

Advantages and risks of introducing animal legal personality into Czech law system

The topic of my thesis is animal legal personality and consideration of advantages as well as negative aspects of introducing it into the Czech law. The aim of this work is to examine whether the animal legal personality is a solution that could lead to higher animal protection. In order to assess the benefits and risks of introducing legal personality of animals, I analyze the current legal status and investigate whether animals have any rights today. Furthermore, I concentrate on whether the integration of the legal personality of the animals into the legal system is at all possible, and seek such form that would make the integration acceptable.

The work is divided into six chapters. In the first chapter I examine the history of the legal protection of animals with a focus on its development in the Czech lands. The second chapter is a summary of current legislation of animal rights, especially in the Czech Republic but also in other European countries. There is a sub-chapter here dealing with international law that has a direct impact on the Czech law. In the last sub-chapter I seek an answer whether, according to the applicable law of the Czech Republic, the animals already have any rights today.

In the third chapter I consider possible forms of legal personality of the animals that could be implemented into the Czech law.

In chapter four I present the reasons behind the idea of animal rights and its introduction into practice, thus the background of addressing this issue. Moreover, I present opinions against this method of solving the protection of animals, especially the opinions of legal community.

The fifth chapter shows the very concept of legal personality of animals and its various aspects, mainly the necessary differences from the current form of legal personality, their rationale and consistency or inconsistency with the very concept of law. I present critical responses to the various aspects from the perspective of legal theory and applicable law.

In the sixth chapter I draw conclusions from the whole work and come up with proposals *de lege ferenda*.

Key words: animal legal personality, protection of animals