Abstract

This thesis deals with a complete legal analysis of the process of the creation and the protection of the Natura 2000 network. The Natura 2000 system is a system of protected areas created on its territory by all EU Member States. Its aim is to protect the rarest and the most endangered species of wild plants, wildlife and natural habitat types occurring within the European Union. At the heart of the network there are two key legal acts of secondary legislation on nature protection, namely Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds and Council Directive 92/43/EEC on the conservation of natural habitats.

The diploma thesis is structured into five voluminous chapters. In the first chapter, the author mentions international treaties which, with their subject-matter of protection, intertwine with the natura’s directives and (not only) laid the foundation for their later admission.

In the second chapter entitled Natura 2000, in the context of EU law, it draws attention to both the basic EU legal acts which gave rise to the Natura 2000 network but also to important soft law documents and the Regulation 1143/2014 of the European Parliament and of the Council on non-native invasive species whose interdependence with the said Directives is beyond doubt. Finally, this chapter discusses the natura’s directives themselves.

The largest part of the diploma thesis lies in the Czech legislation. This includes the remaining three chapters. However, due to its size, the author divides it into separate subchapters. In this context, in the third chapter it deals firstly with the transposition of the directives into the Czech legal order - namely Act No. 114/1992 Coll., On Nature and Landscape Protection, as amended; secondly, with Special Protection Areas – protected areas designated under the bird directive.

Chapter number four describes in detail the process of proclaiming Sites of Community Importance based on the Habitats Directive, including conservation institutes. The fifth chapter addresses the legal institutions common to the both directives; in particular the assessment of significant effects of plans and projects, either individually or in combination with other plans or projects, on Sites of Community Importance and Special Protection Areas.