

The amount of available mineral deposits is limited and is currently being slowly depleted. It is therefore necessary to search for new deposits that are needed to meet economic needs. For this reason, people are reaching for deposits located under the seabed or in areas not covered by state authority.

One of the problems arising in connection with mineral exploration and extraction is the situation where it is located on the territory of two or more states. Such a situation gives rise to a number of doubts about the legal basis for carrying out such activities.

This dissertation is an attempt to resolve at least some of the legal problems related to the above-mentioned activity on the example of two legal orders, the Polish and the Czech. In the first instance, the aim of this dissertation is to compare the Polish and Czech legal systems with respect to undertaking mineral exploration and extraction activities. These considerations form the basis for the second objective, which is to define potential legal problems related to transboundary mining. This is understood as carrying out geological and mining activities in relation to shared natural resources, which are also minerals. The analysis carried out is a contribution to proposing solutions to the problems diagnosed.

Despite the fact that traditional energy sources are being abandoned and the share of coal-fired power plants in energy production is being reduced, e.g. through the use of renewable sources and nuclear energy, the extraction of other minerals besides coal is still the basis of human existence. These include gas, metal ores, gypsum, sand, precious stones and thermal waters. As the doctrine points out, mining is an industry that provides the raw materials necessary for the functioning of the state. It has to be remembered that it is a complex process; moreover, the abandonment of traditional sources of energy will contribute to the extraction of minerals that have not been mined as much so far, an example being lithium. In addition, there are still many issues related to mining that have not been fully explored, such as the problem of shared natural resources and transboundary mining.

The thesis set out to answer the following research questions:

1. Is the currently existing definition of shared natural resources sufficiently precise? If not, it needs to be reformulated and clarified. Currently, shared natural resources have been singled out in science from the division of natural resources alongside international resources and national resources.

2. What is the legal status of these resources in international law, European law and national law?

3. Is there currently a correct and precise definition of the concept of transboundary mining? If not, a definition is needed. The question also needs to be answered as to what

solutions are currently envisaged in the legislation with regard to the exploitation of a mineral deposit over which a border of two or more countries runs and what conflicts the application of the existing solutions may give rise to.

4. What are the legal frameworks for mineral exploration and extraction in Poland and the Czech Republic? What similarities and differences exist between the two legal systems?

5. Whether it is possible to undertake cross-border mining activities under the current legal status, on the example of two neighbouring countries, the Republic of Poland and the Czech Republic.

The research hypothesis put forward is therefore that: **there is a lack of sufficiently precise definitions of terms related to transboundary mining and shared natural resources, and that the regulations concerning them are insufficiently specific, and very often lacking at all. Moreover, the current legislation is not consistent and makes it impossible to undertake cross-border mineral exploration and mining activities in Poland and the Czech Republic.**