

Abstract

The aim of the rigorous thesis is to evaluate and analyze the legal regulations concerning the Natura 2000 network in the Czech Republic, the Republic of Austria and the Federal Republic of Germany, and to compare the implementation of the conservation measures regarding Natura 2000. The law comparison shall reveal common characteristics but also differences in the transformation and their consequences for the achievement of the objectives of the Habitats Directive and the Birds Directive. For this purpose, five criteria, which have a significant impact on the implementation of the EU nature conservation law, have been identified and on the basis of which the Czech, the German and the Austrian law has been compared. The first criterion concerns the state organization of the Member State, mainly if the structure of its legal system is unitary or federal and how it effects the Natura 2000 implementation. According to the second criterion, the procedure of Natura 2000 site designation is examined, mainly which type of legal act has been used for designation and whether there is a legal act for each site or it covers multiple sites. The third criterion relates to the integration of the Natura 2000 sites into national systems of special territorial protection of nature. In the case of overlapping of a Natura 2000 site with a special protected area under national law, a duality of protection regime and its consequences are also considered. According to the fourth criterion, the conservation measures are considered, with a particular emphasis on management plans and if there are generally legally binding and publically accessible. The fifth compared criterion concerns the implementation of the Habitats Directive Assessment of plans and projects, in particular, whether the assessment is carried out professionally, independently and transparently enough. In the federal republics, the emphasis is mainly put on the federal states which are directly adjacent to the Czech Republic. The rigorous thesis also analyzes the legal regulations of the Natura 2000 network in terms of European law, as well as in the international law context.