

## Avosetta Meeting

May 29th/30th 2026 – Copenhagen

### “Instruments of Climate Mitigation and Energy Transition”

#### Czech Report – Jiri Vodicka

##### Introduction

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The EU is pursuing a comparatively ambitious climate policy. However, it is increasingly coming under pressure. Achieving the self-imposed targets appears uncertain.

In Regulation (EU) 2021/1119 establishing the framework for achieving climate neutrality (“European Climate Law”), the EU committed itself to achieving climate neutrality by 2050 and reducing net greenhouse gas emissions by 55% by 2030 and by 90% by 2040 (compared to 1990 levels).

The central instrument for achieving these targets is the EU Emissions Trading System (ETS I).

From 2028 onwards, emissions from the buildings and road transport sectors are to be included in the EU Emissions Trading System (ETS II).

For areas that (so far) are not fully integrated into emissions trading, the Effort Sharing Regulation 2018/842 (ESR) applies. It sets national reduction targets for the Member States. Member States that fail to meet these targets will in the future have to buy emission allowances from other EU countries that have overachieved their targets.

In addition to these more or less market-based instruments, the EU also relies on regulatory measures. With the Renewable Energy Directive 2023/2413 (RED III), the EU target for the share of renewable energy in 2030 was raised to 42.5% (with the aim of reaching 45%). There are also stricter energy efficiency requirements.

In the transport sector, the EU initially adopted a ban on combustion engines from 2035 onwards but has since moved back significantly from this position.

In the land-use sector (LULUCF), the EU obliges Member States to increase the removal of CO<sub>2</sub> through natural sinks (forests, wetlands) (“no debit rule” plus restoration targets).

To cushion the social impacts of the measures under ETS II in particular, the EU has created a compensation mechanism, the Social Climate Fund. In addition, the Just Transition Mechanism is intended to help regions that are heavily dependent on fossil-fuel-based industries finance structural change.

##### Objective of the Copenhagen Meeting

The aim of our meeting and of the subsequent questionnaire is to make the national implementation of EU environmental policy requirements transparent. Implementation

successes and shortcomings should be highlighted, as well as nationally independent climate policy and regulatory approaches.

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## Questionnaire

The following questionnaire is intended to give us some common ground for discussion and analysis. Please feel free to choose the topics that are particularly relevant while leaving out the questions that are irrelevant in your national context.

Please remember also the obligation to provide a brief **National Report on Recent Developments in Environmental Law**, including a section on Recent Developments in Climate Litigation.

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### 1. Political Situation

*Is EU climate (and energy transition) policy generally supported or viewed critically in the respective national political context? How has national climate (and energy transition) policy developed in recent years? What are the prospects for future political developments? What are the key climate (and energy transition) policy controversies in the national political debate? What has been the role of the Courts in your national context?*

Czechia is one of the countries most affected by climate change. The average temperature has already risen by 2°C over the last 60 years.<sup>1</sup>

The Czech populace enjoys nature and likes to protect the environment (65% according to surveys<sup>2</sup>), and people usually do not dispute the ongoing global climate change (61% of respondents<sup>3</sup>). However, specific topics such as the necessary measures, state obligations, and even the sources of climate change have become highly divisive topics in Czechia.

According to recent surveys during August 2025, 43% of surveyed people were concerned about climate change (i.e. took it seriously enough), whereas 38% of surveyed people identified as sceptics.<sup>4</sup> The number of sceptics has risen as a result of the politicisation of the issue.

Czechia held parliamentary elections in October 2025. The newly elected government consists of a coalition of three parties<sup>5</sup> that take a sceptical view of climate protection. This problem is exacerbated by one of the leading figures (a candidate of Motorists for Themselves) openly denying climate change and spreading misinformation concerning wind turbines, and another leading figure saying that when they manage the Ministry of the Environment “there will be

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<sup>1</sup> climate. (n.d.). Fakta O Klimatu. <https://factsonclimate.org/topics/climate>

<sup>2</sup> STEM & Institut 2050. (2022). Česká (ne)transformace 2022. p.3. [https://stem.cz/wp-content/uploads/2023/07/STEM\\_Ceska\\_nettransformace\\_paper\\_fin.pdf](https://stem.cz/wp-content/uploads/2023/07/STEM_Ceska_nettransformace_paper_fin.pdf)

<sup>3</sup> Ibid.

<sup>4</sup> Kalašová, M. (2025, October 1). Skeptické postoje Čechů ke změně klimatu od roku 2020 posilují. Znalost ETS2 je spíše povrchní a mezi lidmi. STEM. [https://www.stem.cz/skepticke-postoje-cechu-ke-zmene-klimatu-od-roku-2020-posiluji-znalost-ets2-je-spise-povrchni-a-mez-lidmi-prevazuje-strach-ze-prinese-zdravani-a-vetsi-byrokracii/#\\_ftn1](https://www.stem.cz/skepticke-postoje-cechu-ke-zmene-klimatu-od-roku-2020-posiluji-znalost-ets2-je-spise-povrchni-a-mez-lidmi-prevazuje-strach-ze-prinese-zdravani-a-vetsi-byrokracii/#_ftn1)

<sup>5</sup> These parties are ANO 2011, SPD - Svoboda a přímá demokracie (Freedom and Direct Democracy) and Motoristé sobě (Motorists for Themselves). It is a mix of right-wing to far-right political positions. The ideologies of these parties are populism, neo-fascism, conservatism and euroscepticism.

green blood spilled”.<sup>6</sup> Furthermore, the leaders of Motorists for Themselves, now tasked with governing the Ministry of the Environment, disbanded the climate change section within the ministry, dismissed experts on climate and energy policy, and dissolved the departments dealing with the Modernisation Fund and the Social Climate Fund.<sup>7</sup>

Additionally, there is ongoing rhetoric employed by the Prime Minister against ETS II and ETS I (see below).

The Ministry of the Environment adopted the Climate Protection Policy in 2017 and amended it in November 2025<sup>8</sup>. There is also the Strategy for Adapting to Climate Change from 2015 (amended in 2021)<sup>9</sup> and the National Action Plan for Adaptation to Climate Change in the Czech Republic (amended in 2021)<sup>10</sup>. The policy framework is complemented by the National Energy and Climate Plan mandated by Regulation (EU) 2018/1999 and updated in 2024.

The role of courts in climate protection has not been significant. Czechia has had its first climate litigation case concluded by a Constitutional Court judgment. The Constitutional Court quashed the case based on the lack of competence of the defendants (the Ministry of the Environment, the Ministry of Industry and Trade, the Ministry of Agriculture, and the Ministry of Transport), thus avoiding any legal and doctrinal analysis of Czechia's climate obligations. The Supreme Administrative Court during the preceding proceedings acknowledged that it is sufficient for Czechia to fulfil its obligations under EU law. The court applied this reasoning to satisfy the *Verein KlimaSeniorinnen* test<sup>11</sup>.

Furthermore, this marginalisation of climate protection is evident in EIA procedures. Czechia has transposed Directive 2014/52/EU, but the competent authorities fall short in conducting climate assessments. For example, in Czech mining screening procedures, climate factors play no substantial role in screening outcomes<sup>12</sup>; the assessment itself does not include Scope 3 emissions, and the effects of a project are assessed only at its boundaries<sup>13</sup>.

There are no further measures or plans beyond those included in the updated NECP.

<sup>6</sup> Zachová, A. (2025b, November 3). Incoming Czech government signals reversal on EU climate and migration policies. EURACTIV. <https://www.euractiv.com/news/incoming-czech-government-signals-reversal-on-eu-climate-and-migration-policies/>

Zachová, A. (2025c, November 26). Czechia's incoming Eurosceptic coalition unveils cabinet list. EURACTIV <https://www.euractiv.com/news/czechias-incoming-eurosceptic-coalition-unveils-cabinet-list/>

<sup>7</sup> Weizman, J. (2026, February 23). New Czech environment minister appointed following controversy. POLITICO. <https://www.politico.eu/article/new-czech-environment-minister-appointed-following-controversy/>

<sup>8</sup> Ministerstvo životního prostředí. (2025). Politika ochrany klimatu v České republice: aktualizace pro období 2025 až 2050 [Climate Protection Policy]. <https://www.mzp.gov.cz/system/files/2025-11/OPOK-POK-Aktualizace-20251106.pdf>

<sup>9</sup> Ministerstvo životního prostředí. (2021). Strategie přizpůsobení se změně klimatu v podmínkách ČR: 1. aktualizace pro období 2021 – 2030. [https://www.mzp.gov.cz/system/files/2025-03/OAZK\\_Narodni\\_adaptacni\\_strategie-aktualizace\\_20211026.pdf](https://www.mzp.gov.cz/system/files/2025-03/OAZK_Narodni_adaptacni_strategie-aktualizace_20211026.pdf)

<sup>10</sup> Ministerstvo životního prostředí. (2021). Národní akční plán adaptace na změnu klimatu: 1. aktualizace pro období 2021 – 2025. [https://www.mzp.gov.cz/system/files/2025-03/OAZK\\_NAP\\_adaptace-aktualizace\\_20211025\\_0.pdf](https://www.mzp.gov.cz/system/files/2025-03/OAZK_NAP_adaptace-aktualizace_20211025_0.pdf)

<sup>11</sup> Para 550, Judgment of the Grand Chamber of the European Court of Human Rights of 9 April 2024, No. 53600/20, ECLI:CE:ECHR:2024:0409JUD005360020. ECHR, ‘HUDOC - European Court of Human Rights’ <https://hudoc.echr.coe.int/eng?i=001-233206>

<sup>12</sup> Zdráhalová, L. Assessment of Climate Impacts in the EIA Process and the Role and Practice of the Screening Stage in Mining Activities in the Czech Republic, České právo životního prostředí, No. 4/2025, p.84

<sup>13</sup> Vomáčka, V. Assessment Of The Impact Of Mining Activities On Climate, České právo životního prostředí, No. 4/2025, p. 103.

## 2. Overall Climate Policy Targets

*Are the EU's overall climate targets (2035/2040/2050) considered adequate / too ambitious / insufficient in national politics? Has the Member State set more ambitious national climate targets ("gold plating")? If so, what additional national targets are being pursued?*

Czechia's general stance on climate targets is conservative. This applies to both the current and previous governments. For example, the 2040 target was negatively received by the previous Government, which described it as too ambitious, unrealistic, and redundant.<sup>14</sup>

This is also reflected in the Czech legal framework, which does not contain any specific reduction commitments beyond those included in EU law.

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## 3. Emission Trading System I (Industry)

*Is ETS I considered appropriate? If not, what reforms are viewed as priorities from the national perspective?*

From an academic and GHG reduction perspective, ETS I is viewed as one of the most potent market-based instruments for reducing GHG emissions. This is confirmed by the National Inventory Document from 2026, according to which Czechia has in general reduced GHG emissions by 50% since 1990<sup>15</sup> and ETS alone led to a reduction of 46.6% between 2005 and 2023.<sup>16</sup> Furthermore, the European Commission approved Czechia's state aid scheme for the decarbonisation of industrial processes<sup>17</sup> which can help undertakings with decarbonisation.

However, industry stakeholders are not satisfied with the ETS. According to a survey by the Czech Chamber of Commerce conducted in January 2026, approximately 82.7% of respondents view the impact of ETS on their businesses over the last five years negatively.<sup>18</sup> Additionally, 65.3% of respondents reported either a mild or significant increase in their costs due to ETS allowance prices.<sup>19</sup>

These figures are concerning, as the Chamber of Commerce has a strong lobbying presence in the Czech Parliament and can pressure MPs to address this issue.

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<sup>14</sup> Vláda ČR odmítá unijní klimatický cíl 2040, je potřeba jej přehodnotit. (n.d.). Copyright (C) 2009-2026 Úřad Vlády ČR. <https://vlada.gov.cz/cz/media-centrum/aktualne/vlada-cr-odmita-unijni-klimaticky-cil-2040--je-potreba-jej-prehodnotit-221975/#>

<sup>15</sup> National Greenhouse Gas Inventory Document of the Czech Republic, P. 12 [https://unfccc.int/sites/default/files/resource/CZE\\_NID\\_2024\\_2026\\_April.pdf](https://unfccc.int/sites/default/files/resource/CZE_NID_2024_2026_April.pdf)

<sup>16</sup> Czechia's climate action strategy. European Parliament © European Union, 2024. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/767169/EPRS\\_BRI\(2024\)767169\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2024/767169/EPRS_BRI(2024)767169_EN.pdf)

<sup>17</sup> State aid: Commission approves €2.5 billion Czech scheme to support the decarbonisation and energy efficiency of industrial processes to foster the transition to a net-zero economy. European Commission. [https://ec.europa.eu/commission/presscorner/detail/ip\\_23\\_4788](https://ec.europa.eu/commission/presscorner/detail/ip_23_4788)

<sup>18</sup> Šetření HK ČR: DOPADY SYSTÉMU EU ETSP. Hospodářská komora ČR. p. 4. [https://www.komora.cz/app/uploads/2026/01/vyhodnoceni\\_setreni\\_eu\\_ets\\_final\\_edit\\_web.pdf](https://www.komora.cz/app/uploads/2026/01/vyhodnoceni_setreni_eu_ets_final_edit_web.pdf)

<sup>19</sup> P. 7 ibid.

The Confederation of Industry of the Czech Republic (another influential lobby group) also calls for a revision of ETS I<sup>20</sup> due to the burdens it places on energy-intensive industries.

This influence is partially reflected at the highest levels of Czech politics.<sup>21</sup> The current Prime Minister has called for a revision of ETS I to cap allowance prices in order to support Czech industries.<sup>22</sup>

#### 4. Emission Trading System II (Buildings and Road Transport)

*What share of national total energy consumption is attributable to buildings and road transport? Is the postponement of ETS II to 2028 viewed positively? Are buildings and road transport already part of a national regulatory regime that anticipates elements of ETS II? How are the prospects for decarbonizing the national building and transport sectors assessed?*

The transport sector emitted approximately 15% of all GHG emissions in 2021<sup>23</sup> (22.67 % in 2024<sup>24</sup>) and buildings 10% of all GHG emissions in 2021 in Czechia<sup>25</sup>. The share of total energy consumption attributable to buildings was 32% and to transport 28% in 2021.<sup>26</sup>

Czechia has been vocal in its opposition to ETS II, culminating in 2025 with a non-paper sent to the European Commission. The non-paper concerned the stability of emission allowance prices and was submitted on behalf of 18 other Member States.<sup>27</sup>

The postponement of ETS II is seen as a partial victory for the Czech government, as both the current and previous governments have actively advocated against the transposition and implementation of ETS II. As of April 2026, Czechia has still not transposed the directive. Czechia's general stance on ETS II is one of complete rescission of the instrument.<sup>28</sup>

The public debate about ETS II has been rather heated. Some voices have claimed that allowance prices could reach up to €250 per tonne of CO<sub>2</sub>, which would translate into a significant increase in costs for households.<sup>29</sup> Several studies, however, show a more modest

<sup>20</sup> Position of the Confederation of Industry of the Czech Republic on the Climate Target for 2040. THE CONFEDERATION OF INDUSTRY OF THE CZECH REPUBLIC. p. 4. [https://www.spcr.cz/images/Position\\_paper\\_Confederation\\_of\\_Industry\\_CZ\\_2040\\_target\\_corrected\\_28.2.2024.pdf](https://www.spcr.cz/images/Position_paper_Confederation_of_Industry_CZ_2040_target_corrected_28.2.2024.pdf)

<sup>21</sup> Zachová, A. (2025, July 23). Czech industries urge PM to pushback on EU climate rules. Euractiv. Retrieved May 2, 2026, from <https://www.euractiv.com/news/czech-industries-urge-pm-to-pushback-on-eu-climate-rules/>

<sup>22</sup> Czech leader urges EU to overhaul carbon trading schemes to curb energy costs. (2026, February 2). Reuters. <https://www.reuters.com/sustainability/boards-policy-regulation/czech-leader-urges-eu-overhaul-carbon-trading-schemes-curb-energy-costs-2026-02-02/>

Yermolenko, H. (2026, February 4). Czech Republic calls on EU to review carbon trading schemes. GMK. <https://gmk.center/en/news/czech-republic-calls-on-eu-to-review-carbon-trading-schemes/>

<sup>23</sup> P. 118 of Climate Protection Policy (n.8).

<sup>24</sup> National Greenhouse Gas Inventory Document of the Czech Republic (n 15). p. 12.

<sup>25</sup> Zindulková, K (ed.), 2040 Climate Target for Czechia Current policy, ambition gap and sectoral analysis, P. 5 [https://www.amo.cz/wp-content/uploads/2024/06/AMO\\_2040\\_Climate\\_Target\\_for\\_Czechia\\_final.pdf?](https://www.amo.cz/wp-content/uploads/2024/06/AMO_2040_Climate_Target_for_Czechia_final.pdf?)

<sup>26</sup> Czechia - Final updated NECP 2021 - 2030 (submitted 2024). (n.d.). European Commission. P. 230. [https://commission.europa.eu/publications/czechia-final-updated-necp-2021-2030-submitted-2024\\_en](https://commission.europa.eu/publications/czechia-final-updated-necp-2021-2030-submitted-2024_en)

<sup>27</sup> Government of the Czech Republic. (n.d.). Copyright (C) 2009 - 2026 Office of the Government. <https://vlada.gov.cz/en/media-centrum/aktualne/the-czech-republic-has-sent-requirements-from-18-eu-member-states-to-the-european-commission-regarding-changes-to-emissions-trading-220739/>

<sup>28</sup> Incoming Czech PM to seek full withdrawal from ETS 2. (2025, December 11). Radio Prague International. <https://english.radio.cz/incoming-czech-pm-seek-full-withdrawal-ets-2-8871446>

<sup>29</sup> Kovanda, & Kovanda. (2025, July 16). Nové občanské povolenky zdraží běžné české domácnosti život o 83 000 Kč ročně - Lukáš Kovanda. Lukáš Kovanda - Názory českého ekonoma Lukáše Kovandy. Rozhovory s lařeáty

average increase of €18.9 per month per household<sup>30</sup> or an increase of €8.21–16.41 per month<sup>31</sup>. Nevertheless, the general public remains apprehensive and therefore opposed to the instrument.

It should be noted that 40% of all households are connected to district heating systems<sup>32</sup>, which are already covered by ETS I; consequently, the impact of ETS II on these households would arise only through the use of vehicles with combustion engines.

Czechia offers subsidies for the renovation of buildings and the replacement of old boilers. The building renovation programme has been in operation since 2014<sup>33</sup>. Until 2021, it was financed by revenues from emission allowances; from 2021 onwards, it has been financed by EU funds (the Modernisation Fund and the Recovery and Resilience Facility) and by a share of ETS revenues. Eligible costs under the programme include:

- Insulation of single-family homes and apartment buildings (building envelope insulation, replacement of windows and doors, exterior shading systems)
- Photovoltaic systems (panels, storage systems, electric vehicle charging)
- Replacement of heat sources with heat pumps, biomass boilers, or connection to district heating
- Utilization of heat from wastewater
- Energy-efficient water heating
- Heat recovery – controlled ventilation system with heat recovery
- Systems for collecting and utilizing rainwater and wastewater
- Green roofs.

Decarbonisation of the transport sector is mandated in Czechia only through the transposition of the Clean Vehicles Directive [Directive (EU) 2019/1161]. However, as the obligations are addressed solely to contracting authorities and contracting entities, the personal scope is very limited.

For a limited period, Czechia offered a subsidy for the purchase of new electric vehicles, running from March 2024 until September 2025. However, the only eligible beneficiaries were

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Nobelovy ceny za ekonomii. Opinions of Czech Economist Lukas Kovanda. His interviews with Nobel Prize laureates in Economics. <https://www.lukaskovanda.cz/nove-obcanske-povolenky-zdrazil-bezne-ceske-domacnosti-zivot-o-83-000-ke-rocne/>

<sup>30</sup> Baudyšová, A. (2026, April 1). ETS2 by dopadlo na domácnosti různě. Většina by pocítila jen malé zdražení, silně zasaženým lze cíleně pomoci. PAQ Research. <https://www.paqresearch.cz/post/ets2/#:~:text=Dopad%20ETS2%20modelujeme%20s%20p%C5%99edpoklade m%2055%20%E2%82%AC,strop%20povolenek%2C%20cena%20v%C5%A1ak%20m%C5%AF%C5%BEE%20b%C3%BDt%20volatiln%C3%AD>

<sup>31</sup> Prostředí, M. Ž. (n.d.). Nové povolenky ETS2 zatíží domácnosti maximálně o stokoruny měsíčně, pomohou investicím do bydlení i růstu české ekonomiky. MŽP. <https://mzp.gov.cz/cz/pro-media-a-verejnost/aktuality/archiv-tiskovych-zprav/nove-povolenky-ets2-zatizi-domacnosti#:~:text=Opat%C5%99en%C3%AD%20pro%20zaji%C5%A1t%C4%9Bn%C3%AD%20pr%C5%A Fm%C4%9Brn%C3%A9%20ceny%20povolenky%2045,podpo%C5%99ilo%2019%20%C4%8Dlensk%C3%B Dch%20st%C3%A1t%C5%AF%20reprezentuj%C3%ADe%C3%ADch%2091%20%25>

<sup>32</sup> Vytápění v Česku - Na centrální vytápění je napojený každý druhý nově postavený byt. Za teplo si letos nejvíc zaplatí Pražané – až 1 223 korun za GJ. (2024, December 12). Česko V Datech. <https://www.ceskovdatech.cz/clanek/182-vytapeni-v-cesku/>

<sup>33</sup> Nová zelená úsporám – Dotace pro úsporné bydlení. (n.d.). <https://novazelenausporam.cz/>

enterprises and entrepreneurs; no subsidies exist for natural persons replacing their old vehicles — a significant gap given that the average age of cars in Czechia was 16.5 years in 2024<sup>34</sup>.

Since Czechia has not yet transposed ETS II, it has also not yet submitted a Social Climate Fund plan. Combined with the dissolution of the relevant department at the Ministry of the Environment, it appears that Czechia risks losing access to the associated funding.

Czechia's updated NECP does not impose any binding obligations in these sectors. With regard to buildings, it envisages a continuation of the existing renovation subsidy trajectory. Several legal instruments may support decarbonisation, including the ban on the use and sale/purchase of low-efficiency solid fuel boilers (1st and 2nd emission classes) from 1 September 2024 under Act No. 201/2012 Coll. on Air Protection, as well as the decarbonisation of district heating and the transition to heat pumps.

With regard to transport decarbonisation, the updated NECP anticipates that battery electric vehicles will be the dominant vehicle type by 2050<sup>35</sup> (a target that appears ambitious given that their market share stood at only 1.8% in 2024<sup>36</sup>). Furthermore, decarbonisation of the transport sector is closely linked to the use of renewable energy sources, as provided for in Article 25 of Directive (EU) 2018/2001 (RED II). Czechia's share of renewables in transport energy was approximately 6% in 2024.<sup>37</sup>

## 5. Double regulation?

*Is there a discussion about the topic of 'double' regulation: e.g. energy efficiency in ETS installations / build environment, National taxes on/pricing of CO2 emissions, Emission Limit Values in environmental permits?*

There is no such discussion in Czechia. Based on the information provided above, one can safely infer that any discussion of this kind would be met with strong political opposition.

## 6. Effort Sharing

*Is the Member State “on track” to meet its national reduction targets under the Effort Sharing Regulation 2018/842? Is failure / compliance / over-achievement of the EU requirements expected? What are the main challenges or success factors influencing compliance or non-compliance with the EU requirements? Does the state intend to sell its own emission credits or to purchase such credits from other Member States?*

Czechia's target is a 26% reduction in GHG emissions under the ESR. According to the Commission's assessment of Czechia's updated NECP, it is likely to over-achieve this target, with a projected final reduction of 35.8% of GHG emissions (according to the model scenario).<sup>38</sup>

<sup>34</sup> VEHICLES ON EUROPEAN ROADS JANUARY 2026. (2026). In Acea. [https://www.acea.auto/files/ACEA\\_Report---Vehicles\\_on\\_European\\_roads\\_2026.pdf](https://www.acea.auto/files/ACEA_Report---Vehicles_on_European_roads_2026.pdf)

<sup>35</sup> P. 125 of Climate Protection Policy (n 8).

<sup>36</sup> Acea (n 34).

<sup>37</sup> Use of renewable energy for transport in Europe. (2025, November 6). Indicators | European Environment Agency (EEA). <https://www.eea.europa.eu/en/analysis/indicators/use-of-renewable-energy-for>

<sup>38</sup> Commission assessment of the final updated National Energy and Climate Plan of Czechia. (n.d.). European Commission. [https://commission.europa.eu/publications/commission-assessment-final-updated-national-energy-and-climate-plan-czechia\\_en](https://commission.europa.eu/publications/commission-assessment-final-updated-national-energy-and-climate-plan-czechia_en)

The main challenges are the decarbonisation of the buildings and transport sectors — those with the largest shares of GHG production. The Commission stresses that, according to the updated NECP, carbon reduction in these sectors will require a significant effort.

Furthermore, the Commission remains rather sceptical of Czechia's plan. *Czechia has indicated a number of existing and planned measures for the transport sector, including further electrification of railways and urban public transport, gradual shift to freight transport from road to rail and/or waterborne transport, tax incentives, use of alternative fuels. However, it is unclear which remain to be implemented, or which will be scaled up to reach the ESR target.*<sup>39</sup>

Similarly, in the agriculture sector (non-CO<sub>2</sub> emissions), it is unclear how Czechia intends to tackle these emissions. The plan also remains unclear on how to address CH<sub>4</sub> from landfills, failing to mention effective mitigation solutions such as separate collection, landfill gas capture, and anaerobic digestion.<sup>40</sup>

There are no indications that Czechia intends to use the crediting mechanism under the ESR.

## 7. Renewable Energy

*What progress has been made in the transition towards a national energy supply based on renewable energy? What is the current energy mix, and what are the projections up to 2050? What differences exist in the transformation of the electricity market versus the broader energy market (including non electric heating, transport and other energy use)? What are the major national regulatory instruments to support the transition to renewables? What major obstacles hinder a faster transition to renewable energy at the national level? Are adjustments to the EU's regulatory framework considered necessary? If so, which ones?*

Czechia's energy production by source still heavily depends on fossil fuels, as is shown below:

According to the updated NECP, the share of renewables in gross final energy consumption should reach 30% by 2030.<sup>41</sup> However, according to the Commission's assessment, the share should be 33% by 2030.<sup>42</sup>

Based on the updated NECP and other policy documents (such as the Climate Protection Policy and the State Energy Policy), Czechia should be climate neutral by 2050. Specifically, primary energy sources should consist of coal and its derivatives — 3%, natural gas — 7%, oil and oil products — 12%, **nuclear energy — 38%, and renewables — 41%.**<sup>43</sup>

<sup>39</sup> P. 17, *ibid.*

<sup>40</sup> *Ibid.*

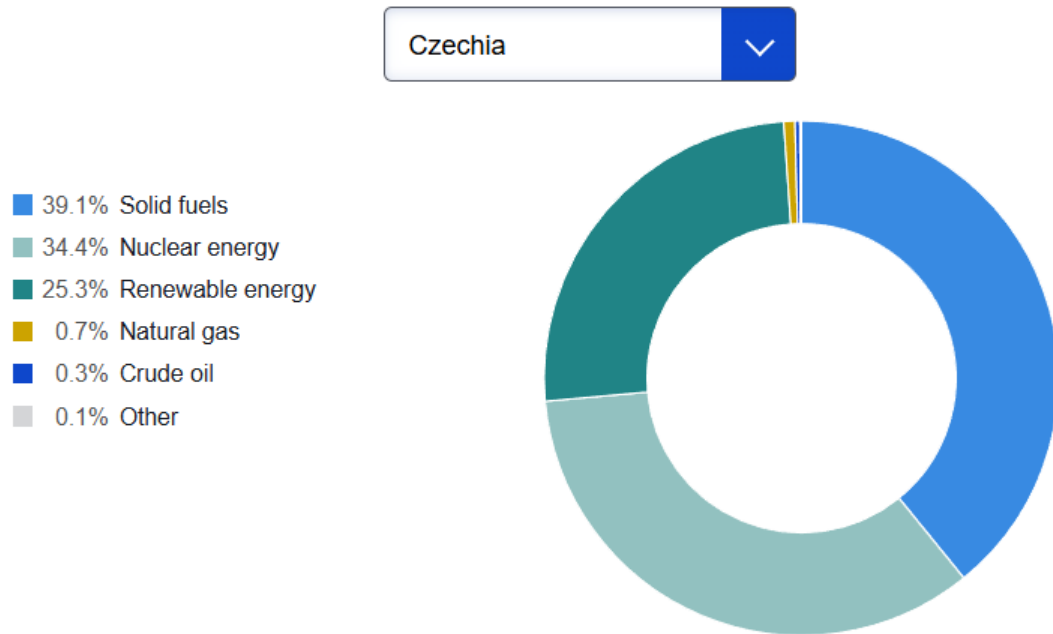
<sup>41</sup> P. 3 of Czechia - Final updated NECP 2021 - 2030 (n. 26).

<sup>42</sup> P. 18 Commission assessment of the final updated NECP of Czechia (n. 38).

<sup>43</sup> P. 59 of Czechia - Final updated NECP 2021 – 2030 (n. 26).

## Energy production by source, 2024

(in %)



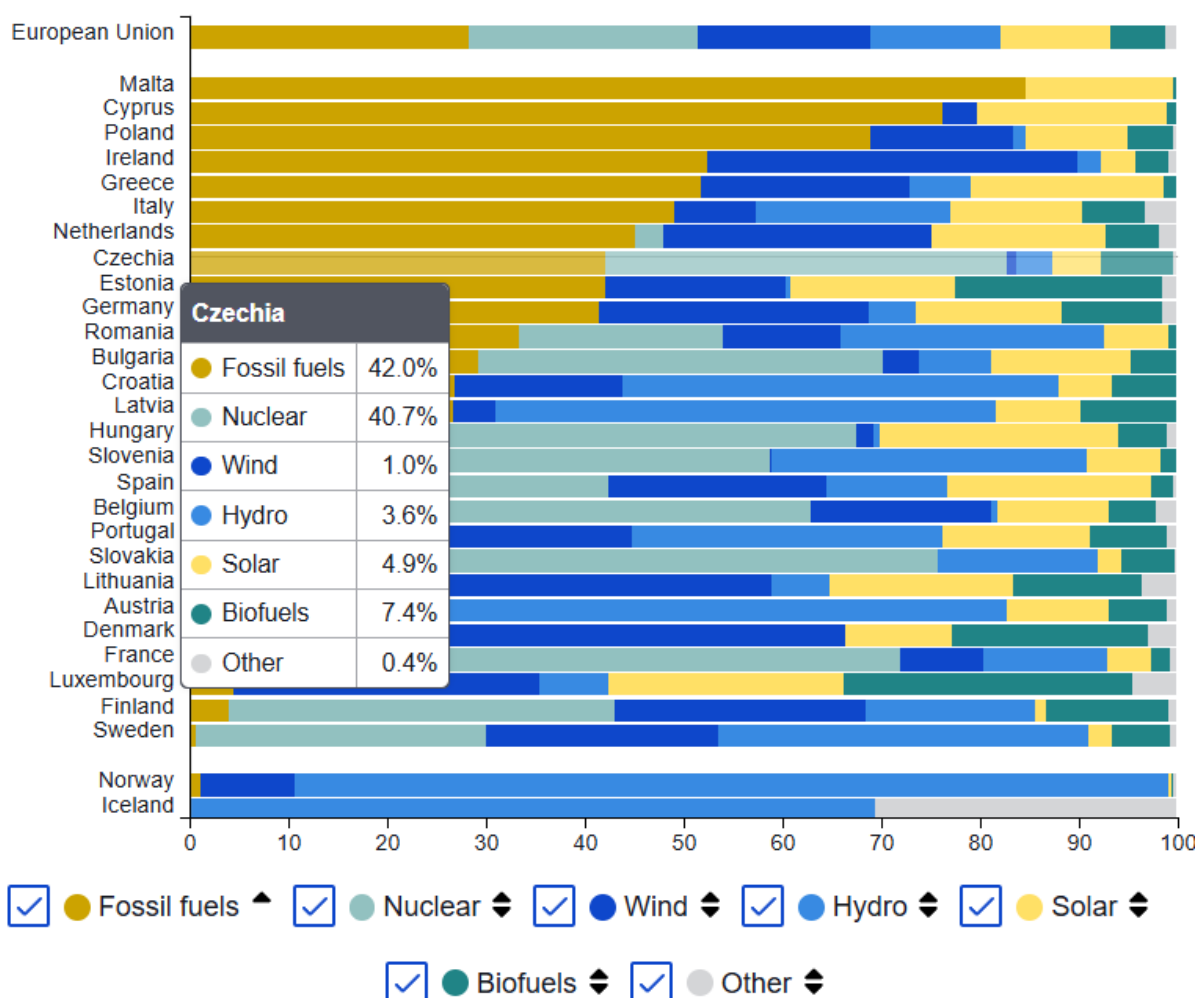
Source: Eurostat - [access to dataset](#)

Figure 1 Energy in Europe - 2026 edition

Regarding the deployment of renewables and the production of electricity from renewable sources, Czechia has one of the lowest shares of electricity generated from RES in the EU. See below.

## Production of electricity by source, 2024 i

(in %)



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Figure 2 Energy in Europe - 2026 edition<sup>44</sup>

### Electricity generation and heating sector

Czechia is still heavily dependent on fossil fuels in this sector. The sector is seeking to diversify its energy sources, yet there remains a general distrust of renewables. Accordingly, there are plans to build new nuclear reactors<sup>45</sup> and to increase the share of nuclear energy in the energy mix to 68% by 2040 (decreasing to 46% by 2050).<sup>46</sup> However, the projected share is heavily dependent on the timely commissioning of the new reactors — a process that, historically, has always experienced delays.

Furthermore, in 2023, the then-government set 2033 as the binding target for the coal phase-out in electricity and heat generation. This was surprising given that the national committee on

<sup>44</sup> Energy in Europe – 2026 edition - Interactive publications - Eurostat. (n.d.). Eurostat. <https://ec.europa.eu/eurostat/web/interactive-publications/energy-2026>

<sup>45</sup> Czechs are loud proponents of nuclear energy. Zachová, A. (2025a, February 12). Survey: Czechs are the most pro-nuclear nation in Europe. EURACTIV. <https://www.euractiv.com/news/survey-czechs-are-the-most-pro-nuclear-nation-in-europe/>

<sup>46</sup> P. 59 of Czechia - Final updated NECP 2021 – 2030 (n. 26).

coal had recommended a 2038 target.<sup>47</sup> This earlier deadline would suggest a need for significantly increased investment in RES, yet their deployment remains inadequate.

From a historical perspective, governments have been reluctant to invest in this sector or to provide a robust legislative framework that would make RES more competitive energy sources. Wind farms in Czechia are almost non-existent, accounting for only approximately 1% of electricity production. There has long been entrenched societal opposition to these sources. For example, municipalities banned their construction through spatial plans, a practice that administrative courts fortunately rescinded<sup>48</sup>. regions similarly restricted eligible sites to such a degree that it amounted to a de facto ban, also subsequently rescinded by the administrative courts<sup>49</sup>.

During 2025 and 2026, the public debate about wind farms has intensified. The government's representative on the Green Deal and climate has been spreading misinformation about wind farms and their construction. This misinformation originates with activists from Slovakia<sup>50</sup>, and it is deeply concerning that government officials are giving it credence.

Fortunately, under the RES Directive, Czechia is required to establish acceleration areas for RES deployment. These were introduced in April 2026, albeit smaller in scale than anticipated.

Generally speaking, the legal framework for constructing wind farms has not been favourable; in extreme cases, some investors have been waiting for construction permits for over 10 years — a clear indicator of institutional unwillingness to expedite the process. This should, however, improve under the permit-granting acceleration provisions of the RES Directive.

Finally, it should be noted that the construction of wind farms is frequently subject to local referendums. While such referendums cannot prohibit construction outright, they can bind a municipality to specific conduct — for instance, to object to a project during permit-granting proceedings, or to restrict the erection of a project on municipal property. Since 2006, over 600 referendums have been held, of which 82 produced valid and binding results concerning the construction of wind turbines; 72 of those supported wind farm projects.

Similar issues affect photovoltaic power stations. Most existing installations were made operational around 2010, driven by generous subsidies on electricity generated by those projects. However, Czechia was forced to revise the legislative framework during 2010, effectively halting new developments and triggering numerous judicial proceedings in which investors claimed compensation for lost investments.<sup>51</sup> In 2024 and 2025, a new wave of solar expansion began, primarily in the form of rooftop photovoltaics on residential buildings.

<sup>47</sup> Uhelná komise | MPO. (n.d.). <https://mpo.gov.cz/cz/energetika/uhelna-komise/uhelna-komise--248771/>

<sup>48</sup> Judgment of the Supreme Administrative Court of 10.12.2024, 9 As 68/2024 – 64. <https://vyhledavac.nssoud.cz/DokumentOriginal/Html/737306>

<sup>49</sup> Judgment of the Supreme Administrative Court of 20. 07. 2023, 1 As 301/2021-150. <https://vyhledavac.nssoud.cz/DokumentOriginal/Html/712821>

<sup>50</sup> Moláček, J. (2026, March 10). Slovenští aktivisté v Česku šíří „lavinu bludů“ o větrných elektrárnách. <https://ct24.ceskatelevize.cz/clanek/domaci/reporteri-ct-popsali-jak-slovensti-aktiviste-ovlivnuji-ceskou-debatu-o-vetrnych-elektrarnach-371145>

<sup>51</sup> Czech solar power boom adds 1,820 MW of capacity in 2010. (2020, September 20). Radio Prague International. <https://english.radio.cz/czech-solar-power-boom-adds-1820-mw-capacity-2010-8378072>

Regarding district heating, heating plants are transitioning from coal to renewable energy sources, supported by subsidies from the Modernisation Fund.<sup>52</sup>

### *Transport sector and buildings*

As noted above, the deployment of alternative fuels and propulsion systems in the transport sector remains problematic in Czechia. While zero-emission vehicle uptake is gradually increasing, BEV registrations grew by 67% in the first half of 2025, the overall share remains very low<sup>53</sup>, standing at approximately 5.5% of new passenger vehicle registrations in 2025. The Climate Protection Policy projects that 84% of cars will be zero-emission by 2050 and that 71% of heavy-duty vehicles will be zero- or low-emission vehicles.<sup>54</sup>

Some subsidies exist for public authorities (particularly municipalities and regions) and heavy-duty vehicle operators, but without a robust and comprehensive system in place, all of these targets amount to little more than wishful thinking rather than realistic scenarios.

Regarding buildings, decarbonisation is equally necessary. The buildings sector accounted for approximately 9% of Czechia's GHG emissions in 2021<sup>55</sup> (though, curiously, the same policy document also cites a figure of 11.6% for the same year<sup>56</sup>). The Czech Climate Protection Policy classifies buildings as a hard-to-abate sector due to specific constraints, including the high costs of renovation, a shortage of qualified labour and specialist materials and equipment (e.g. PV panels and heat pumps), and heritage protection requirements<sup>57</sup>. On the other hand, Czechia does have a system of subsidies and has recently introduced community energy societies.<sup>58</sup>

To conclude, there are significant differences between the transformation of the electricity market and the broader energy market. ETS I has been in operation for a considerable time and has created pressure on undertakings to decarbonise. Moreover, particular attention should be given to national grids and cross-border interconnections, which remain inadequate and could hinder the further development of the Energy Union<sup>59</sup>. The deployment of RES has been driven by state subsidies and indirect economic pressure on the most polluting energy sources. By contrast, the transformation of the broader energy market remains largely underdeveloped in Czechia; without stronger pressure on distributors (such as through ETS II) the transition will take considerably longer.

Czechia has amended its national legislation to accommodate RED III. The new measures include acceleration zones for RES deployment, stricter deadlines for the permitting process, and tacit approval mechanisms (whereby an application is automatically deemed approved if the relevant authority fails to issue a decision within the prescribed deadline).

<sup>52</sup> Čr, M. (n.d.). Další teplárny vymění uhlí za ekologické zdroje energie, pomůže jim 20 miliard korun z Modernizačního fondu. MŽP. <https://mzp.gov.cz/cz/pro-media-a-verejnost/aktuality/archiv-tiskovych-zprav/dalsi-teplarny-vymeni-uhli-za-ekologicke>

<sup>53</sup> Westsite nv: Web development en Internet Software. (n.d.). TML is working on Key Performance Indicators for tracking the transition to zero-emission passenger cars and vans. Transport & Mobility Leuven. <https://www.tmleuven.be/en/project/Monitoring-the-shift-to-zero-emission-vehicles-in-Europe>

<sup>54</sup> P. 125 of Climate Protection Policy (n 8).

<sup>55</sup> P. 106 of Climate Protection Policy (n 8).

<sup>56</sup> P. 110 of Climate Protection Policy (n 8).

<sup>57</sup> P. 109 of Climate Protection Policy (n 8).

<sup>58</sup> Ibid.

<sup>59</sup> 10th report on the state of the energy union. (n.d.). Energy. [https://energy.ec.europa.eu/strategy/energy-union/10th-report-state-energy-union\\_en](https://energy.ec.europa.eu/strategy/energy-union/10th-report-state-energy-union_en)

## 8. Land Use

*How exactly are emissions from the land-use sector recorded nationally? What trends can be derived from this data? What strategies are being pursued at the national level to strengthen the land-use sector's contribution to emission reductions and to comply with the LULUCF-Regulation 2018/841?*

Emissions and removals from the Czech land-use sector are recorded through a highly detailed national system that integrates international methodologies with localised cadastral data. While the sector has faced significant challenges due to natural disturbances — in particular, bark beetle infestations — it is expected to reach the 2030 target under the LULUCF Regulation.

In Czechia, most calculation methods are already at Tier 3, owing to the implementation of an advanced modelling solution using the CBM-CFS3 calibration tool.<sup>60</sup>

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| Emission category (UNFCCC) or Activity (KP LULUCF)     | Carbon pool UNFCCC        | Carbon pool KP LULUCF   | Methodological tier and comment |
|--------------------------------------------------------|---------------------------|-------------------------|---------------------------------|
| 4.A.1 FL remaining FL Forest Management                | Living biomass            | Aboveground biomass     | T3, CBM                         |
|                                                        |                           | Belowground biomass     | T3, CBM                         |
|                                                        | Dead organic matter (DOM) | Deadwood                | T3, CBM                         |
|                                                        |                           | Litter                  | T3, CBM                         |
|                                                        | Soil (Mineral soils)*     | Soil (Mineral soils)    | T3, CBM                         |
| 4.A.2 Land converted to FL Afforestation/Reforestation | Living biomass            | Aboveground biomass     | T3, CBM                         |
|                                                        |                           | Belowground biomass     | T3, CBM                         |
|                                                        | Dead organic matter (DOM) | Deadwood                | T2/T3, CBM                      |
|                                                        |                           | Litter                  | T2/T3, CBM                      |
|                                                        | Soil (Mineral soils)*     | Soil (Mineral soils)    | T2/T3, Soil carbon maps         |
| 4.B.2.1 FL converted to Cropland                       | Living biomass            | Aboveground biomass     | T3, CBM                         |
| 4.C.2.1 FL converted to Grassland                      |                           | Belowground biomass     | T3, CBM                         |
| 4.D.2.1 FL converted to Wetland                        | Dead organic matter (DOM) | Deadwood                | T2/T3, CBM                      |
| 4.E.2.1 FL converted to Settlements                    |                           | Litter                  | T2/T3, CBM                      |
| Deforestation                                          | Soil (Mineral soils)*     | Soil (Mineral soils)    | T2/T3, Soil carbon maps         |
| Harvested Wood Products                                | Harvested Wood Products   | Harvested Wood Products | T2, Production approach         |

Forests and land in Czechia contain approximately 2 Gt CO<sub>2</sub>eq of stored carbon. Should this sink deteriorate, Czechia would face serious difficulties in meeting its GHG emission targets. At the same time, it must be noted that the health of Czech forests is far from adequate. They suffer from air pollution, droughts, bark beetle infestations, and ungulate browsing, which destroys new seedlings and young trees.<sup>61</sup>

It should also be noted that, unlike forests, agricultural land does not sequester CO<sub>2</sub>.<sup>62</sup>

Apart from the obligations arising from the LULUCF Regulation, Czechia focuses on several aspects<sup>63</sup>:

- Protecting forests from damage caused by wildlife.
- Supporting the natural regeneration of forests and enhancing their resilience.
- Protecting forest soil and enhancing its carbon sequestration capacity.
- Support agroforestry and afforestation

<sup>60</sup> P. 87 of Czechia - Final updated NECP 2021 – 2030 (n. 26).

<sup>61</sup> P. 135 of Climate Protection Policy (n 8).

<sup>62</sup> P. 134 of Climate Protection Policy (n 8).

<sup>63</sup> P. 143-147 of Climate Protection Policy (n 8).

- Increase the use of wood in products with a long lifespan, particularly in the construction industry.
- Changes in nitrogen fertilizer application practices to reduce N<sub>2</sub>O emissions
- Data collection for more accurate assessment of greenhouse gas and ammonia emissions from agriculture
- Support for organic farming
- Support for precision agriculture technologies
- Support for the establishment and management of landscape features that increase the heterogeneity of the agricultural landscape
- Support for agrivoltaics

## 9. Special National Strategies, Programmes, and Ideas

*What special strategies, regulatory programmes, and ideas—beyond those already mentioned—are being pursued nationally for climate mitigation? How do these national concepts and legal instruments relate to EU climate policy? Does a programme for carbon capture and storage exist?*

Beyond the instruments already mentioned, Czechia has adopted a number of additional strategic documents, including the State Energy Policy<sup>64</sup>, Circular Czechia 2040<sup>65</sup>, Economic Strategy of the Czech Republic<sup>66</sup>, Small Modular Reactors (SMRs)<sup>67</sup>, National Action Plan for Clean Mobility<sup>68</sup>, National Action Plan on Climate Change Adaptation for 2021–2025<sup>69</sup>, Climate Change Adaptation Strategy for the Czech Republic: 1st Update for the Period 2021–2030<sup>70</sup>, and many more.

All of the above instruments take EU acquis as their foundation and seek to adapt it, for better or worse, to the Czech context.

Numerous policies, strategies, and measures have also been adopted at the local level by regions and municipalities to address specific issues. These include, for example, mobility plan in Brno<sup>71</sup> and the eco-subsidy programme (covering green roofs, rainwater collection, environmental education, and similar initiatives) in Brno<sup>72</sup>.

<sup>64</sup> Státní energetická koncepce | MPO. (n.d.). <https://mpo.gov.cz/cz/energetika/statni-energeticka-politika/statni-energeticka-koncepce--223620/>

<sup>65</sup> Prostředí, M. Ž. (n.d.-b). Strategický rámec Cirkulární Česko 2040. MŽP. <https://mzp.gov.cz/cz/agenda/odpadove-hospodarstvi-a-cirkularni-ekonomika/cirkularni-ekonomika/cirkularni-cesko-0>

<sup>66</sup> Economic Strategy 2.0 aims to restore a long-term economic growth in the Czech Republic | MPO. (n.d.). <https://mpo.gov.cz/en/guidepost/for-the-media/press-releases/economic-strategy-2-0-aims-to-restore-a-long-term-economic-growth-in-the-czech-republic--291882/>

<sup>67</sup> Usnesení vlády ČR č. 808 ze dne 1. listopadu 2023 | MPO. (n.d.). <https://mpo.gov.cz/cz/energetika/jaderna-energetika-a-nove-jaderne-zdroje/male-modularni-reaktory/usneseni-vlady-cr-ze-dne-01112023--283764/>

<sup>68</sup> 2. Aktualizace Národního akčního plánu čisté mobility | MPO. (n.d.). <https://mpo.gov.cz/cz/prumysl/zpracovatelsky-prumysl/automobilovy-prumysl/2--aktualizace-narodniho-akcniho-planu-ciste-mobility--283771/>

<sup>69</sup> Prostředí, M. Ž. (n.d.-a). Adaptace na změnu klimatu. MŽP. <https://mzp.gov.cz/cz/agenda/klima-a-energetika/adaptace-na-zmenu-klimatu>

<sup>70</sup> Ibid.

<sup>71</sup> Plán mobility města Brna. (2022, October 7). BrnoInMotion. <https://brnoinmotion.cz/plan-mobility/>

<sup>72</sup> Ekodotace – Získejte dotaci na svůj projekt v rámci dotačních programů Nabytejší dešťovky, Nábřeží, Šalinkarta, Vnitroblok, Zelení střechám či Ekologická výchova. (n.d.). <https://ekodotace.brno.cz/>

Regarding carbon capture and storage, Czechia adopted an Action Plan for the Development of Carbon Dioxide Capture, Utilization, and Storage Technologies in the Czech Republic (February 2025).<sup>73</sup> The document presents individual technologies in terms of their potential applications in Czechia and proposes measures to overcome identified obstacles to development. A key measure is the establishment of a National CCUS Platform, which brings together representatives from the public sector, industry associations, the non-profit sector, and scientific and academic institutions. The Platform's aim is to implement the Action Plan and coordinate activities relating to legislative changes, financing, the development of CO<sub>2</sub> transport infrastructure, and the achievement of public acceptance of CCUS.

In addition, a pilot project surveying the potential for CO<sub>2</sub> storage in Czechia is already under way.<sup>74</sup>

## 10. Social and Regional Compensation Mechanisms

*Are there national mechanisms to provide social or regional compensation for the burdens arising from climate protection measures? Is any form of “climate dividend” or “climate payment” being issued?*

In general, Czechia does not have a comprehensive framework for these issues. The only relevant instruments are the eco-subsidy programmes discussed in Section 4. However, even these subsidies are, to a large extent, exclusionary in practice: recipients typically need to meet upfront costs for equipment and materials, making the schemes inaccessible to low-income households and other vulnerable groups, such as the elderly. Furthermore, the application process imposes a significant administrative burden on prospective beneficiaries.

Regions heavily affected by mining activities — Ústí nad Labem, Karlovy Vary, and the Moravian-Silesian Region — are also beneficiaries of the Operational Programme Just Transition. However, this instrument is primarily aimed at business innovation, infrastructure development, and human resource measures to manage the coal phase-out, including the creation of new jobs, retraining of workers leaving the fossil fuel industry, and the restoration of landscapes damaged by mining.<sup>75</sup>

The updated NECP includes a model scenario concerning direct payments for climate protection measures. However, this remains only a modelling exercise in which the state explores what would constitute an acceptable level of payment.<sup>76</sup> It is reasonable to infer that the Social Climate Plan would contain a similar or identical instrument. However, since Czechia has neither transposed the directive nor submitted this plan, it cannot access the associated funding.

Ultimately, those living in new, energy-efficient (passive) houses equipped with photovoltaics and an electric vehicle stand to be largely unaffected by climate protection measures, even under a fully implemented ETS II, making them the de facto beneficiaries of the current policy architecture.

<sup>73</sup> Prostrředí, M. Ž. (n.d.-b). CCUS. MŽP. <https://mzp.gov.cz/cz/agenda/klima-a-energetika/ccus>

<sup>74</sup> Www.Ngs.Cz. (n.d.). Geological storage of CO<sub>2</sub>. <https://www.mnd.eu/en/project/co2-storage-in-rock-structures/>

<sup>75</sup> P. 380 of Czechia - Final updated NECP 2021 – 2030 (n. 26).

<sup>76</sup> P. 369-376 of Czechia - Final updated NECP 2021 – 2030 (n. 26).

## 11. Adaptation

*Are there national programmes for climate adaptation? How can these be briefly described? Should the EU, from a national perspective, develop climate adaptation programmes, or should this remain the responsibility of the Member States?*

There are two relevant policies on this topic in Czechia. The primary one is the Climate Change Adaptation Strategy for the Czech Republic: 1st Update for the Period 2021–2030<sup>77</sup> and its implementation through National Action Plan on Climate Change Adaptation for 2021–2025<sup>78</sup>

The Strategy provides a comprehensive framework to increase the resilience of ecosystems and human society while reducing vulnerability. It organises its approach around seven main manifestations of climate change in Czechia: long-term drought, floods and flash floods, heavy rainfall, rising temperatures, extreme high temperatures, extreme wind, and vegetation fires. It identifies priority sectors for intervention, including forestry, agriculture, water management, urbanised landscapes, and health.

The National Action Plan (NAP) translates these strategic goals into practical action. The 2021 update contains 108 adaptation measures and 322 specific tasks assigned to the relevant ministries, with defined deadlines and funding sources. Over 80% of these measures are already integrated into other sectoral strategies to ensure a cross-cutting approach.

To date, the EU has played a facilitating role. Relevant instruments include the LIFE Programme, Cohesion Funds, and information-sharing platforms such as Climate-ADAPT.

Greater harmonisation at the EU level could generate synergies and strengthen cooperation between neighbouring Member States. Green infrastructure in particular plays a vital role in addressing climate change, and more robust EU-level coordination in this area could therefore be beneficial.<sup>79</sup>

However, adaptation remains a national responsibility, as the impacts of climate change are geographically specific and require tailored local responses.

## 12. New liability/compensation regime in the Air Quality Directive (2024/2881) and the amended IE Directive (2024/1784)

*The new Air Quality Directive 2024/2881, art. 28. and the amended IE Directive (2024/1785) requires Member States to establish a liability/compensation regime regarding persons suffering damage to human health caused by violation of the EU-obligations under the two directives. The new EU-obligation should be seen in light of the CJEU-ruling in C-61/21 in which the CJEU rejected Member State liability for human health damage based on the (old) Air Quality Directive. The new obligations place Member States as the one who should pay compensation for the damage, but the legal implications of the new regimes are not entirely clear. How is the new obligation on liability/compensation in the new Air Quality Directive and the amended IE Directive intended to be implemented in your Member State?*

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<sup>77</sup> N. 9.

<sup>78</sup> N. 10.

<sup>79</sup> COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Green Infrastructure (GI) — Enhancing Europe's Natural Capital, COM/2013/0249.

In April 2026, the Czech Ministry of the Environment published a draft amendment to Act No. 201/2012 Coll. on Air Protection, transposing the new AQD. Article 28 of the Directive is included among the transitional provisions of the Air Protection Act. However, the transposition is inadequate, as the provision states that:

*Liability for damage caused by failure to comply with the emission limits effective as of January 1, 2030, as set forth in Annex No. 1 to Act No. 201/2012 Coll., as amended effective as of the date of entry into force of this Act, may be claimed as of January 1, 2030, or by the deadline set in accordance with the procedure under point 2(a), (b), or (c). Until December 31, 2029, or by the deadline set in accordance with the procedure under point 2(a), (b), or (c), liability may be sought for damage caused by failure to comply with the emission limits in effect until December 31, 2029.*

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No other act was amended.

The provision effectively fails to address the fundamental problem in Czechia, namely the practically insurmountable burden of proof in civil cases concerning liability for damage caused by air pollution. Several cases have reached the Supreme Court of the Czech Republic, but none succeeded in establishing a causal link between the harm suffered by the plaintiffs and an act or omission of the state (as defendant).<sup>80</sup>

It is therefore my view that Czechia's transposition and subsequent implementation will fall short of the intended aim of Article 28(2) of the AQD.

Access to justice under Article 27 of the AQD does not present significant difficulties in Czechia in these cases. The Supreme Administrative Court has developed extensive case law on these matters.

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<sup>80</sup> For example, Resolution of the Supreme Court of 15.08.2023, 30 Cdo 1678/2023 or Resolution of the same court of 04.04.2023, 30 Cdo 299/2023-202.