

Thesis title: Legal regulation of watercourse protection

Abstract

Watercourses are the most important form of surface water occurrence in the Czech Republic, and therefore their condition also significantly affects the overall state of all our aquatic ecosystems. Despite of it, the ecological and chemical status of watercourses is still not satisfying. This fact requires an increase in the efficiency and complexity of their legal protection, which is the subject of this thesis.

The aim of the first part of this thesis is to describe the national legal regulation of watercourses protection in the context of European and international law. At present, national and international legislation is significantly influenced by European legislation provided by the Water Framework Directive. The first part pays attention to the instruments of national legislation, that are relevant to the second part of the work. The first aim of the second part of this thesis is to analyse the basic measures proposed in the two selected sub-basins in order to achieve the objectives of the Water Framework Directive, particularly the good water status. Following this analysis, the second aim is to find out what specific instruments the current legislation provides for the realization of the proposed measures and whether these instruments enable an effective solution to the unsatisfying state of watercourses.

Within the river sub-basin management plans, six groups of basic measures have been identified to achieve good water status of rivers. In both sub-basin management plans, the greatest attention was paid to measures to prevent point pollution, followed by measures to improve hydromorphological properties of watercourses. These two groups of measures seem to be necessary to achieve good chemical and ecological status of watercourses. However, the number of proposed measures to improve hydromorphological properties of watercourses in both sub-basins can be described as insufficient due to the very small proportion of watercourses where good ecological status has been achieved.

The current legal regulation of watercourse protection provides instruments for the realization of all identified groups of measures. However, it can be described as insufficient in case of reducing consumption of water from watercourses through the minimum residual flow, and in case of improving the hydromorphological properties of watercourses by revitalizations. For the realization of revitalizations, the national legislation does not provide clearly defined instruments or procedures that could be applied. In this context, it should be emphasized that

the ecological status of the watercourses, to which these two measures are directly targeted, significantly affects their chemical status and thus the achievement of good water status according the Water Framework Directive.

Keywords: watercourse, good water status, river basin management plan, measures