

REPUBLIC OF LITHUANIA

LAW ON WILDLIFE

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Vilnius

CHAPTER I

GENERAL PROVISIONS

ARTICLE 1. The Basic Definitions in this Law

1. **Wildlife** denotes vertebrate and invertebrate animals and populations thereof habitually existing in their natural state in freedom.

2. **Animal resources** denotes wildlife, the parts thereof and products of their activity, which man employs or may employ to satisfy his needs.

3. **Limitation of Animal Resources** denotes establishment of norms for the use of wildlife resources while taking into account the information held, regarding the amount of animal resources, their replenishment and preservation for the future.

4. **Economic activity** denotes activity which has an effect upon wildlife.

5. **Introduction** denotes bringing in a species of fauna foreign to Lithuanian natural surroundings, with the intention of settling them in natural surroundings.

6. **Reintroduction** repeated introduction and spreading of the type of fauna in Lithuania, which has become extinct or has been destroyed in Lithuania, with the intention of re-establishing it in natural surroundings.

ARTICLE 2. Purpose and Validity of the Law

1. This Law shall regulate relations of the protection and use of wild animals, in order that natural wild animal communities and the variety of their species might be preserved, the habitation required by wild animals and conditions for breeding and migration routes be preserved and rational exploitation of wild animals be ensured.

2. Should the international agreements ratified by the Republic of Lithuania, establish other regulations of wildlife use and protection, international agreement regulations shall be applied, provided these shall not contradict the Republic of Lithuania Constitution.

ARTICLE 3. Object of the Law

1. The Law on Wildlife shall regulate protection and use of the wildlife living freely in natural surroundings on land, in water, in air or in soil, found permanently or temporarily within the Republic of Lithuania territory, and also those attributed to natural resources of its continental shelf and economic zone in the Baltic Sea.

2. The protection and use of domestic animals and also of those held in captivity or those in semi - captivity, fenced-in wild animals, shall be regulated by the corresponding laws of the Republic of Lithuania and other legal acts. Wild animals held in fenced areas shall belong to the owner by property right.

ARTICLE 4. Management of Wildlife Protection and Use

1. This Law or other legal acts of the Republic of Lithuania shall establish protection and use of wild animals living in freedom.

2. Wild animals living in freedom may not belong to natural or legal persons by right of ownership.

3. The protection and use of wildlife shall be administered by the Government, or its authorised institutions according to their competence.

CHAPTER II

WILDLIFE PROTECTION

ARTICLE 5. Measures in Wildlife Protection

In order to ensure the protection of wildlife it is necessary:

- 1) to establish regulations and norms in the protection and use of wild animals;
- 2) to preserve and recreate the natural habitat, conditions for breeding and migration routes of wild animals;
- 3) to prevent wild animals from perishing or being injured in the course of agricultural, hydrotechnological, forest maintenance and other economic activities;
- 4) to establish reserves, reservations and other protected areas;
- 5) to breed in captivity rare and vanishing species of wild animals;
- 6) to limit use of wild animals for zoological collections;
- 7) to render assistance to wild animals in the face of epizootic occurrences, the threat of perishing in fires, natural disasters or from other causes;
- 8) to organise and conduct scientific research in wildlife protection;
- 9) to prohibit cruel behaviour towards wild animals or torture thereof;
- 10) to promote protection of wildlife and develop a humane regard for wildlife;
- 11) to preserve gene pools and ensure minimal numbers in the populations of varieties.

ARTICLE 6. Protection of the Habitation Environment, Breeding Conditions and Migration Routes of Wild Animals

1. In planning, drafting and building (reconstructing, expanding) settlements and objects of economic activity, improving the existing and instituting new technologies, if this should have an effect upon the habitation environment, breeding conditions or migration routes of wild animals, some measures regarding preservation of habitation areas, breeding conditions and migration routes of wild animals must be anticipated and implemented.

2. Economic activity shall be planned, drafted and engaged in, objects of economic activity shall be constructed, (reconstructed, expanded) and used in accordance with the requirements of the Law on Environmental Protection, this and other Laws.

3. Owners administrators and users of land, forest and water bodies must ensure according to their competence, that measures of protection of wild animal habitation environment, breeding conditions and migration routes would be implemented within their domain. Damage caused by wild animals shall be compensated in accordance with the procedure established by the laws and other legal acts of the Republic of Lithuania.

ARTICLE 7. Protection of Wildlife and its Gene Pools in Using and Managing Dangerous and Hazardous Materials

In using dangerous and hazardous materials legal and natural persons, must safeguard and use them in such a fashion, as to avoid causing a negative effect and harm to wild animals and their gene pools, their habitation environment, breeding conditions and migration routes would be avoided.

ARTICLE 8. Protection of the Rare and Vanishing Species of Wildlife

1. In aiming at preservation of the rare and vanishing species of wild animals, whose breeding is very limited under natural conditions, the Ministry For Environmental Protection shall arrange for the required measures to be drafted and implemented.

2. The rare and vanishing species of wild animals whose natural habitat and breeding grounds exist on the territory of the Republic of Lithuania, or are attributed to the resources of its continental shelf and economic zone of the Baltic Sea, shall be included in Lithuania's Red

Book. The Ministry For Environmental Protection shall compile and define the Red Book of Lithuania and approve the regulations thereof.

3. Reserves, reservation areas and other protected areas, shall be established for the protection and propagation of rare and vanishing wildlife species. The Law on Protected Territories and regulations of these territories shall establish the procedure of protection and use of wild animals on these territories.

4. An activity which may result in the destruction of the rare and vanishing species of wild animals, a decrease in their individual and population numbers and also, as result of which their habitat, breeding conditions or migration routes might be damaged, must be engaged in according to the procedure established by this and other laws.

5. It shall be permitted to trap and hold in captivity rare and vanishing species of fauna, breed them and release them in natural surroundings only upon obtaining a license from the Ministry For Environmental Protection.

6. It shall be prohibited to alter wild animal gene pools and then release the animals in natural free surroundings.

ARTICLE 9. Funding of the Protection Measures of Fauna

1. The state, municipalities, owners, administrators and users of land, forests and water bodies shall fund the measures of fauna protection in instances which have been stipulated by Republic of Lithuania laws.

2. Environmental protection funds and also other funds and moneys may be additional sources of funding protection measures of fauna.

ARTICLE 10. Resettlement, Introduction and Crossbreeding

It shall be permitted to resettle, introduce (reintroduce) and crossbreed wild animals only according to the procedure established by the Ministry For Environmental Protection.

ARTICLE 11. Limiting of Activity in the Spheres of Land, Forest and Water Economies and Industry and Transport

Economic activity may be limited by the Government or the institutions authorised by it according to established procedure, in land, forest and water economies and in industry and transportation spheres, in order to protect wildlife.

CHAPTER III

USE OF WILDLIFE

ARTICLE 12. Users of Wildlife

1. Users of wildlife may be natural persons of the Republic of Lithuania and foreign countries and also legal persons of the Republic of Lithuania.

2. Wildlife users shall use wildlife on the basis of the right of use.

3. The owner of land, forest and water bodies shall have the right to make personal use of wildlife according to the established procedure, and to transfer the right to use it or not to use it, in accordance with the normative acts of the Republic of Lithuania, to other natural and legal persons.

ARTICLE 13. The Rights of Wildlife Users

1. Natural and legal persons shall have the right to the use of wildlife by adhering to the procedure and norms of wildlife protection and use and requirements of other legal acts regulating wildlife use.

2. Republic of Lithuania laws shall protect the right to the use of wildlife. Violated rights of wildlife users must be restored in accordance with the procedure established by law.

3. Use of wildlife may be limited or terminated for wildlife protection and other purposes in instances stipulated and according to procedure established by Republic of Lithuania laws.

ARTICLE 14. Obligations of the Owners of Land, Forest and Water Bodies and Other Wildlife Users

Taking into consideration the type of wildlife use, owners of land, forest and water bodies must:

- 1) observe established regulations, terms, norms and conditions of wildlife use;
- 2) not violate the ecological balance of natural communities;
- 3) implement multiple wildlife protection and renewal measures.

ARTICLE 15. Types and Conditions of Wildlife Use

1. The kinds of wildlife use shall include:

- 1) hunting;
- 2) fishing;
- 3) trapping and collecting of wild animals, which are and are not a part of hunting and fishing establishments;
- 4) use of wild animals for science, culture, education, training and aesthetics purposes;
- 5) use of wild animals for zoological collections;
- 6) use of wild animals for the purpose of obtaining their life products and use of their life activity.

2. The use of wild animal types included in the Red Book of Lithuania, shall be permitted in accordance with the procedure established by the Government and other authorised institutions. The use of certain types of wild animals shall be limited according to consideration of their ecological status.

3. Regulations and Norms on the Use of Wild Animals shall establish the terms, ways, implements and limits of wild animal use.

4. The laws of the Republic of Lithuania shall establish taxes on wildlife use.

ARTICLE 16. HUNTING

1. Hunting entails lying in wait, tailing, chasing for the purpose of trapping or shooting of the wild animals designated for a hunting establishment and also, the trapping and shooting of wild animals.

2. The laws of the Republic of Lithuania, regulations of hunting in Lithuania and Hunting Rules, which shall be approved by the Government or its authorised institutions, shall establish the types of hunting, procedure for organising such, equipment, terms, safety conduct, veterinary supervision requirements in hunting, and other conditions of organising hunts.

3. Hunting shall only be permitted on hunting grounds, excluding those exceptions stipulated by laws. The Republic of Lithuania Hunting Regulations shall establish the procedure of the lease of hunting grounds and thereof for hunting purposes.

ARTICLE 17. Fishing

1. Fishing is the catching of fish and aquatic invertebrates by means of using recreational and commercial fishing equipment.

2. The Government shall establish the procedure for leasing of water bodies and use thereof for recreational and commercial fishing purposes.

3. The procedure of commercial and recreational fishing established by the Government or a Government-authorised institution, must be observed.

4. Fish raised in ponds shall be the property of the owner by the right of ownership.

ARTICLE 18. Trapping and Collecting of Wild Animals Which Do Not Belong to Hunting and Fishing Establishments

1. Legal and natural persons shall have the right to trap and collect wild animals, which are not allocated to hunting or fishing establishments. It shall be permitted to trap and collect these wild animals for commercial purposes, without violating the rights of owners of the land, forest and water bodies, however a license must be obtained from the Ministry For Environmental Protection.

2. An institution authorised by the Government shall make up a list of varieties of wild animals, trapping and collection whereof shall be permitted.

3. The Ministry For Environmental Protection shall establish the procedure for trapping and collecting wild animals, that do not belong to hunting or fishing establishments.

ARTICLE 19. Use of Wild Animals for Scientific, Cultural, Educational, Training and Aesthetic Purposes

1. It shall be permitted to use wild animals for scientific, cultural, educational, training and aesthetic (to observe, mark, film, etc.) purposes, without removing them from their biological environment, provided that will not pose any harm to wild animals and their habitat and shall not violate the rights of other wildlife users and managers, as well as owners of land, forest and water bodies, except in instances when use is prohibited.

2. The use of wild animals for the purposes of scientific, cultural, educational, training and aesthetic purposes and their removal from their biological environment shall be permitted only in accordance with established procedure upon obtaining a permit from the Ministry For Environmental Protection and having co-ordinated it with the owners, managers and users of land, forest and water bodies.

3. The Ministry For Environmental Protection shall establish the procedure of wild animal use for scientific, cultural, educational, training and aesthetic purposes.

ARTICLE 20. Use of Wild Animals for the Purpose of Obtaining Products of their Life Activity and Use of Their Beneficial Life Activity

It shall be permitted to use wild animals for the purpose of obtaining products of their life activity (snake venom, bee products etc.) and also, to use their useful life activity, provided that wild animals are not removed from their biological habitat, are not destroyed and damage is not being caused to the natural habitat of wild animals.

ARTICLE 21. Assembling and Replenishment of Zoological Collections

1. Legal and natural persons may assemble and replenish zoological collections (live zoo, oceanarium and other as well as, stuffed animals, nest and eggs preparations and collections of parts). Wild animals may be removed from their biological habitat, especially for these purposes only upon obtaining a permit according to established procedure. Permits are not required for collections, which are comprised of hunting, fishing and other trophies, when wildlife is being used according to established requirements.

2. The Ministry For Environmental Protection shall establish the procedure of removal of wild animals from their biological habitat for the purpose of compiling zoological collections.

3. The zoological collections having a scientific, cultural, educational, training or aesthetic value, shall be included in national records.

ARTICLE 22. Keeping of Wild Animals in Captivity

An institution authorised by the Government shall establish the procedure of keeping wild animals in captivity.

ARTICLE 23. Regulation of Wild Animal Numbers

1. The numbers of individual kinds of wild animals shall be regulated for the purpose of ensuring the protection of people's health, protecting domestic or wild animals from becoming ill, avoiding damage to agriculture, forests and other environmental components caused by wild animals.

2. Wild animal numbers shall be regulated through humane means, protecting their living habitat and not causing any harm to other types of wild animals.

3. The Ministry For Environmental Protection having co-ordinated with the Ministry of Agriculture and Forestry, shall establish the density and use norms of the wild animal kinds the numbers whereof must be regulated.

ARTICLE 24. Wild Animal Trade

1. Legal and natural persons may engage in trade in wild animals and parts and trophies thereof, only upon obtaining a permit from the Government or an institution authorised by it. This requirement shall not apply to lawfully obtained trophies.

2. Wild animals shall be taken out from and brought into the Republic of Lithuania according to the procedure established by the Government.

CHAPTER IV

NATIONAL RECORDS OF WILD ANIMALS AND THE NATIONAL FAUNA CADASTRE

ARTICLE 25. National Records of Wild Animals and The Use Thereof and the National Fauna Cadastre

In order to safeguard fauna records and organise rational use thereof, records shall be kept of wild animals and the use thereof and a national fauna cadastre shall be administered. Comprehensive information shall be kept in the cadastre on the proliferation of various types of wild animals, their numbers, the environment required for their existence and its capaciousness, parameters of wildlife economic use and other required data.

ARTICLE 26. Administration of the National Records of Wild Animals and National Fauna Cadastre

National records of wild animals and their use shall be kept and the National Fauna Cadastre shall be administered from state funds. The National records on wild animals and procedure of accounting shall be administered by an institution authorised by the Government.

CHAPTER V

STATE CONTROL OF WILDLIFE PROTECTION AND USE

ARTICLE 27. The Tasks of Wildlife Protection and Use

State control of wildlife protection and use shall ensure that all legal and natural persons observe the established procedure and norms of wildlife use and requirements of wildlife protection.

ARTICLE 28. The Implementation of State Control of Wildlife Protection and Use

The Ministry For Environmental Protection and other institutions shall implement state control of wildlife protection and use according to their competence.

CHAPTER VI

RESPONSIBILITY FOR VIOLATIONS OF THE LAW ON WILDLIFE

ARTICLE 29. Legal Responsibility

Natural and legal persons, who have violated the requirements of this Law, shall be held legally responsible in accordance with the laws of the Republic of Lithuania.

ARTICLE 30. Damage Inflicted Upon Wildlife

Natural and legal persons must compensate the damage inflicted upon wildlife as a result of violations of this Law and other laws of the Republic of Lithuania. The damage inflicted upon wildlife shall be compensated in accordance with the costs approved by the Government and methods approved by the Ministry For Environmental Protection.

CHAPTER VII

FINAL PROVISIONS

ARTICLE 31. Coming Into Effect of the Law

Upon coming into effect of the Law on Wildlife, the Law on Wildlife Protection and Use, shall be no longer valid.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC ALGIRDAS BRAZAUSKAS