

2. CZECH ENVIRONMENTAL LAW

– GENERAL PART

2.1. Participation of the public in the environmental protection

2.1.1. Definition of the public

The public itself is not defined unanimously in the Czech legislation. Generally, it is presumed that the public may be represented by:

- a) a natural or legal person (anybody),
- b) groups of these persons (one or more persons),
- c) non-governmental organizations (civic associations and similar common welfare organizations with the interest in environmental protection) as a special legal person with special rights set forth by certain acts.

The content of the definition depends on specific laws regulating different areas of legal relations. This approach is similar to the international law; under the Espoo Convention, the public means one or more natural or legal persons while the Aarhus Convention differentiates the public and the public concerned. According to the Aarhus Convention, the **public** means one or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organizations or groups. The **public concerned** means the public affected by, or having an interest in, the environmental decision-making; for the purposes of this definition, non-governmental organizations promoting environmental protection and meeting any requirements under national law shall be deemed to have an interest.

There are different forms of public participation in the environmental protection under the Czech law:

- 1) the right to gather
- 2) the right to associate
- 3) the right to participate in administration of public matters including the right to vote