

Adaptation to climate change from the perspective of (Czech) law

Abstract

Key words: climate change, adaptation, Czech law

Climate change is a current topic that has an impact on many components of the environment and the whole society. Besides mitigation, adaptation is a key response to climate change. This diploma thesis deals with the issue of how (especially Czech) law approaches to adaptation to climate change. Particular legal instruments related to adaptation to climate change are discussed, especially conceptual, administrative and economic instruments, in the fields of protection of water resources, forest, agricultural land and nature and landscape. Selected non-law instruments related to adaptation to climate change are also mentioned.

The thesis has several related research inquiries. The first question is what is actually a climate change and whether it is (or will be) its course unprecedented in the Holocene and the related question what climate is expected in the next decades. This is followed by other research questions, particularly how the political-legal approach to the question of climate change (especially adaptation) has evolved and what is the current legal level of adaptation to climate change, i.e. whether it is satisfactory or has some imperfections. And if it has some deficiencies, how the law could (or should) change to help adapt to climate change.

The methodology of the thesis (especially in its first part) is the theoretical explanation of climate change and the description of physical phenomena, laws and cycles. Besides that is the historical explanation and analysis of the company's approach to climate change. This is followed by a legal historical interpretation of the legal (climatic) sources and relevant conceptual instruments as well as a list of climate conferences that has dealt with the issue of adaptation (marginally also mitigation) to change climate. The third, key part of this thesis, deals with the analysis of *de lege lata* and *de lege ferenda's* proposals at the level of Czech law and concrete legal instruments in the field of adaptation to climate change. Subsequently, the work summarizes the particular adaptation measures from which it creates to some extent a synthesis.

The thesis concludes that despite partial amendments of the legislation, seeking the adaptability of climate change, it does not appear to be sufficient. In general, access to forests or agricultural land is focused mainly on their production aspects and the legislation does not take into account the requirements for adaptation to climate change by emphasizing non-production functions to a sufficient extent. It is therefore necessary to align the requirements for production and non-production functions, which are key for adaptation.