

Abstract – International air transport: enforcement of rights of passengers under Regulation (ES) No. 261/2004 in the light of judgments of the European court of Justice

The subject of this thesis is the enforcement of the rights of passengers under the Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights. The thesis is divided into five chapters.

In the first chapter the particular conventions which have been concluded in the area of the international air transportation and which have influenced this area greatly are covered, in particular the Warsaw and Montreal Conventions.

The second chapter focuses on the Regulation 261/2004 itself. Particular situations which establish the right for compensation to the passengers are described and analyzed. The issue of the definition of the term “extraordinary circumstances” has not been omitted either. The provisions of the Regulation 261/2004 are interpreted in the light of the SDEU judiciary. The conclusion of the second chapter consists of the future view and the view on the Regulation 261/2004 *de lege ferenda*.

The third chapter follows the substantive regulation by its procedural aspects whereby it describes the means of enforcement of the claim under Regulation 261/2004 and through the Regulation Brussels I bis. The obtained theoretical findings are then presented on the particular practical cases including the reference to the judicial practice of the Czech courts.

The fourth and fifth chapters are connected with the practical aspects of the enforcement of the rights of the passengers. Firstly there is a space for the presentation of the companies which deal with the enforcement of the claims from the air operators and secondly through the survey of the legal conscience of the passengers themselves regarding their rights connected to the Regulation 261/2004.