

Legal regulation of protection of wild bird species

Abstract

This thesis deals with legal regulation of protection of wild bird species at the international, European and Czech level. The aim of the thesis was to provide an overview of legal regulation of protection of wild bird species, and to evaluate whether this legal regulation is an effective means of achieving objectives which led to its adoption. The thesis consists of an introduction, three main parts and a conclusion.

The first part of the thesis describes protection of birds in international law. In this part of the thesis there are first introduced international organizations important for protection of birds, in particular International Union for Conservation of Nature and BirdLife International, and then in the author's opinion the most relevant international conventions to protection of birds, namely the Ramsar Convention, the Bonn Convention, the Bern Convention and the Convention on Biological Diversity.

The following second part of the thesis focuses on protection of birds in European law. In this part of the thesis legal regulation of protection of wild bird species in Directive 2009/147/EC (the Birds Directive) is described in detail including the related case law of Court of Justice of the European Union. The author pays attention especially to legal regulation of creation of Special Protection Areas for birds and to rules of species protection of birds. This part of the thesis also deals with a related issue of natura impact assessment regulated in Directive 92/43/EEC (the Habitats Directive), as well as an issue of invasive alien species.

The third part of the thesis is about legal regulation of protection of birds in the Czech legal system, where is this issue regulated mainly in Act No. 114/1992 Coll., on the Conservation of Nature and Landscape, as amended, and in its implementing legislation. A large part of provisions of legal regulation of protection of wild bird species in this Act is transposition of requirements arising from the Birds Directive and the Habitats Directive. This part of the thesis also deals with legal regulation of bird hunting in Act No. 449/2001 Coll., on Hunting, as amended, and legal regulation of invasive alien species.

The conclusion contains a summary of findings from the previous parts of the thesis, and there are evaluated both the pluses and minuses of legal regulation of protection of wild bird species.

Keywords: protection of wild bird species, the Birds Directive, Special Protection Areas