is structured into 6 chapters, further it contains the list of abbreviations, the introduction, the conclusion, the list of literature, the Czech and English abstract, and key words. The first chapter deals with the evolution of the concept of serious harm since the year 2001 till the contemporary version of the Qualification Directive from the year 2011, and with the incorporation of this concept into the Czech Asylum Act. From the depiction of history of the concept of serious harm in this chapter, it resulted how uneasy it was for the member states of the European Union to agree upon the final versions of notions falling within the concept of serious harm.

The most important parts of this diploma thesis are chapter two, three, four and five which analyse single notions falling within serious harm. I used the judicature of the European Court of Human Rights, House of Lords and the Asylum and Immigration Tribunal of Great Britain, as well as judgments of the Czech Supreme Administration Court to analyse all notions. Further I compare the Qualification Directive and the Czech Asylum Act, and from this comparison it resulted that the Czech Asylum Act did not exactly transpose this Directive. Thanks to interpretation of single notions and performed comparison, I respond to the basic research question „who is protected by Article 15 of the Qualification Directive and second section of paragraph 14a of the Czech Asylum Act.“

The sixth chapter is devoted to the „Concept of serious harm in broader context,“ because I consider to be important to depict related questions with this concept as well. In this chapter I am concerned with actors of serious harm, actors of protection, its burden of evidence, and the standard of internal protection.