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Legal protection of soil and landscape in the Czech Republic in the light of evolving EU law: an assessment of implementation (2014–2025)

La tutela giuridica del suolo e del paesaggio nella Repubblica Ceca nel quadro del diritto dell'UE in evoluzione: valutazione dell'attuazione (2014–2025)

This article presents the EU and Czech legal frameworks for soil and landscape protection and identifies shortcomings in the implementation of EU legislation that undermine the effective protection of soil and landscape in the Czech Republic. Shortcomings have been identified in the following areas: harmonised monitoring of soil health and contaminated-site inventories; mitigation of urban sprawl (land-take) integrated into spatial planning through a clear hierarchy of avoidance, mitigation and compensation; the enforceability of anti-erosion standards under public law beyond subsidy control; and liability for serious soil degradation not resulting from contamination. The proposed coherent reform package includes a Soil Health Act implementing the EU monitoring framework, binding land-use trajectories in spatial planning, public-law obligations equivalent to GAEC standards, an extended administrative liability regime for severe non-contamination soil degradation, and open, interoperable data to support monitoring and enforcement. Combined with inter-ministerial coordination, these measures could align Czech practice with the evolving EU acquis and deliver tangible benefits in terms of improved soil health, reduced erosion and the reversal of land sealing.

Keywords: soil protection, land-take, Soil Monitoring and Resilience Directive, Nature Restoration Regulation, GAEC, environmental liability

Il presente contributo analizza i quadri giuridici dell'Unione europea e della Repubblica Ceca in materia di tutela del suolo e del paesaggio e individua le lacune nell'attuazione della normativa dell'UE che ne compromettono l'efficacia nella Repubblica Ceca. Sono state riscontrate lacune nei seguenti ambiti: monitoraggio armonizzato dello stato di salute

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del suolo e inventario dei siti contaminati; mitigazione del fenomeno del consumo di suolo (*land-take*) integrata nella pianificazione territoriale, con una chiara gerarchia di prevenzione, mitigazione e compensazione; applicazione, nell'ambito del diritto pubblico, degli standard di protezione contro l'erosione oltre il mero controllo dei sussidi; responsabilità per la grave degradazione del suolo non derivante da contaminazione. Il pacchetto coerente di riforme proposto comprende: una «legge sulla salute del suolo» finalizzata all'attuazione del quadro europeo di monitoraggio; traiettorie vincolanti di consumo di suolo nella pianificazione territoriale; obblighi equivalenti alle norme GAEC integrati nel diritto pubblico; un regime esteso di responsabilità amministrativa per la grave degradazione del suolo non derivante da contaminazione; dati aperti e interoperabili a sostegno del monitoraggio e dell'applicazione delle norme. In combinazione con il coordinamento interministeriale, tali misure possono contribuire ad adeguare la prassi ceca al corpus giuridico dell'UE in evoluzione e apportare benefici tangibili in termini di stato di salute del suolo, riduzione dell'erosione e desigillazione del suolo.

Parole chiave: tutela del suolo, consumo di suolo, direttiva sul monitoraggio e la resilienza del suolo, regolamento sul ripristino della natura, GAEC, responsabilità ambientale

Introduction

Healthy soils are a *sine qua non* for food security, water regulation and biodiversity. Yet, until very recently, the European Union lacked a comprehensive soil law. The legislative landscape shifted with the adoption of the Soil Monitoring and Resilience Directive (SML)[1] which establishes an EU-wide framework for assessing soil health, harmonising methodologies and building national inventories of contaminated sites with the long-term horizon of healthy soils by 2050. In parallel, the Nature Restoration Regulation[2] (NRR) sets binding restoration targets and requires national restoration plans, thus making landscape recovery justiciable and time bound. Read together with enhanced CAP conditionality (GAEC 5–8) and the cross-cutting assessment and liability regimes (EIA/SEA, ELD[3] a, WFD[4]), these instruments raise the

[1] Directive (EU) 2025/2360 of the European Parliament and of the Council of 12 November 2025 on soil monitoring and resilience (Soil Monitoring Law) (OJ L, 2025/2360, 26.11.2025).

[2] Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869 (OJ EU 29.07.2024).

[3] European Commission, Directorate-General for Environment. Environmental liability (ELD), https://environment.ec.europa.eu/law-and-governance/environmental-compliance-assurance/environmental-liability_en [accessed on 5.10.2025].

[4] Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (Water Framework Directive) (OJ EU L 327, 22.12.2000).

baseline for soil and landscape governance across the Union. This article formulates a focused doctrinal assessment and: first, it clarifies the operative content of the relevant EU instruments; second, it examines their reflection and enforceability in Czech law; third, it offers a concise evaluation of the current transposition/implementation gap and practical recommendations for closing it.

1. Scoping review and doctrinal comparative approach

This study employs a two-track design: (i) a scoping review that maps EU and Czech instruments governing soil and landscape protection, and (ii) a doctrinal, legal-comparative analysis that interprets those instruments, evaluates their coherence and normative force, and contrasts EU requirements with Czech transposition and implementation. The sources date from the period between 2014–2025 and include EUR-Lex, Council records, Commission/DG Environment materials, EEA/CLMS documentation, Czech official collections (Sbírka zákonů; Zákony pro lidi), and case law of the CJEU and Czech supreme jurisdictions, supplemented by authoritative technical guidance where indicators or enforcement practice are clarified. Earlier acts have been referred to as needed. The research was iterative (Boolean queries and cross-reference follow-ups) and comprised the binding EU/CZ law, official communications and adoption records, relevant case law, and probative technical guidance while non-verifiable commentary and duplicates were excluded. Screening proceeded from titles to full texts but where instruments overlapped, *lex specialis* was prioritised and links to lex *generalis* were provided. The data were extracted consistently (legal nature/status, operative obligations, enforcement architecture, planning/agricultural linkages, and data dependencies) and were subsequently synthesised to identify points of alignment, divergence, and feasible reform options. Textual, systemic, and teleological canons were used to assess the vertical (EU → national) and horizontal (soil[5] – nature[6] – water – planning – agriculture) coherence, with emphasis put on justiciability and remedies.

[5] Council of the European Union, Council adopts new rules for healthier and more resilient European soils, 29.09.2025, https://www.consilium.europa.eu/en/press/press-releases/2025/09/29/council-adopts-new-rules-for-healthier-and-more-resilient-european-soils/ [accessed on 5.10.2025].

[6] Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) (OJ EU L 206, 22.07.1992); Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (Birds Directive, codified version) (OJ EU L 20, 26.01.2010).

2. European Union regulations and their implementation in the Czech Republic

2.1. The European Framework

The analysis confirms that the Union's soil–landscape *acquis* has recently crystallised around a set of vertically and horizontally interacting instruments with immediate implications for Czech law and practice. Of particular importance was the EU Soil Monitoring and Resilience Directive,[7] which inaugurated the first Union-wide framework for assessing and monitoring soil health. The Directive's core operative content requires Member States to establish harmonised national monitoring systems, apply common assessment methodologies, compile interoperable inventories of contaminated sites, and fulfil periodic reporting obligations. Functionally, these duties are designed to support mitigation of land-take and soil sealing along a trajectory towards healthy soils by 2050. For the Czech Republic, the results indicate three near-term implementation tasks: a statutory definition of "soil health" anchored in measurable indicators; an explicit allocation of competences across the environment and agriculture portfolios; and the construction of interoperable registries and reporting pipelines that feed into European Environment Agency systems.[8]

Complementing this monitoring backbone, the Nature Restoration Regulation (EU) 2024/1991, in force since 18 August 2024, introduces binding restoration targets and the obligation to adopt national restoration plans that include the milestone of restoring at least 20% of EU land and sea by 2030 with trajectories to 2040/2050. In the domains of soils and agricultural landscapes, these targets translate into quantified obligations that must be operationalised through indicators capable of administrative and judicial control. The Czech interface is most logically situated within regional development principles and municipal spatial plans (ZÚR/ÚP) and in agri-environmental measures addressing biotope structure, and the findings show that integrating restoration indicators into these instruments is the critical step on the path from policy aspiration to enforceable duty.

At the farm-level baseline, enhanced CAP conditionality under Regulations (EU) 2021/2115 and 2021/2116[9] remains a central vector for soil

[7] Council of the European Union, Council adopts new rules...

[8] Ibidem.

[9] Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural De-

protection. Good Agricultural and Environmental Conditions: GAEC 5 (erosion-limiting tillage), GAEC 6 (minimum soil cover), GAEC 7 (crop rotation/diversification), and GAEC 8 (retention of landscape features and non-productive areas, now largely channelled via eco-schemes) constitute minimum standards. The 2024–2025[10] targeted amendments introduced flexibilities – including derogations affecting GAEC 6–8 and lighter controls for small farms. Their analysis constitutes grounds for creating national enforcement baselines. In the Czech context, the stability and universality of these soil-related duties depend on their translation into public-law obligations that apply beyond subsidy recipients and are insulated, to the extent possible, from EU-level seasonal simplifications.

The cross-cutting impact-assessment layer shapes outcomes further. The Environmental Impact Assessment Directive,[11] as amended, requires prior appraisal of projects likely to have significant environmental effects, while the Strategic Environmental Assessment Directive[12] embeds environmental considerations at plan and programme stages. The results show that both frameworks operate as effective vehicles for diagnosing sealing and erosion risks and for applying the avoid – mitigate – compensate hierarchy; their efficacy, however, turns on the systematic use of soil-health indicators and land-take metrics in scoping and decision reasoning.

Liability and remediation are only partially covered by the current EU toolbox. The Environmental Liability Directive[13] (ELD) operationalises the polluter-pays principle for land (soil) damage where contamination entails

velopment (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021); Regulation (EU) 2021/2116 of the European Parliament and of the Council of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 (OJ L 435, 6.12.2021).

[10] Regulation (EU) 2024/1468 of the European Parliament and of the Council of 14 May 2024 amending Regulations (EU) 2021/2115 and (EU) 2021/2116 as regards good agricultural and environmental condition standards, schemes for climate, environment and animal welfare, amendment of the CAP Strategic Plans, review of the CAP Strategic Plans and exemptions from controls and penalties (OJ EU 24.05.2024).

[11] Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codification) (OJ EU L 26, 28.01.2012).

[12] Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.07.2001).

[13] Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage (OJ L 143, 30.04.2004).

a significant risk to human health, triggering preventive and remedial obligations. The study confirms that non-contamination degradations – such as compaction or accelerated erosion from land management – fall largely outside the ELD's scope, leaving room for Member States to craft complementary national remedies if they seek comprehensive coverage of soil harms.

Finally, sectoral regimes indirectly discipline soil-relevant practices. The Water Framework Directive's good-status objectives and controls on nutrients and sediment impose material constraints on agricultural run-off, erosion, and nutrient leaching and influence (govern) the Czech nitrates regime and buffer-strip requirements. In parallel, the Habitats and Birds Directives, via Natura 2000 site protection and broader conservation duties, safeguard the landscape structures such as hedgerows, wetlands, semi-natural grasslands that underpin soil functions and farm management. An alignment of these conservation obligations with the Nature Restoration Regulation's quantitative targets emerges as a necessary condition for coherent implementation. Collectively, these findings depict an *acquis* that is simultaneously consolidating and escalating in ambition: monitoring is becoming harmonised and justiciable, restoration is moving from policy to binding targets, baseline farm standards remain pivotal but fluid, and classic impact-assessment and liability tools require tighter coupling with soil-specific indicators to close residual governance gaps.

2.2. The Czech framework

Although the Czech regime for soil and land protection remains dispersed across sectoral statutes, planning instruments, and environmental regulations, an increasingly coherent architecture is emerging for integration with the evolving EU *acquis*.[14] The Act on the Protection of the Agricultural Land Fund (zákon č. 334/1992 Sb. as amended č. 183/2024 Sb.; effective as of 1 July 2024, and its selected parts since 1 January 2025[15]) continues to govern the protection principles, withdrawals, and records of soil quality and land-take. Full congruence with the Soil Monitoring and Resilience Directive will require a consolidated, indicator-based monitoring system that integrates the quality and contamination data, a clearer allocation of competences between environmental and agricultural portfolios, and an explicit legal interface tying land-take considerations to permitting and spatial planning. The Nature and

[14] Zákon č. 100/2001 Sb., o posuzování vlivů na životní prostředí (EIA Act) 2001, as amended.

[15] Zákon č. 114/1992 Sb., o ochraně přírody a krajiny, 1992, as amended.

Landscape Protection Act (zákon č. 114/1992 Sb.) is built on the ecological backbone formed by USES (Územní systém ekologické stability), Natura 2000 and the landscape character and tree protection requirements and is supported by remedial tools onto which Nature Restoration targets as well as other indicators that should be normatively anchored at national, regional, and municipal levels.

Spatial governance levers capable of translating substantive duties into justiciable outcomes concentrate in the Building Code (zákon č. 283/2021 Sb., in force since 2024[16]). Its instruments – principles of territorial development (ZÚR), municipal spatial plans (ÚP), and regulatory plans – are suited to operationalising land-take and sealing mitigation through a structured "avoid–mitigate–compensate" hierarchy, a brownfield-first preference, and systematic embedding of soil-relevant constraints and data layers in decision reasoning. Practical implications in planning practice are already visible in the judicial review of spatial-planning decisions affecting the Agricultural Land Fund. In its judgment of 30 January 2020 (ref. no. 2 As 187/2017-327), the Supreme Administrative Court examined whether the planning documentation and reasoning adequately assessed the consequences of the proposed solution for agricultural land and whether the public-interest justification was supported by a defensible weighing of alternatives. The case illustrates how incomplete implementation translates into litigation risk: where the record does not transparently demonstrate why land-take is unavoidable and how less soil-intensive alternatives were genuinely examined, the measure becomes vulnerable to annulment. This practical experience directly supports the article's recommendation to embed a legally reviewable "avoid–mitigate–compensate" logic (including a "brownfield-first" expectation where relevant) into planning evidence and decision reasoning.[17]

On the agronomic plane, Decree č. 240/2021 Sb. specifies erosion-risk assessment, permissible loss thresholds, and mandatory anti-erosion measures. To maximise preventive effect, these standards should function as binding public-law constraints in permitting and controls and they interoperate with national erosion-risk maps and Land Parcel Identification System (LPIS). In parallel, Government Regulation č. 262/2012 Sb., as amended in 2024 (č. 193/2024 Sb.), designates nitrate-vulnerable zones and prescribes fertilizer-management, slope/buffer, and timing rules that link water-quality objectives to farm practice. Coherence with Water Framework Directive

[16] Zákon č. 283/2021 Sb., stavební zákon, 2021, entering into force in stages from 2024.

[17] Nejvyšší správní soud, Rozsudek ze dne 30 January 2020, sp. zn. 2 As 187/2017-327.

objectives and Common Agricultural Policy (CAP)[18] conditionality is essential, with datasets interoperable across LPIS[19] and spatial-planning evidence bases. Finally, the Environmental Impact Assessment (EIA) Act (zákon č. 100/2001 Sb.) transposes the EIA Directive and, together with Environmental Impact Assessment (SEA)[20] it acts as a gatekeeper for projects, plans, and programmes with significant soil and landscape impacts, providing a robust conduit for applying the avoid–mitigate–compensate hierarchy.

Implementation outcomes also indicate that charges and sectoral controls alone have limited steering capacity. Indicator-based assessments of land-take in Europe show persistent conversion pressures in functional urban areas, while national environmental reporting likewise documents continued pressures on soil functions linked to land development and sealing.[21] These documented trends substantiate the article's claim that, without binding trajectories and standardised assessment tools (e.g., a consistent sealing/land-take statement used across permitting and planning), soil sealing is too often addressed through *ad hoc* mitigation or *ex post* offsets rather than through a structured *ex ante* avoidance test.[22]

Overall, SML and the Nature Restoration Regulation raise the baseline *via* harmonised monitoring and quantified restoration targets. To be fully EU-consistent, the Czech framework now needs: (i) a unified soil-health monitoring system and a contamination registry aligned with SML; (ii) land-take and sealing mitigation embedded and justiciable within the Building Code ecosystem; and (iii) stable, enforceable anti-erosion duties operating irrespective of CAP-subsidy status.

A further concrete constraint concerns enforceability at farm level outside subsidy-linked controls. Where soil-protection obligations are made operational predominantly through conditionality checks, compliance incentives and oversight intensity differ markedly between beneficiaries and non-beneficiaries. This unevenness is problematic precisely for risks that

[18] Nařízení vlády č. 262/2012 Sb., o stanovení zranitelných oblastí a akčním programu, as amended.

[19] Vyhláška č. 240/2021 Sb., o ochraně zemědělské půdy před erozí, 2021.

[20] Zákon č. 100/2001 Sb., o posuzování vlivů na životní prostředí (EIA Act), 2001, as amended.

[21] European Environment Agency, *Net land-take in cities and commuting zones in Europe (indicator assessment)*, Copenhagen, 23 March 2023, https://www.eea.europa.eu/en/analysis/indicators/net-land-take-in-cities [accessed on 5.01.2026].

[22] Ministerstvo životního prostředí, *Zpráva o stavu životního prostředí České republiky 2023*, Praha 2024, https://www.mzp.cz/cz/zprava_o_stavu_zivotniho_prostredi [accessed on 2.01.2026].

are spatially concentrated and recurrent (erosion-prone parcels, compaction hotspots, diffuse sealing externalities). The need for a uniform, indicator-anchored baseline – paired with risk-based inspection capacity and remedial orders – is consistent with the growing emphasis in European monitoring work on measurable thresholds and harmonised indicator sets for "soil health" assessments.[23]

Conclusions

A crosswalk of the EU *acquis* and Czech law exposes structural, and not merely technical, misalignments. The Union's soil-monitoring regime requires harmonised "soil health" indicators, interoperable contamination registries and periodic reporting; Czech datasets exist but are fragmented, methodologically heterogeneous and lack a statutory anchor. Aligning practice demands secondary legislation defining indicators, a unified national soil registry, and codified reporting under a clearly mandated lead authority. Land-take and sealing remain insufficiently controlled: charges for ZPF (Zemědělský půdní fond) withdrawals do not substitute for binding trajectories or a justiciable avoid–mitigate–compensate (AMC) test in permitting. A practical illustration of why a standardised AMC test matters can be found in Czech administrative adjudication. The Supreme Administrative Court has reiterated that the protection of the agricultural land fund constitutes a public interest and that development should, where feasible, be directed preferentially to non-agricultural land; insufficient reasoning on this point may undermine the legal defensibility of planning or permitting decisions.[24] This case-law logic supports the paper's claim that ZPF withdrawal charges, while relevant, cannot replace a reviewable AMC-style justification based on alternatives, minimisation of sealing, and demonstrable compensation measures.

Nature Restoration targets are not yet hard-wired into regional and municipal plans, weakening prioritisation of hedgerows, riparian buffers and semi-natural grasslands. The Czech planning system is already put into operation, binding environmental constraints (e.g., through legally relevant planning layers and protected-elements regimes). The remaining implementation step for restoration is therefore not the creation of entirely

[23] European Environment Agency, *Soil monitoring in Europe: indicators and thresholds for soil health assessments*, EEA Report No 08/2022, Copenhagen 2023, https://www.eea.europa.eu/publications/soil-monitoring-in-europe [accessed on 3.01.2026].

[24] Nejvyšší správní soud, Rozsudek ze dne 30 January 2020, sp. zn. 2 As 187/2017-327.

new instruments, but the legal "hard-wiring" of restoration indicators into the existing planning logic so that municipal and regional plans demonstrate explicitly how decisions avoid or minimise the loss of soil-supporting landscape structures and how restoration obligations are translated into spatially specific, reviewable criteria. On farms, GAEC duties are enforced mainly by subsidies, leaving gaps beyond beneficiaries while liability for serious non-contamination degradation (compaction, erosion, diffuse sealing) is likewise under-specified. The limitation is not merely theoretical. Under the Environmental Liability Directive, "land damage" is framed primarily around contamination that creates a significant risk of adverse effects on human health, which structurally leaves serious non-contamination degradation (e.g., compaction or accelerated erosion without a qualifying contamination event) outside the Directive's core trigger.[25] This helps to explain why extending national administrative tools for prevention and restoration in cases of severe non-contamination degradation would materially strengthen enforceability while remaining consistent with the polluter-pays rationale.

A coherent remedy couples statutory monitoring, binding land-take trajectories with AMC, and GAEC-equivalent public-law duties, enabled by open, auditable indicators (erosion, SOC, imperviousness, contamination, landscape connectivity), a formal MŽP[26] – MZe[27] – MMR[28] coordination mechanism, risk-based inspections with explicit remedial toolkits, and cost-reflective economic instruments (recalibrated ZPF charges, earmarked de-sealing funds, restoration bonds). Together, these measures convert dispersed capacities into a legally robust regime, yielding measurable reductions in land-take and erosion and demonstrable improvements in soil health.

These prescriptions align with core EU and Czech public-law principles. Enforceability hinges on justiciability: duties must be clear, procedurally defined, and sanctionable; regulations apply directly, while directives – interpreted with account taken for their content and purpose – must achieve their effects. Shifting soil-protection duties from subsidy instruments to public law strengthens legal certainty, equal treatment, and a timely administrative

[25] Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability regarding the prevention and remedying of environmental damage (OJ EU L 143, 30.04.2004, pp. 56–75), Art. 2(1)(c).

[26] Ministry of the Environment of the Czech Republic (MŽP): https://mzp.gov.cz/ [accessed on 5.10.2025].

[27] Ministry of Agriculture of the Czech Republic (MZe): https://mze.gov.cz/public/portal/mze/en [accessed on 5.10.2025].

[28] Ministry of Regional Development (MMR): https://mmr.gov.cz/en/homepage [accessed on 5.10.2025].

relief. Subsidiarity is observed by fixing the Union's objectives and minimum architectures while leaving institutional design to the Member State; in practice, this requires a single lead authority for soil-health monitoring with formal MŽP – MZe – MMR coordination and enforceable data-sharing. Proportionality calls for risk-based, binding thresholds (land-take reduction; non-contamination degradation) tempered by evidence-based discretion and support for smallholders. Accordingly, a compact package is indicated: a Soil Health Act (indicators, unified registry, reporting leadership); time-bound no-net-land-take and a justiciable AMC test; GAEC-equivalent duties as general public-law obligations; recalibrated ZPF charges with earmarking; an administrative-liability tier for severe non-contamination harms; and an open-data portal to secure auditability. Monitored through transparent time-series metrics, this suite converts dispersed capacities into a coherent, legally robust regime delivering measurable gains in soil health and durable compliance with the evolving EU *acquis*.

A qualitative cost – benefit appraisal supports the proposed sequencing. A Soil Health Act entails upfront expenditure on information systems, sampling, and quality assurance/quality control, but yields savings *via* targeted enforcement, avoided remediation waste, and secure EU compliance. Planning integration imposes drafting and guidance costs, but it nevertheless delivers net benefits through avoided sealing, reduced runoff and infrastructure burdens, and it also produces biodiversity co-benefits. Stabilising GAEC-type duties in public law generates marginal administrative costs relative to erosion reductions and clearer compliance signals. Recalibrated ZPF withdrawal charges with earmarking align private incentives with public costs and create a durable funding stream. An administrative-liability tier for severe non-contamination degradation requires a limited set-up but offers strong deterrence and remedial leverage. Open data is low-cost with high returns in auditability, coordination, and the science–policy interface.

Implementation should respect dependencies and it should: (1) lay foundations by enacting the Soil Health Act and launching an open-data portal to standardise indicators and registries; (2) amend planning law to embed a binding land-take trajectory, a standardised AMC test, and restoration indicators within the Building Code ecosystem and ÚAP (Územně analytické podklady); (3) stabilise farm-level duties so that erosion controls apply beyond subsidy recipients; (4) complete incentive and remediation tools through recalibrated charges and a national liability tier. Governance should designate a single coordinating authority for soil-health monitoring and reporting, formalise an MŽP – MZe – MMR steering group with a technical

secretariat, and publish an annual, metric-based dashboard with automatic corrective triggers.

Enforcement must translate statute into outcomes including risk-based inspections targeted by national erosion and sealing layers. It must permit conditions reflecting soil-risk mitigation in design, construction methods, and phased de-sealing; graduated sanctions coupled with a standard-cost remedial toolkit (re-vegetation, contouring, water-retention, de-sealing) and appropriate bonds; and positive pathways (e.g., expedited reviews) for verifiable net-positive projects. Financing should combine earmarked ZPF revenues with EU instruments (eco-schemes, EAFRD – European Agricultural Fund for Rural Development, LIFE – L'Instrument Financier pour l'Environnement) through performance-based contracts paying for outputs (hectares restored, avoided erosion, de-sealed area). A biennial State of Soil Health report, cross-referencing SML/NRR indicators with planning and enforcement statistics, plus regional AMC "stress-tests," will institutionalise learning and iterative threshold-setting.

To sum up, SML and NRR raise the baseline; Czech law has the building blocks but faces three decisive deficits: no unified statutory monitoring system, no binding and reviewable land-take controls, and uneven enforceability of anti-erosion standards beyond subsidies. A coordinated package, a Soil Health Act, land-use rules operationalising measurable trajectories and AMC, GAEC-equivalent public-law duties, augmented by open data, modernised charges with earmarking, and an administrative-liability tier, would convert fragmented capacities into a coherent, legally robust regime capable of delivering measurable reductions in land-take and erosion, improved soil health, and durable compliance with the evolving EU *acquis* while preserving proportionality and subsidiarity.